



Portage County Board of Commissioners
Meeting Minutes

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

Sara Hoag, Acting Clerk
330-297-3600

Thursday, December 15, 2022

9:00 AM

Commissioners' Board Room

The following meeting minutes are summarized. Audio recordings and backup material are available in accordance with the Commissioners' Agenda and Audio Recording Retention Schedule.
Please contact the Commissioners' Office for specific details.

The Portage County Board of Commissioners' meeting came to order in the Commissioners' Boardroom located at 449 South Meridian Street, Ravenna, Ohio, with the following members present:

Attendee Name	Title	Status
Sabrina Christian-Bennett	President	Present
Anthony J. Badalamenti	Vice President	Present
Vicki A. Kline	Board Member	Present

Also attending throughout the day was County Administrator Michelle Crombie.

The Board of Commissioners presented a proclamation to Robert Towles in recognition of his service with the United States Army and continued involvement within the community.

1. The Board of Commissioners approves the December 1st, 2022, regular meeting minutes.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

JOB AND FAMILY SERVICES

Present: Assistant Director Brian Boykin and Sue Brannon, Budget & Finance Administrator

Discussions:

1. Agency-Wide:

a. August/September/October JFS Data Report

- The total Medicaid recipients seem to be increasing slightly higher each month.
- In childcare, there were less children, but the October dollar amount was higher due to a rate increase.
- The Customer Service Center calls were low in October.
- PRC applications were reduced in October.
- Children's Services total children in custody for October were 173, which has increased slightly, but we're still fairly low.
- APS cases assigned reduced from 27 in September to 18 in October.

- Child support total customer service calls reduced quite a bit in October.

b. Paid Internship Program

We recently updated our paid internship program and our goal is to expand our current unpaid internship program that we've had for seven years to attract graduating students by offering paid internships.

c. Cell Phone/iPad Refurbished Program

We have a cellphone and iPad refurbishment program and we'd like to roll this out the first part of the new year. We will notify the community that we have 76 older iPhone models, and 62 older iPad models we're hoping to donate those to people in need.

Commissioner Christian-Bennett pointed out that the items may have to be declared obsolete since the equipment belongs to Portage County prior to being donated and Ms. Brannon will let Director Jeffries know.

2. Child and Adult Protective Services

a. Presents for Kids and Senior Citizen Program Update

Mr. Boykin reported the community has graciously donated presents for the program and we want to thank them as this year has been the best year so far in the program. We currently have 173-176 kids in custody and we will be able to provide them with four gifts each.

3. Public Assistance Division

a. Child Care Center Update

An account has been established in MUNIS and we have paid the licensing for food that we're going to have. Additional licensing is still needed through the Ohio Department of Job and Family Services, but the invoice should be paid in January.

We are working on a draft Parent and Employee Handbook and Director Jeffries will have further information in January.

4. Ohio Means JOBS

a. Benefit Bridge Update

Mr. Boykin announced the Benefit Bridge Program continues to provide assistance to families in the program - we've had two families we've helped by providing \$500 to one and \$3,900 to the other.

b. Manufacturing Internship Program Update

This will be our third or fourth cohort and we are working with Kent State and it's starting to pick up. We've had radio ads and displays at the theater regarding the program to encourage recruitment. The program should begin in February 2023.

Resolutions:

1. Transfer from Fund 1414, Child Support Administration, to 1410 Public Assistance

Fund./Resolution No. 22-0715

2. Transfer from Fund 1413, WIA Fund to Fund 1410 Public Assistance Fund./Resolution No. 22-0716
3. Rescind Resolution No. 22-0689 to Transfer from Fund 1414, Child Support Administration, to Fund 1410 Public Assistance Fund./Resolution No. 22-0717

GRANTS ADMINISTRATOR

Present: Hope Bonos

Resolutions:

1. Authorize grant application to the Ohio Department of Public Safety 2023-2024 Motorcycle Ohio Grant in the Amount of \$59,615.60 on behalf of the Portage County Sheriff's Office./Resolution No. 22-0712
2. Authorize all actions necessary to accept U.S. Department of the Treasury, American Rescue Plan Act, Local Assistance and Tribal Consistency Funds./Resolution No. 22-0713
3. Accept the grant award from the Ohio Office of Criminal Justice Services for the Recovery Ohio 2021 Law Enforcement Grant on behalf of the Portage County Sheriff's Office Drug and Violent Crime Unit. (Grant No. 2021-RO-ETF-R582)./Resolution No. 22-0717

INTERNAL SERVICES

Present: Director JoAnn Townend and Deputy Director Shannon Kautzman

Resolutions:

1. The Board of Commissioners authorizes the Portage County Engineer to execute amendment to Local Public Agency (LPA) agreement # 33898 with the Director of the Ohio Department of Transportation (ODOT) for the project known as the Replacement of Ravenna Road Bridge, Portage County, Ohio./Resolution No. 22-0717
2. The Board of Commissioners accepts contract change order No. 1 and final to the construction agreement with Chagrin Valley Paving, Inc. for the Infirmary Road Realignment and Resurfacing Project (CH164 – Sections F-I) in Shalersville and Mantua Townships, Portage County./Resolution No. 22-0718
3. The Board of Commissioners approves the public announcement of available contract for professional construction administration services for the project known as Silica Sand Road Bridge Replacement (NEL 162), CH 253)./Resolution No. 22-0719
4. The Board of Commissioners agrees to amend Resolution No. 22-0695 adopted December 1, 2022 to correct a typographical error accepting a surety bond decrease rider for

construction of street, storm sewer, and drainage improvements for the Germaine Reserve Phase II Subdivision in Franklin Township./Resolution No. 22-0720

5. The Board of Commissioners agrees to enter into an agreement between the Portage County Common Pleas and Municipal Courts, Adult Probation Department and the Portage County Board of Commissioners and Mid-American Courts Services, LLC./Resolution No. 22-0721
6. The Board of Commissioners agrees to enter into an agreement between the Portage County Common Pleas and Municipal Courts and the Portage County Board of Commissioners and Mid-American Courts Services, LLC./Resolution No. 22-0722
7. The Board of Commissioners agrees to enter into an agreement for obtaining utility locating services for the Portage County Water Resources Department./Resolution No. 22-0723
8. The Board of Commissioners declares the acceptance of the assignment and assumption of a sanitary sewer easement situation in the City of Streetsboro original lot 67, Portage County, Ohio, as part of county project, "Meadow View Subdivision Phase 18", County Project No. ST-4-22-050-P./Resolution No. 22-0724
9. The Board of Commissioners authorizes the preparation of plans, specifications and estimate of cost for Project No. AT-1(22-120), Atwater Wastewater Treatment Plant (WWTP) Clarifier Improvements, in the Portage County Regional Sewer District, Atwater Township./Resolution No. 22-0729
10. The Board of Commissioners declares the acceptance of the water easement in Shalersville Township Lot 54 & 66, Portage County, Ohio, in relation to Beck Road Sewer & Waterline Extension to SR 44 – Phase 1 & Phase 2, Project No. MV-1-22-040-P./Resolution No. 22-0725
11. The Board of Commissioners agrees to enter into a septic assistance program agreement with Portage County Regional Planning Commission and Clonch & Sons Excavating for a septic system replacement for Jeffrey P and Tara D Juhasz./Resolution No. 22-0726
12. The Board of Commissioners agrees to enter into a septic assistance program agreement with Portage County Regional Planning Commission and Clonch & Sons Excavating for a septic system replacement for Johnny Torres./Resolution No. 22-0727
13. The Board of Commissioners agrees to award and enter into contract with R2K Contracting for the Targets of Opportunity Program Cares Act, Family & Community Services Flooring & HVAC Update, 161/163 Currie Hall Parkway, 1536/1538 Benjamin Court, 1540/1542 Benjamin Court, 1548/1550 Benjamin Court and 1019-1037 Graham Avenue, Kent, Ohio./Resolution No. 22-0728

14. The Board of Commissioners approves plans and specifications and set date for accepting bids for the Silica Sand Road Bridge Replacement (NEL 162, CH 253), over Eagle Creek in Nelson Township, Portage County./Resolution No. 22-0730
15. The Board of Commissioners accepts and awards the bid for Water Well Maintenance and Cleaning Services for the Water Resources Department./Resolution No. 22-0731
16. The Board of Commissioners amend resolution 22-0469 adopted July 21, 2022 Declaring the necessity to Purchase four (4) vehicles for use by the Portage County Sheriff./Resolution No. 22-0732
 - The price is the same and has not changed.
17. The Board of Commissioners agrees to enter into an amendment no. 7 between the Portage County Board of Commissioners, Portage County Recorder and VCR Companies, LLC/**Pulled from Agenda.**
18. The Board of Commissioners accept the proposal of Cott Systems, Inc. for an integrated recordation and imaging system for the Portage County Recorder./Resolution No. 22-0734

COUNTY ADMINISTRATOR

Present: Michelle Crombie

Discussion/Updates

1. Outside Agencies ARPA Funding Accounting Services:

Administrator Crombie attended the CCAO conference and met with several County Administrators and the cost for accounting services to monitor ARPA funding for outside agencies varies depending on the need.

Commissioner Badalamenti pointed out we may be paying a lot of that money to an accounting service to ensure the funding is being spent correctly by outside agencies. There may be a better use of the funding.

Commissioner Christian-Bennett noted Ashtabula County was able to give funding to the food pantries, but she was unsure whether they had an accounting firm is monitoring. Administrator Crombie will reach out to Ashtabula County to inquire.

2. OSU Extension Office Budget:

Prior years have included funding in the amount of \$90,000, \$105,000 and the office is requesting \$126,000 for 2023, an additional \$21,253. The Board agreed to provide \$120,000. Administrator Crombie will reach out to the Extension to advise.

3. WIC Lisbon:

The Health Department is on a grant cycle of October 1st to September 30th and costs were to the state without the increased rent.

Administrator Crombie is asking that the Board forgive the 2021-2022 rent because the grant has been returned to the state and they cannot request additional funding. If they don't have a lease in place, they cannot pay rent.

Administrator Crombie recalled the Board wanted to raise the rent, but the Health Department was not in agreement with the raise, and then the Board tried to sell the building. The Health Department did counter with a higher per-month rent amount if the County would pay all utilities.

Commissioner Christian-Bennett explained the County is out an entire year of income and we can't even try to increase the rent to bring it up to a marketable rent to recover some of the year-long rent that was lost. Commissioner Christian-Bennett also asked if the Board was notified of the Health Department's timeline for returning money back to the state.

Commissioner Badalamenti pointed out that you still need to pay rent even if you are in negotiations. If you're there, you pay and they chose not to pay.

Commissioner Christian-Bennett asked for the total amount if the Board were to forgive rent for 2022 and Administrator Crombie will compile additional information and the issue will be revisited during the beginning of 2023. Meanwhile, the Board agreed the rent will be \$12.50/month beginning in 2023 and that does not include utilities.

Commissioner Badalamenti suggested a short-term lease with the Health Department until they are able to find something else.

The Board agreed it is not willing to forgive any rent for 2022.

DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT

Present: Director Jackie Petty

Journal Entries:

In accordance with Section 305.30(K) of the Ohio Revised Code and this Board's Resolution 21-0396 and this Board's Resolution 21-0878, the Board of Commissioners acknowledges and approves the County Administrator's approval to:

1. Direct the Auditor's Office to pay/process the December 1, 2022 and December 8, 2022 bills/ACH payments, wires, journal vouchers and then & now's, as applicable, contingent upon the verification of the reports as presented by the County Auditor and reviewed by the Department of Budget and Financial Management.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

Expenditure Review		
County Funds: (0001 – 8399)		
Bill Payment and ACH list totaling:		
Bill Payment list	\$720,964.26	(Includes late fees of: \$0)
ACH/Neil Group of	\$0	
ACH Payment list totaling:	\$0	
Health Benefit Wire transfers totaling:		
Medical Mutual Admin of	\$148,734.76	
Medical Mutual Claims of	\$438,329.02	
Medical Mutual Flex Admin of	\$0	
Medical Mutual Flex Claims of	\$4,907.43	
Journal Vouchers totaling:	\$35,236.27	
Then and Now list totaling:	\$264,216.89	
Debt Service wire list:	\$0	
BWC Wires:	\$0	

Expenditure Review		
County Funds: (0001 – 8399)		
Bill Payment and ACH list totaling:		
Bill Payment list	\$1,286,741.61	(Includes late fees of: \$1.35)
ACH/Neil Group of	\$126.06	
ACH Payment list totaling:	\$0	
Health Benefit Wire transfers totaling:		
Medical Mutual Admin of	\$0	
Medical Mutual Claims of	\$318,319.05	
Medical Mutual Flex Admin of	\$888.00	
Medical Mutual Flex Claims of	\$2,969.41	
Journal Vouchers totaling:	\$229,464.56	
Then and Now list totaling:	\$173,061.00	
Debt Service wire list:		
	OWDA	\$261,240.69
	OPWC	\$19,740.10
BWC Wires:	\$0	

2. Process the December 1, 2022 and December 8, 2022 budget amendments as reviewed and recommended by the Department of Budget and Financial Management.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea; Commissioner Christian-Bennett, Yea;

Motion Carries

Resolutions:

1. Transfer from Fund 4259, Tallmadge Rd Section M-N Resurfacing to Fund 1201, Motor Vehicle and Gas Tax./Resolution No. 22-0735
2. Transfer From Fund 4254, Small Bridge Replacement To Fund 1201, Motor Vehicle and Gas Tax./Resolution No. 22-0736
3. Cash Advance from Fund 0001, General Fund to Fund 1481, Prosecutors State Grant./Resolution No. 22-0737
4. General Fund Fiscal Year 2023 Annual Appropriation Measure./Resolution No. 22-0738
5. Non-General Funds Fiscal Year 2023 Annual Appropriation Measure./Resolution No. 22-0739

Recessed: 9:55 AM

(10:30 AM Portage Geauga Joint Board of Commissioners' Meeting began)

Reconvened: 10:30 AM

10:30 AM In accordance with the Ohio Revised Code 121.22(G)(1), it was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the Board of Commissioners moves into executive session to consider the employment of a public employee. Also present: County Administrator Michelle Crombie and Department of Budget and Financial Management Director Jackie Petty. Roll call vote: Anthony J. Badalamenti, Yea; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

10:46 AM Upon conclusion of the above-referenced discussion, it was moved by Sabrina Christian-Bennett, seconded by Vicki A. Kline that the Board of Commissioners moves out of executive session. Roll call vote: Sabrina Christian-Bennett, Yea; Vicki A. Kline, Yea; Anthony J. Badalamenti, Yea;

After exiting the executive session, the Board took no action.

HUMAN RESOURCES

Present: Director Tami Soltis

In accordance with Section 305.30 of the Ohio Revised Code and this Board's Resolution 21-0396, Part IX(I), the Board of Commissioners acknowledges and approves the County Administrator's approval to:

1. Accept the resignation of Miranda Lewis, with Group Home, for the Portage County Job and Family Services effective December 16, 2022

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

2. Authorize the three-day internal posting of a non-bargaining position, Clinical Services Manager replacing Miranda Lewis, for Portage County Job & Family Services, with external posting if no internal appointment is made.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

3. Authorize the hire of Mikell Riddle, Eligibility Specialist, replacing Diane Rogers, in the Portage County Department of Job & Family Services. The tentative start date is Monday, December 27, 2022. The Board of Commissioners agrees this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

4. Authorize the hire of April Chamberlain, Eligibility Specialist, replacing Dutchess Murray, in the Portage County Department of Job & Family Services. The tentative start date is Monday, December 27, 2022. The Board of Commissioners agrees that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

5. Authorize the hire of Marija Prodanovic, Social Services 3, replacing Danielle McGarvey, in Portage County Department of Job & Family Services. The tentative start date is Monday, December 19, 2022. The Board of Commissioners agrees that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

6. Accept the retirement of Susan Brannon, JFS Budget & Finance Administrator, for the Department of Job and Family Services, effective August 31, 2023.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

7. Authorize the three-day internal posting of a non-bargaining position, JFS Budget & Finance Administrator replacing Susan Brannon, for Portage County Job & Family Services, with external posting if no internal appointment is made.

Motion: Commissioner Badalamenti**Seconded: Commissioner Kline**

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

8. Approve anniversary/probationary step increase for the following non-bargaining employees:

- a. Mark Gilly ~ November 26, 2022 ~ Internal Service Maintenance
- b. Don West ~ November 28, 2022 ~ Water Resource
- c. Holly Rhodes ~ December 26, 2022 ~ JFS
- d. Jessica Plymale ~ December 26, 2022 ~ JFS
- e. Kellan Towns ~ December 26, 2022 ~ JFS

Motion: Commissioner Badalamenti**Seconded: Commissioner Kline**

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

9. Authorize the hire of Don Shump, Project Engineer, in Portage County Department Water Resources. Tentative start date is Monday, January 3, 2023. The Board of Commissioners agrees this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti**Seconded: Commissioner Kline**

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

10. Authorize the hire of Joseph Andrassy, Project Engineer, in Portage County Department Water Resources. The tentative start date is Monday, January 3, 2023. The Board of Commissioners agrees that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti**Seconded: Commissioner Kline**

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

BUILDING DEPARTMENT

Present: Director Randy Roberts, County Engineer Mickey Marozzi, and Attorney Chris Meduri

Director Roberts stated around October of 2021, I was contacted by several property owners in the area of the property that doesn't have an address, but it's on Randolph Road, owned by Mr. and Mrs. Christopher Saal. Mr. and Mrs. Saal own many properties in the area for their farm market and they grow their own vegetables and different farm components.

The property owners in the area discussed a flooding problem with backed-up water. There's an area of Potter's Creek, which runs basically north and south, that crosses the property that's owned by the Saals, which is vacant land. That area intersects with the lake confluence for Congress Lake and the water flows from south to north and curves to this confluence, and at that point it intersects with a two-track farm road on Mr. Saal's property. Way back during prior property owners, they placed two large, corrugated culvert pipes under the farm to create the farm route so water could flow into the confluence and work its way to Congress Lake. At that time last year in October, the property owners that visited with me at that time said they were aware that Mr. Saal had physically blocked the culvert pipes with man-made planking wood to dam it up, thus causing water backup for the purpose in their words of getting his pumps into that area so he could easily irrigate his crops on his property. Their complaint was that the water now backed up so much it was influencing their properties, so we started looking into it.

The area we're speaking about is in the FEMA 100-year floodplain, so it starts to involve my office and my responsibilities as the Floodplain Administrator. If there is a blockage of the water and without proper permits, applications and engineering data to prove that it's not going to cause harm, that would be a problem. However, by the time I was brought into the situation, the idea of the manmade materials (the planks and wood blocking the culvert pipes) disappeared and the property owners who approached me said they physically went on this person's property and removed the blockage multiple times, to the point that the property owner Mr. Saal had blocked it with natural debris, stone, dirt, etc. The neighbors tried to remove some of that themselves, but it was too much to remove and they were calling for help.

So with their information, I wrote a letter to the Saals and told them that they can't modify the floodplain and within a short period of time, I received a letter from Mr. Saal's attorney asking me to cease and desist from talking with him and I immediately contacted Attorney Chris Meduri at the Prosecutor's Office to bring him into the discussion.

We then had a personal meeting with Mr. Saal's attorney and ultimately obtained permission to go on the property. Mr. Saal took myself, my Deputy Director, along with his attorney, Frank Cimino, to the area and we visited the property and went to the point of contention and we could not find any manmade objects or a clear definition where I can state my case in the court of law to say that the property owner blocked the culvert pipes because it was natural debris (dirt, soil, mud). The fact that it is blocked and the flooding area of water has increased and is elevated, there's an enormous amount of beaver dams now in that whole area and the question is, how much did the beavers do and how much did Mr. Saal do? I can't say with certainty what he did or did not do, but there is an issue where the flooding of that area on the

west side of Potter's Creek is clearly definite, there are no two ways about it, it's extreme. If you look at old Google maps, you don't see the flooding we see today, but it's very clear.

So with that, we had a discussion, I contacted our County liaison to FEMA, which is the Ohio Department of Natural Resources (ODNR), whom I've been in contact with throughout this process and received information from them and the end result is that unless I can provide information that the blockage was manmade, I have no standing to require any changes, it can be left alone, and there's case law in Ohio that supports it. The property owner is not required to open up the waterway or the stream and get it flowing again. So we have that information from ODNR.

So I wrote a follow-up letter to Mr. Saal, I may have stretched my limits a little bit trying to get him to open it up and let the water flow through to which his attorney responded no, we don't have to do that and I received further confirmation from ODNR that no, we really don't have any standing from the Floodplain Administration side of the County and the Floodplain Regulations as adopted by the County. My limits to get anything done beyond that are null and void.

I received information from one homeowner and I have a petition signed by 13 address owners in the area who are affected by this and one of the property owners has gone before the Auditor to get tax relief because they can't be part of the parcel due to the flooding.

Commissioner Badalamenti asked if anyone took video or pictures of the problem and Director Roberts stated no physical evidence is available.

Commissioner Badalamenti explained now we have dirt and debris, they've got 100-year floodplain that you oversee, so what if there's an earthquake and all that dirt falls in there, you have no authority to go in and with a bulldozer and clean it up and Director Roberts responded that is correct, it's a natural condition that a property owner, according to the ODNR, to make that happen. Commissioner Badalamenti stated we have 100-year floodplain and really doesn't mean anything.

County Engineer Marozzi explained what ODNR is referring to is the process of the blocking, it typically occurs over an extended long period of time and if it typically happens that way, they say that's Mother Nature and that's what we got. Just because this gentleman filled it in, and then they took it out and then he filled it in better doesn't mean we now have what I would consider being a naturally occurring wetland program over a 20-30-40 year period. We have one person who just filled it in and just because he used natural products, you can draw the conclusion that it's not an act of God, it's an act of man that was perpetrated purposefully so that he could irrigate. Most generally that action is upheld in court if it does not cause a negative impact on upstream property owners. In other words, if he does it but he does it in such a way that he lets some of the water flow through, so he raises it up some but not a lot, then generally, that's been viewed as okay. If he blocks the whole thing and just lets it back up, what's going to likely happen eventually is that I have two bridges very close by to the blockage on Ranfield Road and then I have another one right around the corner on Randolph Road and the water is backing up precariously close to the under steel structure of the bridges.

In addition to that, because of the topography, the water on the south side of Randolph Road is also surrounding a home...

At 11:00 AM, Commissioner Christian-Bennett stopped the discussion to ask if anyone had Public Comment and Mr. and Mrs. Doak have comments but agreed to hear the rest of today's discussion first.

County Engineer Marozzi went on to say that the water is standing in the ditch on the south side of Randolph Road, which is my road and it's precariously close to the surface of the road - it's only probably maybe four to six inches away. If it continues to rise, I will have water on Randolph Road and I can't tolerate that during the winter season.

Commissioner Badalamenti asked how large the culverts are and Director Roberts indicated about 48 inches in diameter and Mr. Jenkins noted the upstream bridge is 34 feet wide by five feet high that's flowing into the culverts.

Director Roberts shared an email from Alicia Solverio, who is in charge of streams and water resources at ODNR and she highlighted some points for me that I knew already but she just wanted to bring to my attention.

- Under Ohio Stream Management Guide who's responsible for clearing natural obstructions and again, we don't know where the obstruction came from, we can't prove it, such as a log jam, sandbars, are there other stream blockage to keep them free? It's goes on to say it's not clear that anyone has such responsibility. Governmental entities at the municipal, county, state, and federal levels have the statutory authority to undertake street clearing and drainage improvement projects, but no government entity at any level has been assigned the statute of responsibility for such activities.
- The common law does not specify that property owners must keep the streams flowing through their property free of natural obstructions, natural obstructions in the stream, any property may cause harm to upstream property owners by reducing the stream's capacity. I'm going to paraphrase here - if these problems were caused by the landowner's action, which again we can't prove, that such constructive damage stream this harm would be actionable in court. It's not it is unclear whether or not the landowner's inaction and failure to remove the obstruction to the stream is actionable. So that's basically what they said to us.

County Engineer Marozzi noted we have topographical maps that show a little while back, the area was an open free-flowing ditch and now the areas that are flooded and saturated didn't exist then.

Attorney Meduri explained that with a County, you're a creature of statute and you can only do what the Ohio Revised Code allows you to do. In this case, the County has a statutory provision that give you the permissive discretionary authority to take action in a situation like this. We have a lot of water issues on private property and you want to be careful with that

because when you do for one you might have to do for others, but if it's coming close to the road, it's a game changer.

Attorney Meduri pointed out that whenever you go on private property, you want to be careful, but the County has a statute that allows it to do that without a court order by providing 30 days notice. Commissioner Badalamenti suggests providing the 30 days notice immediately.

County Engineer Marozzi stated we don't know or have a feeling for the actual topography, it could take a lot to raise that ditch level up to the road if there's lower topography on the upstream side.

Commissioner Christian-Bennett suggests the Board become proactive as opposed to reactive.

Commissioner Kline asked about the timeline for a Court Order and Attorney Meduri noted it would take months. If Mr. Saal and his attorney would provide consent to go on the property and do it, it would be a lot quicker. The Board agreed to ask the question and Attorney Meduri suggests a Journal Entry allowing us to proceed under the statue and he will talk to Attorney Cimino to see if the owner would provide consent.

Journal Entry:

1. The Board of Commissioners will proceed under Ohio Revised Code § 6151.14, to attempt to remedy the situation concerning obstructions to Potter's Creek near Randolph Road and also concerning the real property having permanent parcel number 28-088-00-00-001-000 and surrounding properties.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

PUBLIC COMMENT

Present: Todd and Cathy Doak

Mrs. Doak thanked the Board for acting on behalf of the residents and noted everyone is going to be so happy.

We just found out that someone else down the road is also having problems - Carter Lumber leases land to Kenny Hughes and he can no longer get his equipment on the farm field located on Ranfield Road.

Ms. Doak went on to say that I mentioned before that the resolution you have for floodwater management that requires you to act not just because of safety issues, but also to keep the floodplain clear despite that ODNR won't. I would just like to point out that according to the Ohio Revised Code, as I read it, if you find that it was not created by nature as you go to remove it, it seems as though you can charge Christopher Saal. As a member of the

community, why should the County have to pay for the expense, but we appreciate that you are willing to do so, regardless!

MISCELLANEOUS

Journal Entries:

1. The Board of Commissioners acknowledged receipt of the Kennel Disposition Report and Intake Report for November 21, 2022 through November 27, 2022 as presented by Chief Dog Warden Dave McIntyre.
Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;
Motion Carries
2. The Board of Commissioners acknowledged receipt of the Kennel Disposition Report and Intake Report for November 28, 2022 through December 4, 2022 as presented by Chief Dog Warden Dave McIntyre.
Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;
Motion Carries
3. The Board of Commissioners acknowledged receipt of the Kennel Disposition Report and Intake Report for December 5, 2022 through December 11, 2022 as presented by Chief Dog Warden Dave McIntyre.
Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;
Motion Carries
4. The Board of Commissioners approved the November 2022 adjustments to the Portage County Water, Portage County Sewer, and Streetsboro Sewer billing accounts as reported on the adjustment reports submitted and reviewed by the Department of Budget and Financial Management.
Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;
Motion Carries
5. The Board of Commissioners acknowledged receipt of the December 2, 2022 Certificate of the County Auditor that the Total Annual Appropriations from each fund do not

exceed the Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2022, as presented by the Portage County Auditor's Office

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

6. The Board of Commissioners acknowledged receipt of the December 9, 2022 Certificate of the County Auditor that the Total Annual Appropriations from each fund do not exceed the Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2022, as presented by the Portage County Auditor's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

7. The Board of Commissioners acknowledged receipt of the Portage County Investment Reconciliation for the month of November 2022 as presented by the County Treasurer and County Auditor.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

8. The Board of Commissioners acknowledged receipt of the Portage County Investment Portfolio Report for November 2022 as presented by the Portage County Treasurer.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

9. In accordance with ORC 321.261, the Board of Commissioners acknowledged receipt of the Portage County Prosecutor's report of activity in the DETAC account through December 2, 2022.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

10. The Board of Commissioners authorized Commissioner Sabrina-Bennett to sign the State of Ohio, 2021 Target of Opportunity Program grant agreement extension for Grant No. B-D-21-1CJ-4 as follows, as presented the Regional Planning Commission:

Project Completion: April 30, 2023

Draw Date: May 31, 2023

Grant Completion Date: June 2, 2023

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

11. The Board of Commissioners signed the Satisfaction of Mortgage form for Pamela M. Kennedy of 9476 Seymour Drive, Streetsboro, Ohio 44241 to secure payment of \$1,456.00, as presented by Neighborhood Development Services Inc.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

12. The Board of Commissioners acknowledged receipt of the December 2, 2022 correspondence from Judge Laurie J. Pittman and Judge Becky L. Doherty, including Journal Entry 2022 MS 150, requesting 3% or \$30,605.00, to cover the cost of living increase, for the Common Pleas Court General Fund 0001 Fiscal Year 2023.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

13. The Board of Commissioners sign the December 1, 2022 correspondence to Bertolini Trucking Co. releasing and terminating the Road Bond for the Special Hauling Permit SH22-016 issued by Merchants Bonding Company under Bond #OH6095325 in the amount of \$10,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

14. The Board of Commissioners sign the December 1, 2022 correspondence to Woodside Tree Service, JDS Hardwoods, LLC releasing and terminating the Road Bond for the Special Hauling Permit SH22-004 issued by Westfield Insurance Company under Bond

#210432Q in the amount of \$100,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

15. The Board of Commissioners sign the December 1, 2022 correspondence to Gregor Trucking Co. releasing and terminating the Road Bond for the Special Hauling Permit SH22-007 issued by Hartford Insurance Company under Bond #45BSBIX0752 in the amount of \$60,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

16. The Board of Commissioners sign the December 1, 2022 correspondence to Gregor Trucking Co. releasing and terminating the Road Bond for the Special Hauling Permit SH22-008 issued by Hartford Insurance Company under Bond #45BSBIX1275 in the amount of \$250,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

17. The Board of Commissioners sign the December 1, 2022 correspondence to Maplecreek Land Company, HK Logging & Lumber Company releasing and terminating the Road Bond for the Special Hauling Permit SH22-012 issued by Hartford Fire Insurance Company under Bond #45BSBIJ1508 in the amount of \$107,500 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

18. The Board of Commissioners sign the December 1, 2022 correspondence to Trumbull County Hardwoods releasing and terminating the Road Bond for the Special Hauling Permit SH22-005 issued by Westfield Insurance Company under Bond #237414R in the

amount of \$8,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

19. The Board of Commissioners sign the December 1, 2022 correspondence to 1-2 Tree releasing and terminating the Road Bond for the Special Hauling Permit SH22-011 issued by Hartford Fire Insurance Company under Bond #45BSBID1818 in the amount of \$100,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

20. The Board of Commissioners sign the December 1, 2022 correspondence to Doll Lumber Co. Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-010 issued by Westfield Insurance Company under Bond #254534X in the amount of \$170,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

21. The Board of Commissioners sign the December 1, 2022 correspondence to Doll Lumber Co. Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-014 issued by Westfield Insurance Company under Bond #254534X in the amount of \$80,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

22. The Board of Commissioners sign the December 1, 2022 correspondence to Doll Lumber Co. Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-015 issued by Westfield Insurance Company under Bond #254534X in the amount of \$260,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

23. The Board of Commissioners sign the December 1, 2022 correspondence to Rich's Towing Services, Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-009 issued by Merchants Binding Company Mutual under Bond #OH5980423 in the amount of \$150,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

24. The Board of Commissioners sign the December 1, 2022 correspondence to Rich's Towing Services, Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-013 issued by Merchants Binding Company Mutual under Bond #OH5980423 in the amount of \$150,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea;
Commissioner Badalamenti, Yea;

Motion Carries

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RESOLUTION NO. 22-0712

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**RE: AUTHORIZE THE GRANT APPLICATION TO
THE OHIO DEPARTMENT OF PUBLIC
SAFETY 2023-2024 MOTORCYCLE OHIO
GRANT IN THE AMOUNT OF \$59,615.60 ON
BEHALF OF THE PORTAGE COUNTY
SHERIFF'S OFFICE.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the Motorcycle Ohio Grant was created under ORC 4508.08 to create a motorcycle safety and education program within the Ohio Department of Public Safety.

- WHEREAS,** the Portage County Board of Commissioners strongly supports the Portage County Sheriff's Office's endeavors in keeping motorcyclists educated and safe; now therefore be it
- RESOLVED,** that the Board of Commissioners authorizes the application to the 2023 Motorcycle Ohio Grant for the grant period of July 1, 2023, through June 30, 2024 in the amount of \$59,615.60 with no local match; and be it further
- RESOLVED,** that a copy of this resolution be filed with the Grant Administrator, the Portage County Auditor's Office, the Department of Budget & Financial Management, and the Portage County Sheriff'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 121.00 of the Ohio Revised Code.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0713 - RE: AUTHORIZE ALL ACTIONS NECESSARY
TO ACCEPT U.S. DEPARTMENT OF THE
TREASURY, AMERICAN RESCUE PLAN
ACT, LOCAL ASSISTANCE AND TRIBAL
CONSISTENCY FUNDS**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** Portage County, Ohio, acting by and through its Board of County Commissioners, is a local unit of government eligible for direct funding through the federal Local Assistance and Tribal Consistency Fund (LATCF) established by the American Rescue Plan Act (ARPA); and
- WHEREAS,** the U.S. Department of the Treasury provided the Grant Program guidelines established by Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 (American Rescue Plan) which authorizes the Department of the Treasury to make payments to eligible revenue sharing counties and eligible Tribal governments for use on any governmental purpose except for a lobbying

activity. The purpose of the LATCF program is to serve as a general revenue enhancement program; and

WHEREAS, the county has been allocated \$100,000.00 through the LATCF program, to be received in two payments of \$50,000.00, the first of which is anticipated in fiscal years 2022 and 2023; and

WHEREAS, the County agrees to abide by the stipulations as presented by the U.S. Department of the Treasury regarding the eligible use of these LATCF funds; and

WHEREAS, the Board of Commissioners wishes to accept these funds from the U.S. Department of the Treasury, in substantially the form presented to this Board to be used for such purposes as are permitted by the American Rescue Plan Act; and

WHEREAS, no local match is required

WHEREAS, the Board affirms that it requires the funds to carry out the activities specified in Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 (American Rescue Plan) and agrees that the funds disbursed under this award may only be used for the purposes set forth in said subsection of the American Rescue Plan Act of 2021; now therefore be it

RESOLVED, the Board finds and determines that it is in the best interest of Portage County to enter into the grant agreement to accept the U.S. Department of Treasury funds for Local Assistance and Tribal Consistency Funds, and authorizes the Portage County Grant Administrator to execute the grant agreement on behalf of the Portage County Board of Commissioners and such other documents as are required to accept the U.S. Department of Treasury funds; 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 Grant Administrator; 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 121.00 of the Ohio Revised Code.

Roll Call Vote as Follows:

Vicki A. Kline, Yea;

Sabrina Christian-Bennett, Yea;

Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0714 - RE: ACCEPT THE GRANT AWARD FROM THE OHIO
OFFICE OF CRIMINAL JUSTICE SERVICES FOR
THE RECOVERY OHIO 2021 LAW
ENFORCEMENT GRANT ON BEHALF OF THE
PORTAGE COUNTY SHERIFF'S OFFICE DRUG
AND VIOLENT CRIME UNIT. (GRANT NO. 2021-
RO-ETF-R582)**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the Portage County Board of Commissioners adopted Resolution No. 22-0301 on May 5, 2022, authorizing the electronic grant application to the Ohio Office of Criminal Justice Services for the Recovery Ohio 2021 Grant; and

WHEREAS, the Ohio Department of Public Safety notified the Portage County Sheriff's Office in November, 2022 that the Portage County Sheriff's Office Drug and Violent Crime Unit (PCSODVCU) was approved to receive grant funds in the amount of \$19,558.50 with no local match for the award period of April 1, 2022 through June 30, 2023; and

WHEREAS, the Portage County Board of Commissioners strongly supports the PCSODVCU and their endeavors in fighting the war on drugs within Portage County; now therefore be it

RESOLVED, that the Board of Commissioners accepts the Recovery Ohio 2021 Law Enforcement Subgrant Award for the grant period of April 1, 2022 through June 30, 2023 in the amount of \$19,558.50 **with no local match requirement.** These grant funds will be used for the purchase of computer and surveillance equipment to be used by members of the PCSODVCU, confidential funds, as well funds for reimbursement of overtime expenses for these members to perform drug interdiction operations and overdose death investigations. The recipient agency will have 100% ownership and control over the use of this equipment. The total grant amount is \$19,558.50; and be it further

RESOLVED, the Board of Commissioners authorizes the President of the Board to sign the acceptance documents; and be it further

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

Grant Administrator, and the Portage County Sheriff'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 121.00 of the Ohio Revised Code.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0715 - RE: TRANSFER FROM FUND 1414, CHILD
SUPPORT ADMINISTRATION, TO 1410
PUBLIC ASSISTANCE FUND**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the Child Support Administration Fund owes the Public Assistance Fund for Shared Costs paid out of the Public Assistance Fund; and

WHEREAS, it is necessary to do a transfer of funds to cover these costs; now therefore be it

RESOLVED, that the following transfer of funds be made in the amount of \$27,920.60 for October 2022 costs as reviewed and recommended by the Department of Job & Family Services:

FROM:

FUND 1414, CHILD SUPPORT ADMINISTRATION

ORGCODE - 14140519

Debit Expense Account

Object: 912000 – JFS - Shared

Project 5SHAR

\$27,920.60

TO:

FUND 1410, PUBLIC ASSISTANCE

ORGCODE - 14100512

Credit Revenue Account

Object: 282000 – JFS - Shared

Project 5SHAR

\$27,920.60

; 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 Portage County Auditor, the Portage County Job & Family Services, 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0716 - RE: TRANSFER FROM FUND 1413, WIA FUND
TO FUND 1410 PUBLIC ASSISTANCE FUND**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the JFS WIA Fund owes the Public Assistance Fund for the WIOA RMS staff costs paid out of the Public Assistance Fund; and

WHEREAS, it is necessary to do a transfer of funds to cover these costs; now therefore be it

RESOLVED, that the following transfer of funds be made in the amount of \$30,827.94 for July Adj#3, August Adj#2, September Adj#1 and October 2022 as reviewed and recommended by the Department of Job & Family Services:

FROM:

FUND 1413, JFS WIA FUND

ORGCODE - 14130519

Debit Expense Account

Object: 912000 – JFS Shared

Project 3A258

\$ -0-

Project 3B278

\$ -0-

Project 3A259

\$ 8,559.87

Project 3B259

\$ 5,734.79

Project 3B277

\$ -0-

Project 3D278

\$ 13,708.89

Project 3A225

\$ 2,824.39

TO:**FUND 1410, PUBLIC ASSISTANCE FUND****ORGCODE - 14100512****Credit Revenue Account****Object: 282000 – JFS Shared****Project 5SHAR****\$ 30,827.94**

; 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 Portage County Auditor, the Portage County Job & Family Services, 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0717

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**RE: A RESOLUTION TO AUTHORIZE THE
PORTAGE COUNTY ENGINEER TO
EXECUTE AMENDMENT TO LOCAL PUBLIC
AGENCY (LPA) AGREEMENT #33898 WITH
THE DIRECTOR OF THE OHIO
DEPARTMENT OF TRANSPORTATION
(ODOT) FOR THE PROJECT KNOWN AS
THE REPLACEMENT OF RAVENNA ROAD
BRIDGE, PORTAGE COUNTY, OHIO.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS,

Resolution 19-0580 authorized the Portage County Engineer to execute Local Public Agency (LPA) Agreement #33898 with the Director of the Ohio Department of Transportation (ODOT) to replace the Ravenna Road Bridge, in Portage County, Ohio, and

- WHEREAS,** Section 3.1 of said LPA agreement has been modified to provide 80% of project cost up to grant maximum in Federal bridge Program funds and 80% of the eligible preliminary engineering and construction costs in Federal MPO TASA funds for the project known as the Ravenna Road Bridge Replacement, in Portage County, and
- WHEREAS,** the Director of the Ohio Department of Transportation has amended said LPA agreement to show the changes to Section 3.1, and
- WHEREAS,** the amended LPA Agreement will provide 80% of project cost up to grant maximum of \$1,317,000 in Federal bridge Program funds and 80% of the eligible preliminary engineering and construction costs, up to a maximum of \$353,600 in Federal MPO TASA funds, now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to execute amendment to LPA Agreement #33898 with the Director of the Ohio Department of Transportation for the project known as the Replacement of Ravenna Road Bridge, 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea;	Sabrina Christian-Bennett, Yea;	Anthony J. Badalamenti, Yea
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RESOLUTION NO. 22-0718 - RE: ACCEPT CONTRACT CHANGE ORDER NO. 1 AND FINAL TO THE CONSTRUCTION AGREEMENT BETWEEN THE BOARD OF PORTAGE COUNTY COMMISSIONERS AND CHAGRIN VALLEY PAVING, INC. FOR THE INFIRMARY ROAD REALIGNMENT AND RESURFACING PROJECT (CH 164 – SECTIONS F-I) IN SHALERSVILLE AND MANTUA TOWNSHIPS, PORTAGE COUNTY.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, Resolution 21-0186 accepted and awarded the bid of Chagrin Valley

Paving, Inc. for furnishing all labor, materials and equipment necessary to complete the **Infirmity Road Realignment and Resurfacing Project (CH 164 – Sections F-I)** in Shalersville and Mantua Townships, Portage County, and

- WHEREAS,** a contract was entered into with Chagrin Valley Paving, Inc. in the total amount of \$577,141.00, and
- WHEREAS,** modifications to the project specifications resulted in a cost decrease, now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners do hereby accept Contract Change Order No. 1 and Final to the construction contract with Chagrin Valley Paving, Inc. covering the **Infirmity Road Realignment and Resurfacing Project (CH 164 – Sections F-I)** in Shalersville and Mantua Townships, Portage County, and be it further
- RESOLVED,** that this Contract Change Order decreases the contract between Chagrin Valley Paving, Inc., and Portage County by \$24,906.80 to **\$552,234.20**, and be it further
- RESOLVED,** that the Board of Portage County Commissioners authorize the execution of said Contract Change Order between Chagrin Valley Paving, Inc. and Portage County; 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0719 - RE: PUBLIC ANNOUNCEMENT OF AVAILABLE
CONTRACT FOR PROFESSIONAL
CONSTRUCTION ADMINISTRATION
SERVICES FOR THE PROJECT KNOWN AS
SILICA SAND ROAD BRIDGE
REPLACEMENT (NEL 162, CH 253).**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, R.C. 153.67 requires that a public authority planning to contract for professional services publicly announce all contracts available from it for such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners, by unanimous vote thereto, authorizes the announcement of the request for proposals for professional construction administrative services for the Portage County Engineer for the project known as **Silica Sand Road Bridge Replacement (NEL 162, CH 253)**; and be it further

RESOLVED, that such notice shall comply with all terms and requirements of Ohio Revised Code 153.67; and be it further

RESOLVED, that the announcement requesting proposals will be published in the Record Courier and ODOTS Website on **December 16, 2022**, 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0720 - RE: AMENDING RESOLUTION NO. 22-0695 TO
CORRECT TYPOGRAPHICAL ERROR.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, Board of Commissioners of Portage County, Ohio, Resolution No. 22-0695, adopted December 1, 2022, agreeing to accept a surety bond decrease rider for construction of street, storm sewer and drainage improvements for the Germaine Reserve Phase II Subdivision in Franklin Township; and

WHEREAS, it is necessary to amend Resolution No. 22-0695 to correct a typographical error in the amount of the resulting surety bond penal sum; now therefore be it

RESOLVED, that this Board hereby amends Resolution No. 22-0695 so that the resulting amount of the decreased surety bond penal sum shall read as "Two Hundred Sixteen Thousand Two Hundred Thirty-Seven and 70/100 Dollars (\$216,237.70)"; and be it further

RESOLVED, all other provisions of Resolution 22-0695 shall remain in full force and effect; 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 adopted in an open meeting of this Board and 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0721 - RE: ENTER INTO AN AGREEMENT BETWEEN
THE PORTAGE COUNTY COMMON PLEAS
AND MUNICIPAL COURTS, ADULT
PROBATION DEPARTMENT AND THE
PORTAGE COUNTY BOARD OF
COMMISSIONERS AND MID-AMERICAN
COURTS SERVICES, LLC.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the Portage County Common Pleas and Municipal Courts and Adult Probation Department are in need of randomized weekend (twice a month) and a designated, monthly holiday drug testing services for all Specialized Docket participants; and

WHEREAS, Mid-American Court Services, LLC is experienced and can perform the requested testing services needed; and

WHEREAS, charges for services requested by the Common Pleas, Municipal Courts and the Adult Probation Department will be \$200.00 per month for weekend drug testing and \$200.00 per month for holiday drug testing for a total not to exceed \$400.00 per month and invoiced monthly; now therefore be it

RESOLVED, that the Portage County Common Pleas Court, Municipal Courts, Adult Probation Department and the Board of Commissioners agree to enter into a contract with Mid-American Court Services, LLC, 129 Mansell Dr., Youngstown, Ohio 44505 at the cost listed above; and be it further

RESOLVED, that the Portage County 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0722 - RE: ENTER INTO AN AGREEMENT BETWEEN THE PORTAGE COUNTY COMMON PLEAS AND MUNICIPAL COURTS AND THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND MID-AMERICAN COURTS SERVICES, LLC.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the Portage County Common Pleas and Municipal Courts are in need of drug testing services for bond offenders; and

WHEREAS, Mid-American Court Services, LLC is experienced and can perform the requested testing services needed; and

WHEREAS, charges for services requested by the Common Pleas and Municipal Courts will be \$5.50 per drug test and invoiced monthly; now therefore be it

RESOLVED, that the Portage County Common Pleas and Municipal Courts and the Board of Commissioners agree to enter into a contract with Mid-American Court Services, LLC, 129 Mansell Dr., Youngstown, Ohio 44505 at the cost listed above; and be it further

RESOLVED, that the Portage County 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0723 - RE: ENTER INTO AN AGREEMENT FOR
OBTAINING UTILITY LOCATING SERVICES
FOR THE PORTAGE COUNTY WATER
RESOURCES DEPARTMENT.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** three professional service providers were solicited and one fee proposal for obtaining utility locating service was received by the Portage County Water Resources Department from **USIC Locating Services, LLC**, and
- WHEREAS,** the Portage County Water Resources Director, upon review of the proposal from **USIC Locating Services, LLC**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby accept the proposal of **USIC Locating Services, LLC** to provide utility locating service for the Portage County Water Resources Department, and be it further
- RESOLVED,** that said services will be performed under an agreement with **USIC Locating Services, LLC, 9045 River Road, Suite 200, Indianapolis, IN 46240** at a cost not to exceed \$45,000.00 and be it;
- 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:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0724

RE: A RESOLUTION DECLARING THE BOARD OF PORTAGE COUNTY COMMISSIONERS ACCEPTANCE OF ASSIGNMENT AND ASSUMPTION OF A SANITARY SEWER EASEMENT SITUATED IN THE CITY OF STREETSBORO ORIGINAL LOT 67, PORTAGE COUNTY, OHIO, AS PART OF COUNTY PROJECT, "MEADOW VIEW SUBDIVISION PHASE 18", COUNTY PROJECT NO. ST-4 22-050-P.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** FRONTIER MV X LLC ("Developer") has or will construct a sanitary sewer line and appurtenances to provide sanitary sewer service to properties within Meadow View Subdivision Phase 18, City of Streetsboro Original Lot 67, known as Project "Meadow View Subdivision Phase 18", County Project No. ST-4 22-050-P ("Project"); and
- WHEREAS,** the Developer and the Board of Commissioners have previously entered into a General Sewer Agreement, authorized by Res. No. 22-0629, regarding construction of the Project, and setting the terms by which the Developer is to convey the Project to the Board to own, operate and maintain; and
- WHEREAS,** it was necessary for the Developer to obtain an easement for the construction and maintenance of a portion of the Project, concerning adjacent property owned by Maplewood Homeowners' Association, Inc., as described in the document recorded October 18, 2022, Instrument No. 202217788 of Portage County Records ("Sanitary Sewer Easement"); and
- WHEREAS,** the Developer desires to convey its right, title and interest in the Sanitary Sewer Easement to the Board of Commissioners of Portage County, Ohio, its successors and assigns, by and according to the terms of an agreement of assignment and assumption ("Assignment"); and
- WHEREAS,** the Portage County Sanitary Engineer recommends acceptance of the Assignment of the Sanitary Sewer Easement, in the form of and according to the terms described in the attached Exhibit A; now therefore be it
- RESOLVED,** that this Board hereby accepts the recommendation of the Sanitary Engineer and agrees to enter into the Assignment for Sanitary Sewer

Easement, in the form of and according to the terms described in the attached Exhibit A; 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 adopted in an open meeting of this Board and 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0725

RE: A RESOLUTION DECLARING THE BOARD OF PORTAGE COUNTY COMMISSIONERS' ACCEPTANCE OF WATER EASEMENT IN SHALERSVILLE TOWNSHIP ORIGINAL LOT 54 & 66, PORTAGE COUNTY, OHIO, IN RELATION TO BECK ROAD SEWER & WATERLINE EXTENSION TO SR 44 – PHASE 1 & PHASE 2, PROJECT NO. MV-1 22-040-P.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** SHALERSVILLE HOLDINGS, LLC ("Developer") has or will cause to be constructed a water line and appurtenances to provide water service to properties known as Turnpike Commerce Center Development located in Shalersville Township, "Beck Road Sewer & Waterline Extension To SR 44 – Phase 1 & Phase 2" Project No. MV-1 22-040-P ("Project"); and
- WHEREAS,** the Developer and the Board of Commissioners have previously entered into a General Sewer and Water Agreement, authorized by Res. No. 22--0678, regarding construction of the Project, and setting the terms by which the Developer is to convey the Project to the Board to own, operate and maintain; and
- WHEREAS,** it was necessary for the Board of Commissioners to be granted an easement for the construction, maintenance and operation of a portion of the Project located on, over, across and/or through property owned by Frank R. Ruehr and Erma J. Ruehr, (hereinafter, "Property Owner"), Vol.

1010, Page 253 of the Portage County Records of Deeds, and other easement rights including right of access ("Water Easement"); and

WHEREAS, the Portage County Sanitary Engineer recommends acceptance of the Water Easement and the legal description thereof, in the form attached hereto as Exhibit A and hereby incorporated herein; now therefore be it

RESOLVED, that this Board hereby accepts the recommendation of the Sanitary Engineer and agrees to the terms of the Water Easement, in the form of and as located and described in the attached Exhibit A; 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 adopted in an open meeting of this Board and 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

EXHIBIT A

WATER EASEMENT

That Frank R. Ruehr and Erma J. Ruehr, husband and wife (collectively, the "Grantor") (see Vol. 1010, Page 253 of the Portage County Records of Deeds), for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby give and grant unto the Board of County Commissioners, Portage County, Ohio, the "Grantee", its successors and assigns the perpetual right to a permanent easement and right-of-way (the "Easement") as described below to construct, lay, maintain, operate, relocate, remove and replace necessary water lines, utilities, and all necessary appurtenances thereto, on, over, across, and/or through certain real estate owned by the Grantor, said easement to be maintained upon the following described strip of land and as legally described on the attached Exhibit A.1 and A.2 and as depicted on the attached Exhibit B.1 and B.2.

The Grantee, its successors, assigns and personal representatives shall have the permanent right of ingress and egress from said easement for the purpose of making inspections and repairs upon said water lines, and all necessary appurtenances at any time.

As part of the consideration of the grant herein contained, the County of Portage promises that it shall, after entering said strip of land for the reasons aforesaid, restore said strip of land as nearly as practical to its original condition.

It is further understood that this grant shall be binding upon and inure to the benefit of the Grantor and Grantee, their successors, assigns and personal representatives.

TO HAVE AND TO HOLD said easement and right-of-way unto the Grantee, its successors and assigns forever.

And the said Grantor, its successors and assigns does hereby covenant with the said Grantee, its successors and assigns that Frank R. Ruehr and Erma J. Ruehr are the true and lawful owner of said premises, and is lawfully seized of the same in fee simple and has good right and full power, to grant, bargain, sell, convey and release the same in manner aforesaid, that the same is free and clear from all liens and encumbrances whatsoever, and will warrant and defend the same against all claims of all persons whatsoever.

(Signature Page Follows)

IN WITNESS WHEREOF, Frank R. Ruehr and Erma J. Ruehr, has hereunto set his and her hand this 22 day of Sept., 2022.

Signed and Sealed in the presence of:

[Signature]
1st Witness:
Name: Frank R. Ruehr Jr

Grantor:

By: [Signature]
Frank R. Ruehr

[Signature]
2nd Witness:
Name: RICHARD V. RUEHR

By: [Signature]
Erma J. Ruehr

STATE OF OHIO)
) ss:
PORTAGE COUNTY)

Before me, a Notary Public in and for said County and State personally appeared the above-named Frank R. Ruehr and Erma J. Ruehr, who acknowledged that he and she did each sign the foregoing instrument and that the same is his and her free act and deed and the free act and deed of said Grantor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Portage County, Ohio, this 22 day of Sept., 2022.



RUTH ANNE RUEHR
NOTARY PUBLIC
STATE OF OHIO
MY COMMISSION EXPIRES
AUGUST, 11, 2024

[Signature]
Notary Public
My Commission expires Aug. 11 2024.

GRANTEE:

BOARD OF PORTAGE COUNTY
COMMISSIONERS

Sabrina Christian-Bennett- President

Anthony J Badalamenti - Vice President

Viki A Kline- Board Member

REVIEWED BY:

Assistant Portage County Prosecutor

APPROVED:

Daniel Blakely / Director
Portage County Water Resources

This instrument prepared by the Portage County Water Resources Department.

Exhibit A.1
Legal Description of Easement

www.dempsey-surveying.com

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DEMPSEY SURVEYING COMPANY

P 216/220/1130 12818 DETROIT AVENUE
P 216/220/1131 CLEVELAND, OH 44107-2835

LEGAL DESCRIPTION

**Water Line Easement
Infirmity Road
South of Interstate Route 80
Township of Shalersville, Ohio**

Situated in the Township of Shalersville, County of Portage and State of Ohio and known as being part of Original Shalersville Township Lot No. 66, further known as being a portion of the Third Tract of lands conveyed to Frank R. and Erna J. Kuehn by deed recorded in Volume 1010, Page 253 of Portage County Records, said premises being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of Infirmity Road (C. E. 164), 60 feet wide, and the centerline of Deek Road (T. H. 213), 60 feet wide; thence South 00 degrees 19 minutes 52 seconds East a distance of 2582.35 feet along the centerline of said Infirmity Road to an angle thereat; thence South 20 degrees 39 minutes 35 seconds West a distance of 342.76 feet along the centerline of said Infirmity Road to its intersection with the southerly limited access line of Interstate Route 80 (Ohio Turnpike), of variable width; thence South 86 degrees 53 minutes 24 seconds East a distance of 31.46 feet along the southerly limited access line of Interstate Route 80 to its intersection with the southeasterly line of the aforementioned Infirmity Road and the PRINCIPAL PLACE OF BEGINNING of the premises herein described;

Course No. 1: Thence continuing South 86 degrees 53 minutes 24 seconds East a distance of 73.42 feet along the southerly limited access line of said Interstate Route 80 to a point;

Course No. 2: Thence South 20 degrees 39 minutes 35 seconds West a distance of 89.46 feet to a point;

Course No. 3: Thence North 69 degrees 20 minutes 25 seconds West a distance of 70.00 feet to a point on the southeasterly line of the aforementioned Infirmity Road;

Course No. 4: Thence North 20 degrees 39 minutes 35 seconds East a distance of 47.32 feet along the southeasterly line of said Infirmity Road to the Principal Place of Beginning, as described by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on August 30, 2022.

Bearings in this description are based on Grid North of the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011) Datum.

Exhibit A.2
(Legal Description of Easement)

www.dempseysurvey.com

62



DEMPSEY/SURVEYING/COMPANY

P 216/228/1130 12818 DETROIT AVENUE
P 216/228/1131 CLEVELAND, OH 44107-2835

LEGAL DESCRIPTION
Water Line Easement
Infirmity Road
North of Interstate Route 80
Township of Shalersville, Ohio

Situated in the Township of Shalersville, County of Portage and State of Ohio and known as being part of Original Shalersville Township Lot No. 54, further known as being a portion of the Second Tract of lands conveyed to Frank R. and Bruna J. Ruelir by deed recorded in Volume 1010, Page 253 of Portage County Records, said premises being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of Infirmity Road (C. H. 164), 60 feet wide, and the centerline of Beck Road (T. H. 213), 60 feet wide; thence South 00 degrees 19 minutes 52 seconds East a distance of 2574.15 feet along the centerline of said Infirmity Road to its intersection with the northerly limited access line of Interstate Route 80 (Ohio Turnpike), of variable width; thence South 86 degrees 53 minutes 24 seconds East a distance of 30.05 feet along the northerly limited access line of said Interstate Route 80 to its intersection with the easterly line of the aforementioned Infirmity Road and the **PRINCIPAL PLACE OF BEGINNING** of the premises herein described;

Course No. 1: Thence North 86 degrees 19 minutes 52 seconds West a distance of 71.46 feet along the easterly line of said Infirmity Road to a point;

Course No. 2: Thence North 89 degrees 40 minutes 08 seconds East a distance of 80.00 feet to a point;

Course No. 3: Thence South 00 degrees 19 minutes 52 seconds East a distance of 76.27 feet to a point on the northerly limited access line of the aforementioned Interstate Route 80;

Course No. 4: Thence North 86 degrees 53 minutes 24 seconds West a distance of 30.14 feet along the northerly limited access line of said Interstate Route 80 to the Principal Place of Beginning, as described by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on August 30, 2022.

Bearings in this description are based on Grid North of the Ohio State Plane Coordinate System North Zone, NAD 83 (2011) Datum.

9708 WATER ESMT N.doc August 30, 2022 Professional Land Surveyors Page 1 of 1

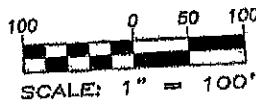
Exhibit B,1
(Depiction of Easement)

EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION OF
**WATER LINE
EASEMENT**

Infirmity Road
South of Interstate Route 80
Township of Shalersville, Ohio

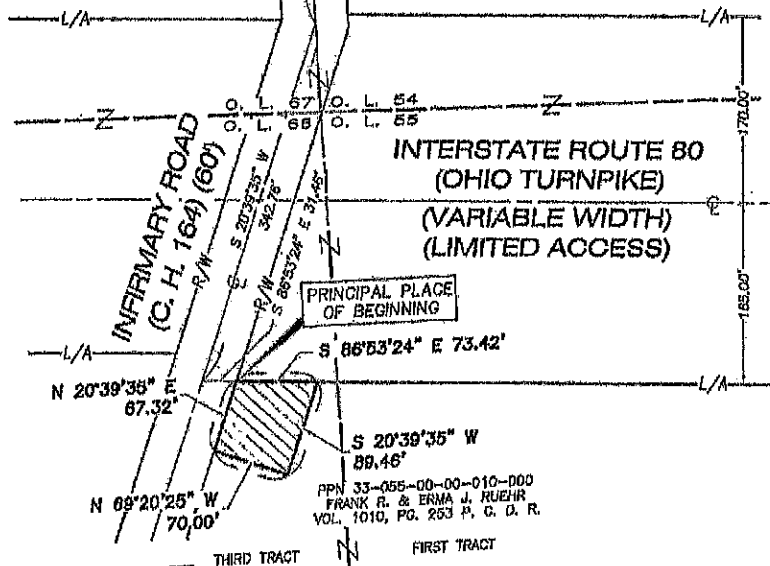
BECK ROAD
(T. H. 213) (60')

PLACE OF
BEGINNING



PPN 33-053-00-00-016-000
FRANK R. & ERMA J. RUEHR
VOL. 1010, PG. 253 P. C. D. R.
SECOND TRACT

Drawing File: W:\9700-9708\9708\9708 Infirmity tape.dwg Aug 30, 2022 - 12:15pm



PPN 33-055-00-00-010-000
FRANK R. & ERMA J. RUEHR
VOL. 1010, PG. 253 P. C. D. R.

THIRD TRACT

FIRST TRACT



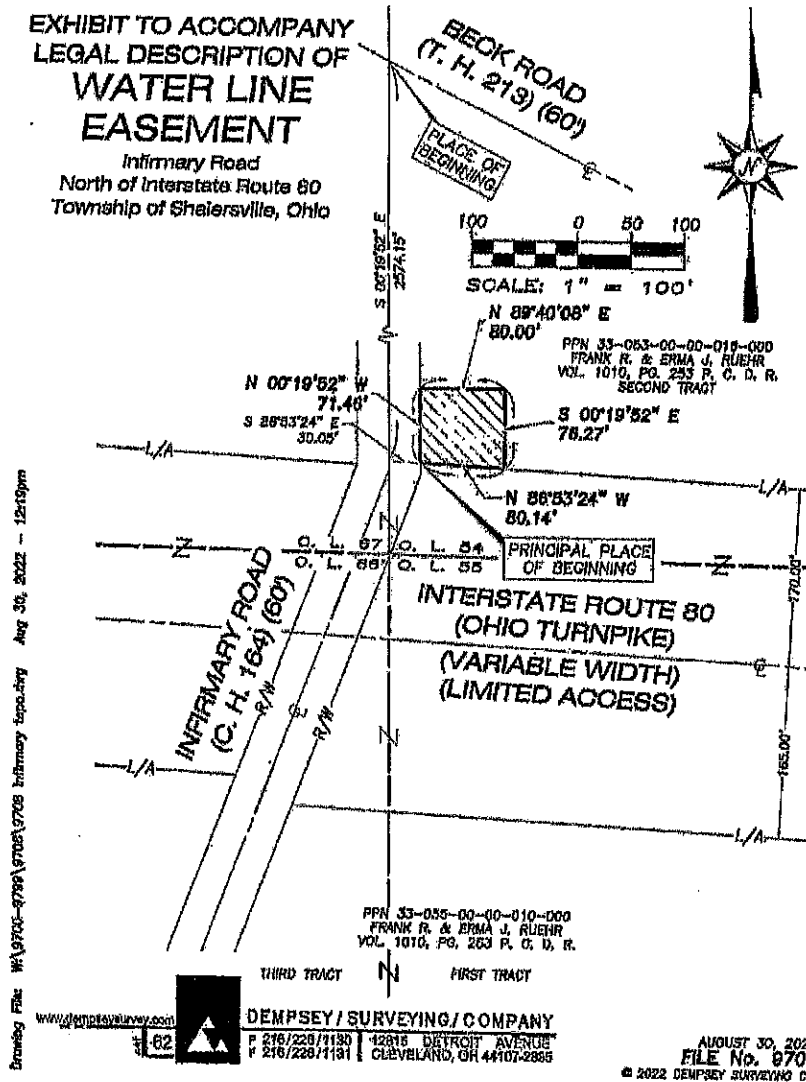
DEMPSEY SURVEYING COMPANY
P 216/226-71180 12016 DETROIT AVENUE
F 216/226-71191 CLEVELAND, OH 44107-2836

AUGUST 30, 2022
FILE No. 9708
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Exhibit B.2
(Depletion of Easement)

**EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION OF
WATER LINE
EASEMENT**

Infirmity Road
North of Interstate Route 80
Township of Shalersville, Ohio



Drawn by: PLS WA\9708-8708\9708\9708 Infirmity topo.dwg Aug 30, 2022 - 12:10pm

www.dempsey-surveying.com

62



DEMPSEY / SURVEYING / COMPANY

P 216/228/1180 42815 DETROIT AVENUE
F 216/228/1181 CLEVELAND, OH 44101-2885

AUGUST 30, 2022
FILE No. 9708
© 2022 DEMPSEY SURVEYING CO.

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RESOLUTION NO. 22-0726

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**RE: ENTER INTO A SEPTIC ASSISTANCE
PROGRAM AGREEMENT BETWEEN THE
PORTAGE COUNTY BOARD OF
COMMISSIONERS, THE PORTAGE COUNTY
REGIONAL PLANNING COMMISSION AND
CLONCH & SONS EXCAVATING FOR A
SEPTIC SYSTEM REPLACEMENT.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, an agreement was entered into between the Portage County Board of Commissioners and the Portage County Regional Planning Commission for the purpose of administration and coordination as it relates to the execution of the responsibilities of the Storm Water Septic Assistance Program, and

WHEREAS, the Portage County Regional Planning Commission and the Portage County Health Department have determined that the septic system owned by Jeffery P. and Tara D. Juhasz, 2554 McClintocksborg Road, Deerfield, Ohio 44411 qualifies for replacement under this program, and

WHEREAS, Clonch & Sons Excavating, a licensed and certified contractor in the State of Ohio to install and remove home septic tank systems and related activities, has submitted an estimate to replace said septic system at a cost of \$17,500.00, now therefore be it

RESOLVED, that the Board of Commissioners agrees to enter into an agreement with the Regional Planning Commission and Clonch & Sons Excavating in the amount of \$17,500.00 to perform the agreed upon services; and be it further

RESOLVED, that payment for said services will be paid out of Fund 6800 Storm Water; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Portage County Engineer, the Portage County Regional Planning Commission and the Portage County Health Department; 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0727 - RE: ENTER INTO A SEPTIC ASSISTANCE
PROGRAM AGREEMENT BETWEEN THE
PORTAGE COUNTY BOARD OF
COMMISSIONERS, THE PORTAGE COUNTY
REGIONAL PLANNING COMMISSION AND
CLONCH & SONS EXCAVATING FOR A
SEPTIC SYSTEM REPLACEMENT.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** an agreement was entered into between the Portage County Board of Commissioners and the Portage County Regional Planning Commission for the purpose of administration and coordination as it relates to the execution of the responsibilities of the Storm Water Septic Assistance Program, and
- WHEREAS,** the Portage County Regional Planning Commission and the Portage County Health Department have determined that the septic system owned by Johnny D. Torres, 4311 Mahoning Road, Diamond, Ohio 44412 qualifies for replacement under this program, and
- WHEREAS,** Clonch & Sons Excavating, a licensed and certified contractor in the State of Ohio to install and remove home septic tank systems and related activities, has submitted an estimate to replace said septic system at a cost of \$17,000.00, now therefore be it
- RESOLVED,** that the Board of Commissioners agrees to enter into an agreement with the Regional Planning Commission and Clonch & Sons Excavating in the amount of \$17,000.00 to perform the agreed upon services; and be it further
- RESOLVED,** that payment for said services will be paid out of Fund 6800 Storm Water; and be it further
- RESOLVED,** that a certified copy of this resolution shall be forwarded to the Portage County Engineer, the Portage County Regional Planning Commission and the Portage County Health Department; 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0728 - RE: AWARD AND ENTER INTO CONTRACT WITH R2K CONTRACTING FOR THE TARGETS OF OPPORTUNITY PROGRAM CARES ACT, F&CS FLOORING & HVAC UPDATE, 161/163 CURRIE HALL PARKWAY, 1536/1538 BENJAMIN COURT, 1540/1542 BENJAMIN COURT, 1548/1550 BENJAMIN COURT AND 1019 – 1037 GRAHAM AVENUE, KENT, OHIO

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, official bid forms and specifications were requested from one (1) contractor and one (1) plan house for the Flooring & HVAC Update, 161/163 Currie Hall Parkway, 1536/1538 Benjamin Ct., 1540/1542 Benjamin Ct., 1548/1550 Benjamin Ct., 1019 – 1037 Graham Avenue, Kent, Ohio and

WHEREAS, one (1) bid was received for the F & CS Flooring & HVAC Update Project, opened and tabulated by the Department of Internal Services on November 30, 2022; and

WHEREAS, upon review of the bids received, it is the recommendation of the Portage County Director of Internal Services and the Community Development Block Grant Specialist that the bid received from R2K Contracting be accepted; now therefore be it

RESOLVED, that the Portage County Board of Commissioners enter into a contract with R2K Contracting., P.O Box 478, Rootstown, Ohio 44272 in the amount of One Hundred Eighty-Six Thousand Five Hundred Ninety-Six Dollars and 00/100 (\$186,596.00); and be it further

RESOLVED, that 2021 Targets of Opportunity Program CARES Act grant funds will be utilized for this project; 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:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0729 - RE: AUTHORIZING THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR PROJECT NO. AT-1 (22-120), ATWATER WASTEWATER TREATMENT PLANT (WWTP) CLARIFIER IMPROVEMENTS, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, ATWATER TOWNSHIP.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District, hereinafter called the "SEWER DISTRICT"; and

WHEREAS, the Portage County Water Resources Department requests authorization to prepare plans, specifications and estimate of cost for the Project No. AT-1 (22-100), "Atwater Clarifier # 1 Improvements" referred to as the "PROJECT"; and

WHEREAS, the PROJECT is necessary for the Atwater WWTP to meet the Ohio Environmental Protection Agency (OEPA) requirement to maintain two clarifiers for wastewater treatment allowing operations to continue with the first clarifier while maintenance may be performed on the second clarifier; and

WHEREAS, the operating #1 clarifier suffered recent mechanical failure beyond reasonable repair just prior to the second newly rebuilt backup #2 clarifier being placed in operation. The plant currently is now under operation

without a backup clarifier and is noncompliant with Ohio Environmental Protection Agency (OEPA) requirements; and

- WHEREAS,** the PROJECT is essential to maintaining and operating a reliable wastewater treatment system; and be it further
- RESOLVED,** by the Board of Commissioners of Portage County, Ohio:
- RESOLVED,** that said authorization to prepare plans, specifications and estimate of cost for said PROJECT is hereby given.
- RESOLVED,** that the Clerk of this Board is hereby directed to certify a copy of this Resolution to the Department Of Budget and Financial Management and the County Auditor's office within 15 days after its passage.
- RESOLVED,** that it is hereby found and determined that all formal actions of this Board concerning and relation 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0730 - RE: APPROVE PLANS AND SPECIFICATIONS
AND SET DATE FOR ACCEPTING BIDS
FOR THE SILICA SAND ROAD BRIDGE
REPLACEMENT (NEL 162, CH 253), OVER
EAGLE CREEK IN NELSON TOWNSHIP,
PORTAGE COUNTY.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** the Portage County Engineer has determined it necessary to replace the **Silica Sand Road Bridge (NEL 162, CH 253)**, over Eagle Creek (between Parkman and Frazier Road) in Nelson Township, and
- WHEREAS,** plans and specifications for this project have now been completed and are on file with the Portage County Commissioners and the Portage County Engineer; now therefore be it

- RESOLVED,** that plans and specifications, as submitted, are approved for furnishing all labor, materials, and equipment necessary for the replacement of the **Silica Sand Road Bridge**, over Eagle Creek (between Parkman and Frazier Road) in Nelson Township, and be it further
- RESOLVED,** that sealed bids will be accepted by the Portage County Director of Internal Services' new location entrance off Chestnut Street, Portage County Administration Building, 449 South Meridian Street, Ravenna, Ohio 44266 until **2:00 P.M.**, Local Time, **February 22, 2023**; and be it further
- RESOLVED,** that Notice of Receiving Bids shall be published in the Record Courier on **January 6, January 13 and January 20, 2023** and a copy thereof be posted on the Official Bulletin Board of the Board of Portage County Commissioners forthwith, and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0731 - RE: ACCEPT AND AWARD THE BID FOR
WATER WELL MAINTENANCE AND
CLEANING SERVICES FOR THE WATER
RESOURCES DEPARTMENT.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** bid specifications were requested by two (2) prospective bidders; and
- WHEREAS,** two (2) sealed bid was received, tabulated and recorded on November 23, 2022; and
- WHEREAS,** upon review of the bids received, it is the recommendation of the Director of Internal Services and the Waste Water Division Manager of the Department of Water Resources that the bids for water well maintenance

and cleaning services be awarded to the lowest bidder meeting all the specifications; now therefore be it

RESOLVED, that the Board of County Commissioners does, hereby, award the bid for wet well maintenance and cleaning to Moody's of Dayton as follows:

	2023	2024	2025	2026	2027
Annual/routine well maint. & service	\$119,250.00	\$125,000.00	\$88,000.00	\$92,000.00	\$96,000.00
Scheduled repairs/normal hrs.	\$250.00/hr	\$262.00/hr	\$275.00/hr	\$290.00/hr	\$304.00/hr
Emergency services during normal working hrs.	\$250.00/hr	\$262.00/hr	\$275.00/hr	\$290.00/hr	\$304.00/hr
Emergency services non-normal working hrs.	\$360.00/hr	\$380.00/hr	\$400.00/hr	\$420.00/hr	\$440.00/hr
Material costs – actual mark up	10%	10%	10%	10%	10%

; and be it further

RESOLVED, that the Board of County 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0732 - RE: AMEND RESOLUTION 22-0469 ADOPTED JULY 21, 2022 DECLARING THE NECESSITY TO PURCHASE FOUR (4) VEHICLES FOR USE BY THE PORTAGE COUNTY SHERIFF.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, resolution No. 22-0469 adopted July 21, 2022, was approved pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase four (4) vehicles for use by the Portage County Sheriff's Office Detective Bureau; and

WHEREAS, the Charles Chevrolet could not fulfill the request as originally planned and the order would be cancelled; and

WHEREAS, Sarchione Chevrolet, Inc is able to fulfill the request for four (4) vehicles including upfitting and radios is One hundred fifty-five thousand, four hundred ninety-eight dollars and 40/100 (\$155,498.40); now therefore be it

RESOLVED, that the Portage County Board of Commissioners declares it necessary to purchase four (4) vehicles including upfitting and radios for the total cost of One hundred fifty-five thousand, four hundred ninety-eight dollars and 40/100 (\$155,498.40), and be it further

RESOLVED, that a copy of this resolution be forwarded to 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0733

Number not used. Resolution was held for additional information.

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**RESOLUTION NO. 22-0734 - RE: ACCEPT THE PROPOSAL OF COTT
SYSTEMS, INC. FOR AN INTEGRATED
RECORDATION & IMAGING SYSTEM FOR
THE PORTAGE COUNTY RECORDER.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** an agreement between the parties was entered into on October 3, 2017 through resolution 17-0660 and known as Portage County Contract 20170409 for an integrated recordation & imaging system ; and
- WHEREAS,** the parties wish to extend said agreement for an additional 5 years, to commence on January 1, 2023 through December 31, 2027.
- WHEREAS,** the project was approved by the Portage County Data Processing Board; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Cott Systems, Inc., 2800 Corporate Exchange Dr., Suite 300, Columbus OH 43241; and be it further
- RESOLVED,** that the total cost of all software provided from Cott shall not exceed Twenty-nine thousand nine hundred forty and 00/100 dollars (\$29,940.00) annually; 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0735 - RE: TRANSFER FROM FUND 4259,
TALLMADGE RD SECTION M-N
RESURFACING TO FUND 1201, MOTOR
VEHICLE AND GAS TAX**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** the **Tallmadge Rd Section M-N Resurfacing Project** has been completed, all payments have been made on behalf of said project and all costs have been booked, and

WHEREAS, the Portage County Engineer has requested a transfer of residual equity for the purpose of closing out Fund 4259, **Tallmadge Rd Section M-N Resurfacing Project**, due to project completion and crediting Fund 1201, Motor Vehicle and Gas Tax; and

WHEREAS, the Portage County Board of Commissioners approved the transfer of residual equity for the purpose of closing out said fund due to project completion; now therefore be it

RESOLVED, that the following transfer of funds be made in the amount of \$38,884.04.

FROM:

FUND 4259, TALLMADGE RD SECTION M-N RESURFACING

ORGCODE – 42598109

Debit Expense Account

Object: 910000 – Transfers Out

\$38,884.04

TO:

FUND 1201, MOTOR VEHICLE AND GAS TAX

ORGCODE- 12018102

Credit Revenue Account

Object: 280000 - Transfer In

\$38,884.04

; 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 County Engineer 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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RESOLUTION NO. 22-0736

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RE: TRANSFER FROM FUND 4254, SMALL

**BRIDGE REPLACEMENT TO FUND 1201,
MOTOR VEHICLE AND GAS TAX**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the **Small Bridge Replacement Project** has been completed, all payments have been made on behalf of said project and all costs have been booked, and

WHEREAS, the Portage County Engineer has requested a transfer of residual equity for the purpose of closing out Fund 4254, **Small Bridge Replacement Project**, due to project completion and crediting Fund 1201, Motor Vehicle and Gas Tax; and

WHEREAS, the Portage County Board of Commissioners approved the transfer of residual equity for the purpose of closing out said fund due to project completion; now therefore be it

RESOLVED, that the following transfer of funds be made in the amount of \$35,876.51

FROM:

FUND 4254, SMALL BRIDGE REPLACEMENT PROJECT

ORGCODE – 42548209

Debit Expense Account

Object: 910000 – Transfers Out \$35,876.51

TO:

FUND 1201, MOTOR VEHICLE AND GAS TAX FUND

ORGCODE- 12018202

Credit Revenue Account

Object: 280000 - Transfer In \$35,876.51

; 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 County Engineer 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.

Roll Call Vote as Follows:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0737 - RE: CASH ADVANCE FROM FUND 0001,
GENERAL FUND TO FUND 1481,
PROSECUTORS STATE GRANT**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

WHEREAS, the Prosecutor's State Grant Funds (VOCA) current obligations are exceeding actual revenue therefore; the fund is in need of interim cash until receipt of grant revenues are received; now therefore be it;

RESOLVED, that the following cash advance be made in the amount of \$47,000.00:

FROM:

FUND 0001, GENERAL FUND

ORGCODE- 00100009

Debit Expense Account

Object 920000 - Advances-Out	\$47,000.00
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TO:

FUND 1481, PROSECUTORS STATE GRANT

ORGCODE - 14813002

Credit Revenue Account

Revenue Source 290000 - Advance-In	\$47,000.00
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; and be it further

RESOLVED, the advance will be repaid to the General Fund when grant revenue is received, and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, the Portage County Prosecutor 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:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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**RESOLUTION NO. 22-0738 - RE: GENERAL FUND FISCAL YEAR 2023
ANNUAL APPROPRIATION MEASURE**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** Ohio Revised Code (ORC) 5705.38 (A) stipulates that the taxing authority for the County (the Portage County Board of Commissioners) shall approve annual appropriation (budgets) measures on or about the first day of each year, and
- WHEREAS,** ORC 5705.38 (C) states that "Appropriation measures shall be classified so as to set forth separately the amounts appropriated for each office, department, and division, and, within each, the amount appropriated for personal services.", now therefore be it
- RESOLVED,** that the Portage County Board of Commissioners authorizes the annual appropriation measure for the General Fund for Fiscal Year 2023 beginning on January 1, 2023 and concluding on December 31, 2023, and be it further
- RESOLVED,** that elected officials and department directors having management control over funds, departments, sub departments and other chart of account elements are hereby authorized to draw warrants against the annual appropriations; and be it further
- RESOLVED,** that all requests for Capital Expenditures as defined in Sections 5705.38 and 5705.39 of the ORC shall require the approval of the County Board of Commissioners; and be it further
- RESOLVED,** that the Fiscal Year 2023 General Fund annual appropriation measure as attached Exhibit "A" ; 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 County 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:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

Exhibit A

General Fund Budget, FY23

Expenses	2023 Proposed
Salaries	499,067.00
Benefits	202,750.00
Contractual Services	91,665.00
Materials & Supplies	36,500.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Commissioners 001	829,982.00
Salaries	-
Benefits	3,000.00
Contractual Services	3,131,450.00
Materials & Supplies	-
Capital Outlay	-
Other Expenses	200,000.00
Debt Service	-
Miscellaneous	6,038,000.00
Commissioners Other 010	9,372,450.00
Salaries	-
Benefits	-
Contractual Services	-
Materials & Supplies	-
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Central Purchasing 012	
Salaries	552,482.50
Benefits	285,167.48
Contractual Services	2,375,271.00
Materials & Supplies	162,500.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-

Building Maint 016	3,375,420.98
Salaries	86,400.00
Benefits	26,275.00
Contractual Services	30,260.00
Materials & Supplies	5,150.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Microfilm 017	148,085.00
Salaries	116,700.00
Benefits	36,520.00
Contractual Services	119,715.00
Materials & Supplies	5,566.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
HR 018	278,501.00
Salaries	495,300.00
Benefits	197,867.00
Contractual Services	41,400.00
Materials & Supplies	10,000.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Building Insp 020	744,567.00
Salaries	-
Benefits	-
Contractual Services	2,577,941.00
Materials & Supplies	-
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-

Juvenile Det 030	2,577,941.00
Salaries	111,083.00
Benefits	41,812.00
Contractual Services	6,108.00
Materials & Supplies	5,000.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Job & Family Svcs 051	164,003.00
Salaries	631,149.00
Benefits	241,705.00
Contractual Services	55,570.00
Materials & Supplies	22,315.00
Capital Outlay	-
Other Expenses	500.00
Debt Service	-
Miscellaneous	-
Auditor 100	951,239.00
Salaries	307,423.00
Benefits	146,306.32
Contractual Services	110,420.00
Materials & Supplies	17,000.00
Capital Outlay	14,000.00
Other Expenses	-
Debt Service	-
Miscellaneous	-
Treasurer 200	595,149.32
Salaries	2,357,341.00
Benefits	897,009.00
Contractual Services	264,017.00
Materials & Supplies	75,500.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-

Municipal Court 520	1,417,253.00
Salaries	920,898.00
Benefits	357,983.00
Contractual Services	106,230.00
Materials & Supplies	34,500.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Common Pleas 530	1,419,611.00
Salaries	3,467.00
Benefits	600.00
Contractual Services	492.00
Materials & Supplies	-
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Jury Commission 540	4,559.00
Salaries	766,773.00
Benefits	381,166.00
Contractual Services	94,152.00
Materials & Supplies	49,734.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Domestic Relations 550	1,291,825.00
Salaries	892,611.00
Benefits	515,425.00
Contractual Services	91,800.00
Materials & Supplies	45,500.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-

Probate Court 560	1,545,336.00
Salaries	1,253,166.00
Benefits	636,811.00
Contractual Services	414,539.00
Materials & Supplies	58,000.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Juvenile Court 570	2,362,516.00
Salaries	283,071.00
Benefits	136,797.00
Contractual Services	30,300.00
Materials & Supplies	23,500.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Juv. Probation 580	473,668.00
Salaries	1,053,136.30
Benefits	492,148.00
Contractual Services	79,000.00
Materials & Supplies	43,300.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Adult Probation 590	1,667,584.30
Salaries	302,714.00
Benefits	128,506.00
Contractual Services	157,485.00
Materials & Supplies	13,200.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-

Coroner 600	601,905.00
Salaries	12,512,892.00
Benefits	5,318,692.05
Contractual Services	3,349,742.00
Materials & Supplies	1,176,000.00
Capital Outlay	30,000.00
Other Expenses	-
Debt Service	-
Miscellaneous	8,000.00
Sheriff 700	22,395,326.05
Salaries	169,594.00
Benefits	88,000.00
Contractual Services	6,350.00
Materials & Supplies	22,000.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Engineer 800	285,944.00
Salaries	742,506.00
Benefits	296,869.76
Contractual Services	474,000.00
Materials & Supplies	129,000.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Board of Elections 902	1,642,375.76
Salaries	452,510.00
Benefits	160,899.00
Contractual Services	286,100.00
Materials & Supplies	51,650.00
Capital Outlay	50,000.00
Other Expenses	-
Debt Service	-
Miscellaneous	-
Veteran Serv Comm 903	1,001,159.00
Salaries	69,820.00
Benefits	11,977.00
Contractual Services	4,682.00
Materials & Supplies	750.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-

Budget Commission 913	87,229.00
Salaries	577,810.00
Benefits	262,081.00
Contractual Services	664,199.00
Materials & Supplies	11,650.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Data Processing 915	1,515,690.00
Salaries	1,080,779.00
Benefits	421,319.00
Contractual Services	138,400.00
Materials & Supplies	18,000.00
Capital Outlay	-
Other Expenses	-
Debt Service	-
Miscellaneous	-
Public Defender 920	1,658,498.00
Salaries	-
Benefits	-
Contractual Services	7,500.00
Materials & Supplies	7,500.00
Capital Outlay	15,000.00
Other Expenses	-
Debt Service	-
Miscellaneous	-
FMA 930	30,000.00
Total GF Expense	\$ 65,952,721.41
Total General Fund	
Salaries	29,513,659.80
Benefits	12,725,267.61
Contractual Services	15,189,853.00
Materials & Supplies	2,168,441.00
Capital Outlay	109,000.00
Other Expenses	200,500.00
Debt Service	-
Miscellaneous	6,046,000.00
	\$ 65,952,721.41

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RESOLUTION NO. 22-0739

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**RE: NON-GENERAL FUNDS FISCAL YEAR 2023
ANNUAL APPROPRIATION MEASURE**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** Ohio Revised Code (ORC) 5705.38 (A) stipulates that the taxing authority for the County (the Portage County Board of Commissioners) shall approve annual appropriation (budgets) measures on or about the first day of each year, and
- WHEREAS,** ORC 5705.38 (C) states that "Appropriation measures shall be classified so as to set forth separately the amounts appropriated for each office, department, and division, and, within each, the amount appropriated for personal services.", now therefore be it
- RESOLVED,** that elected officials and department directors having management control over funds, departments, sub departments and other chart of account elements are hereby authorized to draw warrants against appropriations; and be it further
- RESOLVED,** that all requests for Capital Expenditures as defined in Sections 5705.38 and 5705.39 of the Ohio Revised Code shall require the approval of the County Board of Commissioners; and be it further
- RESOLVED,** by the Board of County Commissioners of Portage County, Ohio that to provide for the current expenses and other expenditures of said County, during Fiscal 2023, beginning January 1, 2023 and ending December 31, 2023, the following sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year, as attached Exhibit "A" ;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 County 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:

Vicki A. Kline, Yea;

Sabrina Christian-Bennett, Yea;

Anthony J. Badalamenti, Yea;

Exhibit A**Non-General Funds Budgets, FY23**

Fund	Salaries	Benefits	Contractual Services	Materials & Supplies	Capital Outlay	Other Expenses	Debt Service	Miscellaneous	Grand Total
0002	-	-	-	-	-	-	-	-	-
0003	-	-	-	-	-	-	-	-	-
1000	60,200.00	36,451.00	352,249.00	20,200.00	-	-	-	-	469,100.00
1001	586,050.00	258,448.00	33,220.00	15,228.00	-	-	-	452,000.00	1,344,947.00
1003	-	-	-	-	-	-	-	-	-
100	382,351.00	196,401.00	410,035.00	16,320.00	-	25.00	-	-	1,005,132.00
915	224,330.00	92,786.00	98,500.00	156,500.00	11,000.00	-	-	-	583,118.00
1004	124,750.00	57,288.00	383,500.00	1,000.00	-	-	-	-	566,538.00
1005	176,333.00	61,513.00	-	5,000.00	-	-	-	-	242,846.00
1006	14,845.00	5,716.00	44,700.00	19,000.00	15,000.00	-	-	-	99,261.00
1007	-	-	4,599.00	-	-	-	-	-	4,599.00
1008	12,745.00	8,140.00	2,300.00	6,500.00	-	-	-	-	29,685.00
1009	-	-	20,000.00	-	10,000.00	-	-	-	30,000.00
1010	136,616.00	55,457.00	2,669.00	23,585.00	-	-	-	-	218,327.00
1011	-	-	10,100.00	900.00	-	-	-	-	11,000.00
1012	20,889.00	6,980.00	-	-	-	-	-	-	27,869.00
1014	-	-	9,000.00	30,000.00	10,000.00	-	-	-	49,000.00
1015	-	-	-	-	-	-	-	-	-
1016	9,944.00	3,753.00	-	-	-	-	-	-	13,697.00
1018	-	-	15,000.00	-	-	-	-	-	15,000.00
1019	-	-	8,500.00	-	-	250.00	-	-	8,750.00
1022	24,000.00	3,000.00	34,000.00	34,000.00	-	-	-	-	100,000.00
1026	41,913.00	16,145.00	15,000.00	10,000.00	-	-	-	520,000.00	603,058.00
1027	85,592.00	39,503.00	-	-	-	-	-	-	125,100.00
1028	12,500.00	-	-	-	-	-	-	-	12,500.00
1029	5,000.00	-	-	-	-	-	-	-	5,000.00
1030	-	-	4,700.00	1,300.00	-	-	-	-	6,000.00
1031	116,548.00	35,777.00	5,000.00	5,000.00	-	-	-	-	162,325.00
1032	-	-	8,000.00	5,000.00	3,000.00	-	-	-	16,000.00
1081	62,000.00	30,000.00	18,850.00	381,000.00	-	-	-	-	491,850.00
1091	-	-	-	-	-	-	-	-	-
1092	-	-	-	-	35,970.00	-	-	-	35,970.00
1100	30,000.00	10,145.00	26,000.00	6,000.00	-	-	-	-	72,145.00

Non-General Funds Budgets, FY23

Fund	Salaries	Benefits	Contractual Services	Materials & Supplies	Capital Outlay	Other Expenses	Debt Service	Miscellaneous	Grand Total
1101	1,000.00	593.00	1,000.00	898.00					3,491.00
1102	15,000.00	3,200.00	4,820.00	6,000.00		-		-	29,020.00
1105	5,000.00	2,125.00		-				-	7,125.00
1107								-	-
1109	6,000.00	2,275.00	12,000.00	4,000.00					24,275.00
1112	160,000.00	45,440.00	105,200.00	87,000.00	25,000.00			-	422,640.00
1113	60,000.00	12,750.00						-	72,750.00
1114	45,000.00	15,000.00	238,000.00	18,000.00	20,000.00			-	336,000.00
1115			4,000.00	-					4,000.00
1116	-	-	-	-		-		-	-
1117			-	-		-		-	-
1120			-	-		-		-	-
1121	83,066.00	23,928.00	9,000.00	4,000.00	-	1,100.00		-	121,094.00
1122	55,082.00	75,262.00	26,000.00	12,300.00	6,150.00			-	174,794.00
1126	17,000.00	-	-	5,000.00					22,000.00
1129			40,000.00						40,000.00
1130	77,389.00	12,000.00	-	-				-	89,389.00
1131	86,000.00	23,000.00	-	-				-	109,000.00
1132	-		-	-				-	-
1149	340,877.00	169,200.00	157,000.00	6,000.00					673,077.00
1150			3,000.00	2,000.00	-				5,000.00
1159			4,500.00	3,000.00				-	7,500.00
1160			72,500.00	12,000.00	-			-	84,500.00
1165				-				-	-
1166	57,900.00	41,322.00	44,530.00	11,600.00	-			295,000.00	450,352.00
1167								-	-
1170	4,500.00	1,000.00	-	2,000.00					7,500.00
1201	3,899,038.00	1,785,900.00	573,550.00	1,903,000.00	820,000.00	3,000.00	-	204,500.00	9,188,988.00
1202			140.00			-			140.00
1203			115.00			-			115.00
1204			190.00			-			190.00
1205			1,735.00			-			1,735.00
1206			180.00			-			180.00
1207			4,160.00			-			4,160.00
1208			-			-			-
1209			-			-			-
1210			-			-			-

Non-General Funds Budgets, FY23

Fund	Salaries	Benefits	Contract/Service	Materials & Supplies	Capital Outlay	Other Expense	Debt Service	Miscellaneous	Grand Total
3170									-
3215									-
4002			-						-
4018			-						-
4019					-				-
4101			-					-	-
4238			-		660,000.00			-	660,000.00
4249			-		-			-	-
4251			-		-			-	-
4252			-		-			-	-
4253	-		-		-			-	-
4254			-		83,965.00			-	83,965.00
4255			236,470.00		-				236,470.00
4256					249,196.00				249,196.00
4257	-				1,449,550.00				1,449,550.00
4258					-				-
4259	-				-			-	-
4260			-		-				-
4261			-		-				-
5200	2,477,000.00	1,030,000.00	2,763,238.00	1,159,000.00	3,684,039.00	27,000.00	-	1,553,200.00	12,699,477.00
5211							-		-
5213							553,963.00		553,963.00
5214								-	-
5215								-	-
5216								-	-
5217								-	-
5218								-	-
5245							460,762.00		460,762.00
5246							-		-
5275							22,500.00		22,500.00
5276								-	-
5279							6,981.00		6,981.00
5280							5,000.00		5,000.00
5322					-		-	-	-
5323					-		-	-	-
5324			-		-		-	-	-
5400	1,112,500.00	411,000.00	1,878,000.00	647,000.00	1,045,053.00	11,138.00	-	1,644,200.00	6,748,891.00

Non-General Funds Budgets, FY23

Fund	Salaries	Benefits	Contractual Services	Materials & Supplies	Capital Outlay	Other Expenses	Debt Service	Miscellaneous	Grand Total
5415							119,825.00		119,825.00
5441							36,488.00		36,488.00
5509			-		-			-	-
5510			-		-			-	-
5511			-		-			-	-
5512			-		-			-	-
5600	1,178,500.00	490,000.00	1,314,800.00	502,570.00	530,000.00	8,000.00		40,000.00	4,063,870.00
5642								-	-
5674								-	-
5676							5,000.00		5,000.00
5800			-				-	-	-
6100	63,000.00	37,883.00	181,000.00	-		1,000.00			282,883.00
6200	20,000.00	5,430.00	21,570.00	3,000.00	-			-	50,000.00
6800	8,450.00	1,513.00	1,113,100.00	500.00		200.00		-	1,123,763.00
7000	233,000.00	145,273.00	762,277.00	84,500.00	-	-		-	1,225,050.00
7001	12,300.00	5,569.00	1,000.00	30,000.00	-			-	48,869.00
7002			50,000.00	100,000.00				-	150,000.00
7040	215,000.00	113,300.00	12,900.00	13,700.00	-	-		-	354,900.00
7101	108,000.00	60,150.00	1,105,161.00	9,380.00	-	1,300.00		13,800,000.00	15,083,591.00
7102			857,160.00			153.00		-	857,313.00
7201								500,000.00	500,000.00
7220								217,861.00	217,861.00
7221								125,719.00	125,719.00
7222								50,000.00	50,000.00
7223								50,000.00	50,000.00
7224								50,000.00	50,000.00
7225								50,000.00	50,000.00
7226								50,000.00	50,000.00
7227								50,000.00	50,000.00
7228								150,000.00	150,000.00
7229			-					150,000.00	150,000.00
7230	-	-						150,000.00	150,000.00
7231	-	-	20,000.00					150,000.00	170,000.00
7232	82,650.00	27,970.00	452,225.00	12,220.00				100,000.00	675,065.00
7233			-					-	-
8100								-	-
8101			-			195,000.00		100.00	195,100.00

Non-General Funds Budgets, FY23

Fund	Salaries	Benefits	Contractual Services	Materials & Supplies	Capital Outlay	Other Expenses	Debt Service	Miscellaneous	Grand Total
8104			10,000.00	14,447.00	-	-			24,447.00
8105			500.00	2,000.00	-	-			2,500.00
8106			-	-	-				-
8107			3,800.00						3,800.00
8108			5,000.00	15,249.00	-				20,249.00
8200			-	-					-
8201			-	-					-
8300	683,600.00	287,700.00	638,025.00	542,800.00	545,000.00	-	-	589,800.00	3,285,925.00
8310								-	-
8314								-	-
8355							175,325.00		175,325.00
Grand Total	28,580,569.00	13,810,800.00	48,938,147.00	6,815,498.00	9,525,423.00	273,986.00	3,172,894.00	24,973,577.00	136,090,894.00

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RESOLUTION NO. 22-0740**RE: RESCIND RESOLUTION NO. 22-0689 TO
TRANSFER FROM FUND 1414, CHILD
SUPPORT ADMINISTRATION, TO FUND
1410 PUBLIC ASSISTANCE FUND**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the following resolution be adopted:

- WHEREAS,** Resolution 22-0689 was adopted by the Board of Commissioners on November 22, 2022, to transfer from Fund 1414 Child Support Administration to Fund 1410, Public Assistance Fund; and
- WHEREAS,** it was determined that the transfer referred to in Resolution 22-0689 was a duplicate; now therefore be it
- RESOLVED,** that Board of Commissioners does hereby agree to rescind Resolution No. 22-0689, dated November 22, 2022 to transfer from Fund 1414 Child Support Administration to Fund 1410 Public Assistance; 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:

Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

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Journal Entries:

In accordance with Section 305.30(K) of the Ohio Revised Code and this Board's Resolution 21-0396 and this Board's Resolution 21-0878, the Board of Commissioners acknowledges and approves the County Administrator's approval to:

1. Direct the Auditor's Office to pay/process the December 1, 2022 and December 8, 2022 bills/ACH payments, wires, journal vouchers and then & now's, as applicable, contingent upon the verification of the reports as presented by the County Auditor and reviewed by the Department of Budget and Financial Management.

Motion: **Commissioner Badalamenti**

Seconded: **Commissioner Kline**

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

Expenditure Review		
County Funds: (0001 – 8399)		
Bill Payment and ACH list totaling:		
Bill Payment list	\$720,964.26	(Includes late fees of: \$0)
ACH/Neil Group of	\$0	
ACH Payment list totaling:	\$0	
Health Benefit Wire transfers totaling:		
Medical Mutual Admin of	\$148,734.76	
Medical Mutual Claims of	\$438,329.02	
Medical Mutual Flex Admin of	\$0	
Medical Mutual Flex Claims of	\$4,907.43	
Journal Vouchers totaling:	\$35,236.27	
Then and Now list totaling:	\$264,216.89	
Debt Service wire list:	\$0	
BWC Wires:	\$0	

Expenditure Review		
County Funds: (0001 – 8399)		
Bill Payment and ACH list totaling:		
Bill Payment list	\$1,286,741.61	(Includes late fees of: \$1.35)
ACH/Neil Group of	\$126.06	
ACH Payment list totaling:	\$0	
Health Benefit Wire transfers totaling:		
Medical Mutual Admin of	\$0	
Medical Mutual Claims of	\$318,319.05	
Medical Mutual Flex Admin of	\$888.00	
Medical Mutual Flex Claims of	\$2,969.41	
Journal Vouchers totaling:	\$229,464.56	
Then and Now list totaling:	\$173,061.00	
Debt Service wire list:		
OWDA	\$261,240.69	
OPWC	\$19,740.10	
BWC Wires:	\$0	

2. Process the December 1, 2022 and December 8, 2022 budget amendments as reviewed and recommended by the Department of Budget and Financial Management.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea; Commissioner Christian-Bennett, Yea;

Motion Carries

In accordance with Section 305.30 of the Ohio Revised Code and this Board's Resolution 21-0396, Part IX(I), the Board of Commissioners acknowledges and approves the County Administrator's approval to:

3. Accept the resignation of Miranda Lewis, with Group Home, for the Portage County Job and Family Services effective December 16, 2022

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

4. Authorize the three-day internal posting of a non-bargaining position, Clinical Services Manager replacing Miranda Lewis, for Portage County Job & Family Services, with external posting if no internal appointment is made.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

5. Authorize the hire of Mikell Riddle, Eligibility Specialist, replacing Diane Rogers, in Portage County Department of Job & Family Services. Tentative start date is Monday, December 27, 2022. The Board of Commissioners agree that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

6. Authorize the hire of April Chamberlain, Eligibility Specialist, replacing Dutchess Murray, in Portage County Department of Job & Family Services. Tentative start date is Monday, December 27, 2022. The Board of Commissioners agree that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

7. Authorize the hire of Marija Prodanovic, Social Services 3, replacing Danielle McGarvey, in Portage County Department of Job & Family Services. Tentative start date is Monday, December 19, 2022. The Board of Commissioners agree that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

8. Accept the retirement of Susan Brannon, JFS Budget & Finance Administrator, for the Department of Job and Family Services, effective August 31, 2023.

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

9. Authorize the three-day internal posting of a non-bargaining position, JFS Budget & Finance Administrator replacing Susan Brannon, for Portage County Job & Family Services, with external posting if no internal appointment is made.

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

10. Approve anniversary/probationary step increase for the following non-bargaining employees:

- a. Mark Gilly ~ November 26, 2022 ~ Internal Service Maintenance
- b. Don West ~ November 28, 2022 ~ Water Resource
- c. Holly Rhodes ~ December 26, 2022 ~ JFS
- d. Jessica Plymale ~ December 26, 2022 ~ JFS
- e. Kellan Towns ~ December 26, 2022 ~ JFS

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

11. Authorize the hire of Don Shump, Project Engineer, in Portage County Department Water Resources. Tentative start date is Monday, January 3, 2022. The Board of Commissioners agree that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

12. Authorize the hire of Joseph Andrassy, Project Engineer, in Portage County Department Water Resources. Tentative start date is Monday, January 3, 2022. The Board of Commissioners agree that this hire is contingent upon the applicant passing the required pre-employment screenings.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

13. The Board of Commissioners acknowledged receipt of the Kennel Disposition Report and Intake Report for November 21, 2022 through November 27, 2022 as presented by Chief Dog Warden Dave McIntyre.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

14. The Board of Commissioners acknowledged receipt of the Kennel Disposition Report and Intake Report for November 28, 2022 through December 4, 2022 as presented by Chief Dog Warden Dave McIntyre.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

15. The Board of Commissioners acknowledged receipt of the Kennel Disposition Report and Intake Report for December 5, 2022 through December 11, 2022 as presented by Chief Dog Warden Dave McIntyre.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

16. The Board of Commissioners approved the November 2022 adjustments to the Portage County Water, Portage County Sewer, and Streetsboro Sewer billing accounts as reported on the adjustment reports submitted and reviewed by the Department of Budget and Financial Management.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

17. The Board of Commissioners acknowledged receipt of the December 2, 2022 Certificate of the County Auditor that the Total Annual Appropriations from each fund does not exceed the Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2022, as presented by the Portage County Auditor's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

18. The Board of Commissioners acknowledged receipt of the December 9, 2022 Certificate of the County Auditor that the Total Annual Appropriations from each fund does not exceed the Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2022, as presented by the Portage County Auditor's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

19. The Board of Commissioners acknowledged receipt of the Portage County Investment Reconciliation for the month of November 2022 as presented by the County Treasurer and County Auditor.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

20. The Board of Commissioners acknowledged the receipt of the Portage County Investment Portfolio Report for November 2022 as presented by the Portage County Treasurer.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

21. In accordance with ORC 321.261, the Board of Commissioners acknowledged the receipt of the Portage County Prosecutor's report of activity in the DRETAC account through December 2, 2022.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

22. The Board of Commissioners authorized Commissioner Sabrina-Bennett to sign the State of Ohio, 2021 Target of Opportunity Program grant agreement extension for Grant No. B-D-21-1CJ-4 as follows, as presented the Regional Planning Commission:

Project Completion: April 30, 2023

Draw Date: May 31, 2023

Grant Completion Date: June 2, 2023

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

23. The Board of Commissioners signed the Satisfaction of Mortgage form for Pamela M. Kennedy of 9476 Seymour Drive, Streetsboro, Ohio 44241 to secure payment of \$1,456.00, as presented by Neighborhood Development Services Inc.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

24. The Board of Commissioners acknowledged receipt of the December 2, 2022 correspondence from Judge Laurie J. Pittman and Judge Becky L. Doherty, including Journal Entry 2022 MS 150, requesting 3% or \$30,605.00, to cover the cost of living increase, for the Common Pleas Court General Fund 0001 Fiscal Year 2023.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

25. The Board of Commissioners sign the December 1, 2022 correspondence to Bertolini Trucking Co. releasing and terminating the Road Bond for the Special Hauling Permit SH22-016 issued by Merchants Bonding Company under Bond #OH6095325 in the amount of \$10,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

26. The Board of Commissioners sign the December 1, 2022 correspondence to Woodside Tree Service, JDS Hardwoods, LLC releasing and terminating the Road Bond for the Special Hauling Permit SH22-004 issued by Westfield Insurance Company under Bond

#210432Q in the amount of \$100,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

27. The Board of Commissioners sign the December 1, 2022 correspondence to Gregor Trucking Co. releasing and terminating the Road Bond for the Special Hauling Permit SH22-007 issued by Heartford Insurance Company under Bond #45BSBIX0752 in the amount of \$60,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

28. The Board of Commissioners sign the December 1, 2022 correspondence to Gregor Trucking Co. releasing and terminating the Road Bond for the Special Hauling Permit SH22-008 issued by Heartford Insurance Company under Bond #45BSBIX1275 in the amount of \$250,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

29. The Board of Commissioners sign the December 1, 2022 correspondence to Maplecreek Land Company, HK Logging & Lumber Company releasing and terminating the Road Bond for the Special Hauling Permit SH22-012 issued by Hartfield Fire Insurance Company under Bond #45BSBIJ1508 in the amount of \$107,500 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett

Seconded: Commissioner Kline

All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;

Motion Carries

30. The Board of Commissioners sign the December 1, 2022 correspondence to Trumbull County Hardwoods releasing and terminating the Road Bond for the Special Hauling Permit SH22-005 issued by Westfield Insurance Company under Bond #237414R in the

amount of \$8,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
 All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
 Commissioner Christian-Bennett, Yea;
Motion Carries

31. The Board of Commissioners sign the December 1, 2022 correspondence to 1-2 Tree releasing and terminating the Road Bond for the Special Hauling Permit SH22-011 issued by Hartford Fire Insurance Company under Bond #45BSBID1818 in the amount of \$100,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
 All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
 Commissioner Christian-Bennett, Yea;
Motion Carries

32. The Board of Commissioners sign the December 1, 2022 correspondence to Doll Lumber Co. Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-010 issued by Westfield Insurance Company under Bond #254534X in the amount of \$170,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
 All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
 Commissioner Christian-Bennett, Yea;
Motion Carries

33. The Board of Commissioners sign the December 1, 2022 correspondence to Doll Lumber Co. Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-014 issued by Westfield Insurance Company under Bond #254534X in the amount of \$80,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
 All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
 Commissioner Christian-Bennett, Yea;
Motion Carries

34. The Board of Commissioners sign the December 1, 2022 correspondence to Doll Lumber Co. Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-015 issued by Westfield Insurance Company under Bond #254534X in the amount of \$260,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

35. The Board of Commissioners sign the December 1, 2022 correspondence to Rich's Towing Services, Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-009 issued by Merchants Binding Company Mutual under Bond #OH5980423 in the amount of \$150,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

36. The Board of Commissioners sign the December 1, 2022 correspondence to Rich's Towing Services, Inc. releasing and terminating the Road Bond for the Special Hauling Permit SH22-013 issued by Merchants Binding Company Mutual under Bond #OH5980423 in the amount of \$150,000 is being released and returned at their request as recommended by the County Engineer's Office.

Motion: Commissioner Christian-Bennett
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

37. The Board of Commissioners will proceed under Ohio Revised Code § 6151.14, to attempt to remedy the situation concerning obstructions to Potter's Creek near Randolph Road and also concerning the real property having permanent parcel number 28-088-00-00-001-000 and surrounding properties.

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline
All in Favor: Commissioner Badalamenti, Yea; Commissioner Kline, Yea;
Commissioner Christian-Bennett, Yea;
Motion Carries

Motion: by Commissioner Christian-Bennett, seconded by Commissioner Kline that the Board adjourns the Meeting of **December 15, 2022, at 11:23 AM.**

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Kline, Yea; Commissioner Badalamenti, Yea;

Motion Carries

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting of **December 15, 2022**


Sabrina Christian-Bennett, President


Anthony J. Badalamenti, Vice President


Vicki A. Kline, Board Member


Sara Hoag, Acting Clerk