



Portage County Board of Commissioners  
Meeting Minutes

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

Amy Hutchinson, Clerk  
330-297-3600

Thursday, November 5, 2020

9:01 AM

Commissioners' Board Room

*The Commissioners' meeting minutes are summarized; Audio recordings and backup material are available.  
Please contact the Commissioners' Office for specific details.*

The Portage County Board of Commissioners' meeting came to order with the following members present via Zoom video conference.

Attendee Name	Title	Status
Kathleen Clyde	President	Absent
Vicki A. Kline	Vice President	Present
Sabrina Christian-Bennett	Board Member	Present

Also attending throughout the day County Administrator Gene Roberts.

Recessed: 9:01 AM into Solid Waste Management District Meeting

Reconvened: 9:05 AM

### **HUMAN RESOURCES**

Present: Director Janet Kovick

#### **Discussion:**

#### **1. Comparison of Commissioners' Turnover Report.**

Director Kovick presented the Turnover report for January-September 2020 last week and this week, she's brought back last year's numbers for comparison.

The turnover increased slightly from 7.10% to 10.09%. The voluntary terminations this year included 30 and last year during the same time period they were 21.

The work/life category was also the highest in 2019 and compared to this year, and there was an increase of employees resigning due to work hours and relocation.

Commissioner Christian-Bennett asked if the resignations are coming from a specific department and Director Kovick noted there were 2 employees from Water Resources, 1 from Job and Family Services and 1 from Solid Waste Management District.

Commissioner Kline asked if the pandemic had any influence on the terminations and Director Kovick noted the pandemic doesn't appear to be an issue.

**JOURNAL ENTRY:** The Board of Commissioners accepts the resignation of Sarah Moreton, Social Service Worker 3 for Portage County Job & Family Services, effective November 13, 2020.

**Motion:** Commissioner Kline

**Seconded:** Commissioner Christian-Bennett

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

**Motion Carries**

**JOURNAL ENTRY:** The Board of Commissioners agree to authorize the three-day internal posting of the full time Social Service Worker 3, replacing Sarah Moreton, for Portage County Job & Family Services with external posting if no internal appointment is made.

**Motion:** Commissioner Kline

**Seconded:** Commissioner Christian-Bennett

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

**Motion Carries**

**JOURNAL ENTRY:** The Board of Commissioners accepts the resignation of Kathryn Stout, Social Service Worker 2 for Portage County Job & Family Services, effective November 6, 2020.

**Motion:** Commissioner Kline

**Seconded:** Commissioner Christian-Bennett

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

**Motion Carries**

**JOURNAL ENTRY:** The Board of Commissioners agree to authorize the three-day internal posting of the full time Social Service Worker 2, replacing Kathryn Stout, for Portage County Job & Family Services with external posting if no internal appointment is made.

**Motion:** Commissioner Kline

**Seconded:** Commissioner Christian-Bennett

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

**Motion Carries**

### **JOB & FAMILY SERVICES**

Present: Sue Brannon, Budget & Finance Administrator Job and Family Services

#### **Resolutions:**

1. The Board of Commissioners agrees to transfer \$2,238.59 from fund 0001, General Fund to Fund 1414, Child Support Administration./Resolution No. 20-0664
  - This resolution is for the local match for the 4-D contracts that were paid in October, Juvenile Court for July services and Clerk of Court for July services.

**RESOLUTION NO. 20-0664      -      RE:    TRANSFER FROM FUND 0001, GENERAL  
FUND TO FUND 1414, CHILD SUPPORT  
ADMINISTRATION**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**WHEREAS,**      the Portage County Board of Commissioners has agreed to provide the local match for Child Support IV-D contract payments; and

**WHEREAS,**      it is necessary to do a transfer from the General Fund; now therefore be it

**RESOLVED,**      that the following transfer of funds be made in the amount of \$2,238.59 for October 2020 IV-D contract payments local match for Juvenile Court July 2020 and Clerk of Court July 2020 services as reviewed and recommended by the Department of Job & Family Services:

**FROM:**

FUND 0001, COUNTY GENERAL FUND

ORGCODE - 00100009

Debit Expense Account

Object: 910000- Transfer Out

\$2,238.59

**TO:**

FUND 1414, CHILD SUPPORT ADMINISTRATION

ORGCODE - 14140512

Revenue Account

Object: 280000 - Transfer In

Project NONE

\$2,238.59

; 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:

Kathleen Clyde, Absent;

Vicki A. Kline, Yea;

Sabrina Christian-Bennett, Yea;

- RESOLUTION NO. 20-0665      -      RE:    TRANSFER FROM FUND 0001, GENERAL  
FUND TO FUND 1410, PUBLIC  
ASSISTANCE FUND**

**WHEREAS,** the Portage County Board of Commissioners are mandated to provide payment of the county share of public assistance expenditures in accordance with section 5101.161 of the Ohio Revised code; and

**RESOLVED,** that the following transfer of funds be made in the amount of \$30,680.58 for the month of November 2020 as reviewed and recommended by the Department of Job & Family Services:

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:

Kathleen Clyde, Absent; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

### **DEPARTMENT OF BUDGET & FINANCE**

Present: Director Todd Bragg

The actual bill figure is slightly lower coming in at \$623,283.99. There's an ACH \$20.00 payment on the review report that should be removed as it was left on the template from last week. The Then and Now's were slightly higher, but \$118,000 was for the healthcare contract for CARES testing equipment. The remaining expenses were higher, but nothing out of the ordinary.

### **Resolutions:**

**RESOLUTION NO. 20-0666 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Board of Commissioners, Department of Budget and Financial Management, Department of Internal Services or other designee on November 5, 2020 in the total payment amount of **\$623,283.99** for **Funds 0001-8299** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

Vicki Kline, Yea; Kathleen Clyde, Absent; Sabrina Christian-Bennett, Yea;

**RESOLUTION NO. 20-0667**

**RE: WIRE TRANSFER APPROVED AND  
CERTIFIED TO THE PORTAGE COUNTY  
AUDITOR FOR PAYMENT.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Board of Commissioners, Department of Budget and Financial Management, Department of Internal Services or other designee on November 5, 2020 in the total payment amount as follows:

1. \$297,041.29 to Medical Mutual - Claims

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, November 6, 2020     \$ 297,041.29

;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:

Kathleen Clyde, Absent;     Vicki A. Kline, Yea;     Sabrina Christian-Bennett, Yea;

**RESOLUTION NO. 20-0668**

**RE: APPROVAL OF JOURNAL  
VOUCHERS/ENTRIES.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following Resolution be adopted:

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

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

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

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

11/5/20	48	\$204.00
11/5/20	53	170.00
11/5/20	55	4,630.05
11/5/20	56	3,790.63
11/5/20	178	1,600.00
11/5/20	183	846.39
11/5/20	184	9,271.16
11/5/20	185	11,912.10
11/5/20	186	1,258.00
Total		\$33,682.33

; 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:

Kathleen Clyde, Absent; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

**RESOLUTION NO. 20-0669 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**WHEREAS,** Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the

credit of an appropriate fund free from any previous encumbrances (Then and Now Certification); and

**WHEREAS,** the Then and Now Certification is recommended by the State Auditor's Office, the Portage County Auditor's Office, and the Portage County Prosecutor's Office; and

**WHEREAS,** a listing of expenditures has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

**RESOLVED,** that the expenditures listed are properly certified by the County Auditor in the amount of **\$169,860.98** dated **November 5, 2020** shall be paid; and be it further

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

Roll call vote as follows:

Kathleen Clyde, Absent; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

1. The Board of Commissioners accepts the 2020-2021 Crime Victims Assistance Office of the Attorney General of Ohio (Continuation Program) grant for the Portage County Prosecutor./Resolution No. 20-0670

- This is the typical grant for the Prosecutor, but this year funding was reduced.

**RESOLUTION NO. 20-0670 - RE: ACCEPT THE 2020-2021 CRIME VICTIMS ASSISTANCE OFFICE OF THE ATTORNEY GENERAL OF OHIO (CONTINUATION PROGRAM) GRANT FOR THE PORTAGE COUNTY PROSECUTOR.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**WHEREAS,** the Portage County board of commissioners adopted resolution 20-0336 dated, May 21, 2020, which authorized the application to the Crime victims' assistance office of the Attorney General of Ohio, to fund five (5) full-time positions:

1. Administrative Assistant in the notification program
2. Advocate position for Juvenile/Kent courts
3. Advocate position for Common Pleas Court #3/ Program Director
4. Advocate position for Common Pleas Court #4
5. Advocate position for Ravenna Municipal Courts A and B; and



**WHEREAS,** the Portage County Board of Commissioners fully supports the Portage County Prosecutor's Office in its efforts to support the Victims of crime in Portage County; now therefore be it

**WHEREAS,** the state has instituted an electronic process for the VOCA/SVAA grant award documents; now therefore be it

**RESOLVED,** the Board of the Portage County Commissioners does hereby agree to accept the Crime Victims' Assistance office of the Attorney General of Ohio's **VOCA grant award on behalf of the Portage County Prosecutor's office, for \$159,953.23 with general fund match of \$70,000.00, and a one (1) time transfer from the General Fund in the amount of \$75,000 to cover additional program costs, for a project total of \$304,953.23, and the SVAA grant award of \$10,156.68, with no local match, for the period of October 1, 2020 through September 30, 2021: and be it further**

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Department of Budget and Financial Management, the Portage County Prosecutor's Office of Victim Assistance and the Portage County Auditor'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 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 was as follows:

Kathleen Clyde, Absent; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

**PLEASE ADD TO YOUR AGENDA**

November 5, 2020

2. Amendment to the Non General Fund 2020 Annual Appropriation Resolution No. 19-0948 adopted December 19, 2019./Resolution No. 20-0674
  - This request includes \$5,000 for the Treasurer's Office for liens and to get the old Worker's Compensation funds ready to be closed and the new fund to make its payment.

**RESOLUTION NO. 20-0674**

**RE: AMENDMENT TO THE NON GENERAL FUND 2020 ANNUAL APPROPRIATION RESOLUTION NO. 19-0948 ADOPTED DECEMBER 19, 2019.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**RESOLVED**, that it has become necessary to amend the Non General Fund 2020 Annual Appropriation, from the unappropriated, certified fund balance in the amounts and for the purposes set forth in the enumeration shown below as reviewed and recommended by the Director of Budget & Financial Management:

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1019</b>	<b>Tax Certification Admin</b>		
<b>200</b>	<b>Treasurer</b>		
10194	Tax Certification Admin CS	5,000	-
	<b>MEMO TOTAL</b>	<u><u>\$ 5,000</u></u>	<u><u>\$ -</u></u>

Note:

<b>Fund: 1026</b>	<b>Kent Muni Ct Projects</b>		
<b>520</b>	<b>Municipal Court</b>		
10263	Kent Muni Ct Projects PS	4,189	-
	<b>MEMO TOTAL</b>	<u><u>\$ 4,189</u></u>	<u><u>\$ -</u></u>

Note:

<b>Fund: 1102</b>	<b>Marine Patrol Grant</b>		
<b>700</b>	<b>Sheriff's Department</b>		
11023	Marine Patrol Salary & Fringes	-	5,984
11024	Sheriff-Marine Patrol CS	3,009	-
11025	Sheriff-Marine Patrol MS	2,975	-
	<b>MEMO TOTAL</b>	<u><u>\$ 5,984</u></u>	<u><u>\$ 5,984</u></u>

Note: Trf unused salary \$ to

<b>Fund: 1310</b>	<b>Mental Health &amp; Recovery Board</b>		
<b>904</b>	<b>Mental Health &amp; Recovery Board</b>		
13105	Mental Health & Recovery MS	20,000	-
	<b>MEMO TOTAL</b>	<u><u>\$ 20,000</u></u>	<u><u>\$ -</u></u>

Note: INCREASE FUNDS

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1412</b>	<b>JFS Help Me Grow Allocation</b>		
<b>051</b>	<b>Job And Family Services</b>		
14124	JFS Help Me Grow CS	67,000	-
	<b>MEMO TOTAL</b>	<b>\$ 67,000</b>	<b>\$ -</b>

Note: PROJECTED NEED

<b>Fund: 1413</b>	<b>JFS WIA Allocation</b>		
<b>051</b>	<b>Job And Family Services</b>		
14134	JFS WIA Allocation CS	46,700	-
14139	JFS WIA Allocation ME	22,000	-
	<b>MEMO TOTAL</b>	<b>\$ 68,700</b>	<b>\$ -</b>

Note: PROJECTED NEED

<b>Fund: 1415</b>	<b>Child Welfare - Special Levy</b>		
<b>051</b>	<b>Job And Family Services</b>		
14154	JFS Child Welfare Levy CS	-	800
14155	JFS Child Welfare Levy MS	800	-
	<b>MEMO TOTAL</b>	<b>\$ 800</b>	<b>\$ 800</b>

Note: Projected need

<b>Fund: 7001</b>	<b>Central Print Shop</b>		
<b>013</b>	<b>Central Print Shop</b>		
70013	Central Print Shop Salary&Frin	-	6,011
70014	Central Print Shop CS	-	2,821
70015	Central Print Shop MS	-	8,068
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 16,900</b>

Note:

<b>Fund: 7215</b>	<b>WC Retro Rating Plan 2006</b>		
<b>012</b>	<b>Central Purchasing Services</b>		
72159	WC Retro Rating Plan 2006 ME	175,859	-
	<b>MEMO TOTAL</b>	<b>\$ 175,859</b>	<b>\$ -</b>

Note:

		<i>Increase</i>	<i>Decrease</i>
Fund: 7216	WC Retro Rating Plan 2007		
012	Central Purchasing Services		
72169	WC Retro Rating Plan 2007 ME	79,143	29,143
	MEMO TOTAL	<u>\$ 79,143</u>	<u>\$ 29,143</u>

Note:

Fund: 7217	WC Retro Rating Plan 2008		
012	Central Purchasing Services		
72179	WC Retro Rating Plan 08 ME	88,121	5,000
	MEMO TOTAL	<u>\$ 88,121</u>	<u>\$ 5,000</u>

Note:

		<i>Increase</i>	<i>Decrease</i>
Fund: 7218	WC Retro Rating Plan 2009		
012	Central Purchasing Services		
72189	WC Retro Rating Plan 2009 ME	1	-
	<b>MEMO TOTAL</b>	<b>\$ 1</b>	<b>\$ -</b>

Note:

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<b>\$ 514,797</b>	<b>\$ 57,827</b>
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; and be it further

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

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

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

Roll call as Follows:

Kathleen Clyde, Absent;

Vicki A. Kline, Yea;

Sabrina Christian-Bennett, Yea;

**JOURNAL ENTRY:** The Board of Commissioners approved the October 2020 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 Kline

**Seconded:** Commissioner Christian-Bennett

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

**Motion Carries**

## **WATER RESOURCES**

Present: Director Gene Roberts

### **Resolutions:**

1. The Board of Commissioners agrees to declare the Board of Portage County Commissioners willingness and approval for conditional real estate sale and purchase agreement for Project No. RV-O (17-080), Chinn Regional Sewer Improvements, in the Portage County Regional Sewer District, Ravenna Township./Resolution No. 20-0671
  - This is for the Chinn Allotment for property needed for a lift station.
  - The County was able to acquire the real estate from the Landbank.
  - The price was acceptable and Director Roberts recommends the purchase.

**RESOLUTION NO. 20-0671                      -                      RE:    A RESOLUTION DECLARING THE BOARD OF PORTAGE COUNTY COMMISSIONERS WILLINGNESS AND APPROVAL FOR CONDITIONAL REAL ESTATE SALE AND PURCHASE AGREEMENT FOR PROJECT NO. RV-O (17-080), CHINN REGIONAL SEWER IMPROVEMENTS, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, RAVENNA TOWNSHIP.**

It was moved by Vicki A. Kline, and seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**WHEREAS,** Portage County Water Resources requires additional land for construction of a sanitary sewer pump station to serve residents in the Chinn Regional Sewer Improvements project area, Township of Ravenna, Portage County, Ohio; and

**WHEREAS,** the vacant parcel located at 3115 Brady Lake Road in Ravenna Township, PPN 29-345-00-00-002-000, was identified as a desirable location for a new pump station; and

**WHEREAS**, the Portage County Land Reutilization Corporation desires to obtain and sell the property to the Board of Commissioners for a purchase price of \$100.00 with closing costs paid by the Board of Commissioners; and

**WHEREAS**, the Portage County Water Resources estimates closing costs will not exceed \$1,900.00; and

**WHEREAS**, the Portage County Land Reutilization Corporation has prepared the Conditional Real Estate Sale and Purchase Agreement for acceptance by the Board of Commissioners; now therefore be it

**RESOLVED**, that this Board hereby ratifies and accepts the recommendation of the Director of Portage County Water Resources for the Conditional Real Estate and Purchase Agreement as presented and recommended by the Director; and be it further

**RESOLVED**, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were 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:

Kathleen Clyde, Absent; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

2. The Board of Commissioners authorizes sale of obsolete equipment by public auction./Resolution No. 20-0672

**RESOLUTION No.20-0672      -      RE:    AUTHORIZE SALE OF OBSOLETE EQUIPMENT BY PUBLIC AUCTION.**

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**WHEREAS**, the Portage County Board of Commissioners, Water Resources Department has vehicles and equipment that are obsolete and unfit for the use for which they were initially acquired; now therefore be it

**RESOLVED**, that the Board of Portage County Commissioners has determined that the herein described equipment is obsolete and unfit for the use for which it was initially acquired, and be it further

**RESOLVED**, that said equipment will be sold via a **LIVE BID ONLINE AUCTION** at Edinburg Auction Sales, [www.edinburgauction.com](http://www.edinburgauction.com), as prescribed by Section 307.12 of the Ohio Revised Code, for cash to the highest bidder; and be it further,

**RESOLVED**, that Notice of Public Auction shall be posted in the office of the Portage County Commissioners, the County's Website and a Notice of Public Auction shall be published in the Record Courier on Thursday, November 12, 2020.

**Date of Auction:** Saturday, November 21, 2020

**Time of Auction:** 10:00 A.M., E.S.T.

**Location:** Edinburg Auction Sales, Inc.  
4029 State Route 14  
Edinburg, Ohio 44272  
Live Bidding to Take Place at:  
[www.edinburgauction.com](http://www.edinburgauction.com)

Said equipment may be viewed from 9:00 A.M. to 4:00 P.M. on Friday, November 20, 2020 at Edinburg Auction Sales, Inc. The equipment can also be viewed online at [www.edinburgauction.com](http://www.edinburgauction.com).

Interested parties are encouraged to contact Edinburg Auction Sales, Inc. prior to the date of the auction for more information on viewing or participating in the live bidding on these items.

Items being sold are as follows:

2004 Chevrolet K1500 4x4 Pickup Vin# 1GCEK14V04Z294769  
2005 Ford F-250 4x4 with Plow Vin#1FTSF21Y15EA34367  
2005 Ford F-250 4x4 with Plow Vin#1FTSF21YX5EA34366  
2006 GMC Savana 3500 Cut Away Van with Fiberglass Body Vin#1GDHG312661248011  
2008 Ford F-250 4x4 Crew Cab Pickup no Bed Vin#1FTSW215X8EB00991  
2008 Ford F-250 4x4 Pickup no Bed with Plow Vin#1FTNF21508ED69515  
2010 Ford Escape Vin#1FMCU9C77AKC89877  
(1) undercarriage set that fits a 2006 Caterpillar 257B MTL Track Loader serial number CAT025BASLK04805  
Sewer Pumping Cart w/4" pump  
4 industrial light fixtures  
;and be it further

**RESOLVED**, that a copy of this resolution be filed with the Portage County Auditor and the Portage County Director of Internal Services; and be it further

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

Roll call vote as follows:

Kathleen Clyde, Absent;

Vicki A. Kline, Yea;

Sabrina Christian-Bennett, Yea;



3. The Board of Commissioners agrees to amend Resolution No. 20-0609 dated October 1, 2020 to enter into an agreement under Ohio Revised Code § 1311.28 in connection with Portage County Water Resources Project No. 15-050, Countryside Estates Wastewater Treatment Plant Tank Replacement and Outfall Repair./Resolution No. 20-0673

- This resolution is to enter into an agreement to make a check payable to a subcontractor.

**RESOLUTION NO. 20-0673      -      RE:    AMEND RESOLUTION NO. 20-0609  
DATED OCTOBER 1, 2020 TO  
ENTER INTO AN AGREEMENT  
UNDER OHIO REVISED CODE §  
1311.28 IN CONNECTION WITH  
PORTAGE COUNTY WATER  
RESOURCES PROJECT NO. 15-050,  
COUNTRYSIDE ESTATES  
WASTEWATER TREATMENT  
PLANT TANK REPLACEMENT AND  
OUTFALL REPAIR.**

It was moved by Vicki A. Kline, and seconded by Sabrina Christian-Bennett that the following resolution be adopted:

**WHEREAS**, Roma Designs, LLC and the Portage County Board of Commissioners, in conjunction with the Portage County Department of Water Resources, entered into a contract for work on the public improvement identified as Countryside Estates Wastewater Treatment Plant Tank Replacement and Outfall Repair Project NO. CH-1 (15-050), located in Lot 33, Charlestown Township, Portage County, Ohio hereinafter referred to as the "PROJECT"; and

**WHEREAS**, Roma Designs, LLC designated M&J Building and Excavating LLC as subcontractor for the aforementioned Project; and

**WHEREAS**, M&J under Ohio revised code chapter 1311 filed an Affidavit for Mechanic's Lien (dated August 8, 2019) in the Records of the Office of the Recorder of Portage County, Ohio, referenced as Instrument No. 201916746. The lien asserted a claim in the amount of Forty-Two Thousand Five Hundred Dollars (\$42,500.00) for materials furnished and/or labor or work performed for a public improvement.

**WHEREAS**, pursuant to Revised Code § 1311.28 the County has detained from the balance of the funds remaining in the contract with the principal contractor the amount of \$42,500.00, and;

**WHEREAS,** the aforementioned detained funds may be released when due and payable, in accordance with Revised Code § 1311.28, at the times, in the amounts, and to the persons by agreement of the principal contractor and the subcontractor, material supplier, or laborer who filed the affidavit; now, therefore, be it

**WHEREAS,** The County, Roma and M&J had entered into an Agreement, authorized by the County on October 1, 2020, by County Resolution No. 20-0609.

**WHEREAS,** It has become necessary to amend the Agreement, which has not been amended prior to the date of this document.

**WHEREAS,** The parties agree that the within amendment(s) are necessary administrative / clerical changes to carry out the promises agreed to in the Agreement, are in the mutual interest of the parties, and therefore constitute adequate consideration for this First Amendment.

**RESOLVED,** that pursuant to an accord reached between Roma Designs, LLC and M&J Building and Excavating, the Portage County Board of Commissioners does hereby agree to enter into the agreement attached hereto as Exhibit A and authorizes each of the terms of the agreement, including, *inter alia*, the release from the detained funds, when due and payable, of the agreed-upon amount of Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00), to Roma by warrant, check, draft or other payment method drawn to "Roma Designs LLC and M&J Building and Excavating", which constitutes the total amount due to the subcontractor and in accordance with the lien filed and recorded by M&J Building and Excavating.

the parties mutually agree as follows:

1. In numbered Paragraph 1 of the Agreement, the phrase(s) which read,  
"in the agreed-upon amount of Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00), to Roma by warrant, check, draft or other payment method

**RESOLVED,** that the balance of detained funds shall be further administered as contract funds in the course of the underlying contract and in accordance with its terms; and be it further

**RESOLVED,** that upon receipt of its final payment, M&J Building and Excavating LLC will deliver a copy of a Release of Lien to the Board and will promptly cause the original to be filed with the Portage County Recorder; and be it further

**RESOLVED,** it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in

an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Kathleen Clyde, Absent; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

### **MISCELLANEOUS ITEMS**

The Board of Commissioners approves the October 29, 2020 regular meeting minutes.

**Motion: Commissioner Kline**

**Seconded: Commissioner Christian-Bennett**

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

Commissioner Clyde, Absent;

**Motion Carries**

### **Commissioners**

**JOURNAL ENTRY:** The Board of Commissioners acknowledged receipt of the October 26, 2020 and October 29, 2020 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2020, as presented by the Portage County Auditor's Office.

**Motion: Commissioner Kline**

**Seconded: Commissioner Christian-Bennett**

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

Commissioner Clyde, Absent;

**Motion Carries**

**JOURNAL ENTRY:** The Board of Commissioners received the October 27, 2020 Amended Certificate of Estimated Resources for the year beginning January 1, 2020 as submitted by the Portage County Budget Commission.

**Motion: Commissioner Kline**

**Seconded: Commissioner Christian-Bennett**

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

Commissioner Clyde, Absent;

**Motion Carries**

### **COUNTY ADMINISTRATOR**

#### **Discussion:**

#### **1. CARES Update**

Administrator Roberts forwarded information to the Board relative to both the businesses and assistance for rent, mortgage and utilities. The figures will increase as 14 new

applications were submitted last night. The deadline for taking applications is this Friday at close of business. The work group will have additional information for the Board next week.

2. Village of Mantua

The Village of Mantua passed their referendum and ownership of the water and wastewater utilities will transfer to Portage County. The Water Resources Department will have additional information next week.

**Motion:** by Commissioner Kline, seconded by Commissioner Christian-Bennett that the Board adjourn the Meeting of November 5, 2020 at 9:23 AM.

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

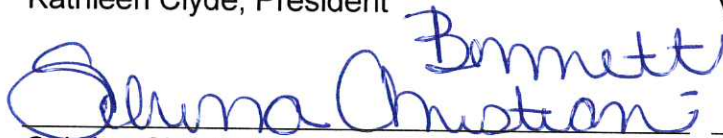
**Motion Carries**

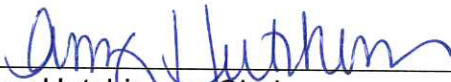
We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting of November 5, 2020.

----- ABSENT-----

Kathleen Clyde, President

  
Vicki A. Kline, Vice President

  
Sabrina Christian-Bennett, Board Member

  
Amy Hutchinson, Clerk