



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, May 6, 2021

9:00 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.

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: Barb Tittle, Brian Ames, Marion Yeagler, Ed Dean, and Ed Kagel

Recess: 9:00 AM into Solid Waste Management District Meeting

Reconvened: 9:03 AM

WATER RESOURCES

Present: Interim Director John Vence

Discussion:

1. Village of Mantua Engineering Professional Services Selection

On January 4, 2021, the ownership and operations of the Village of Mantua (Village) public water and sanitary sewer systems were transferred to Board of Commissioners (BOC) through a transfer agreement with the Village of Mantua Council. Appendix J, Identified Needs (Needs) of the transfer agreement outlined the five-year Capital Improvement Plan (CIP) for the Village water and sanitary systems.

Portage County Water Resources Department (PCWR), worked through Internal Services to advertise for Qualifications for Professional Engineering Consulting Services for design services for the Village public water and sewer systems. Internal Services received 11 submittals each for both the water and sanitary design (total of 22 packages) on February 26, 2021. PCWR reviewed and scored all submittals and interviewed the top seven engineering firms between April 13 and April 15, 2021 (for

firms scored high for both water and sewer). The PCWR interview panel consisted of five members and was facilitated by the Planning Division Manager. The panel met on April 19, 2021 and ranked the seven firms and provided results to the Planning Division Manager. On April 23, 2021 the panel, Planning Division Manager and Interim Director met to discuss the selected firms, planned projects and path forward to implement the aggressive Village CIP.

First, the seven firms interviewed are all qualified to perform engineering services for all the Village projects. Three of the top four firms selected by the panel have not worked with PCWR before. The group was very impressed by these new firms; however, since PCWR has no experience with these firms, PCWR is requesting to approach Village CIP differently than previously presented in our memo to the BOC (dated 3/26/21) on 4/1/21. The original intent was to select one firm for collection system design work, one firm for distribution system design work, one firm for water treatment plant work and one firm for wastewater treatment plant work. Through discussions PCWR proposes to enter into task order engineering services with the seven firms interviewed, initially assigning the first four tasks to the top four firms (see below). The remaining three firms would be available to pick up services as needed; i.e., design review work, assist with coordination work with the Village, construction inspection and/or any task PCWR is unable to complete due staffing shortages. Additionally, should one of the firms fail to perform, PCWR will have the ability to assign the design work tasks to another firm.

The following are the categories of planned design work and their respective firm selected:

Water Plant – IBI

Water Distribution – GPD Group

Sewer Plant – Structure Point

Sewer Collections – MS Consultants

Services as Needed – CTI, Environmental Design Group and CT Consultants

Interim Director Vence requests Board authorization to start negotiations with the seven firms interviewed to enter into task order engineering services agreements to complete the Village CIP. The Board agreed to move forward with the request.

- Commissioner Christian-Bennett explained she's been receiving calls from some Mantua Village landlords that have multiple tenants in one unit and there's still a problem with the billing. Director Vence explained he's spoken with the software vendors and adjustments have been made to provide more detail on the invoices, but it's still a work in progress. There are areas that don't have water meters and new meters have been installed.

Resolutions:

1. The Board of Commissioners agrees to renew a sanitary sewer and water main easement in Franklin Township, Portage County originally granted to Portage County by State of Ohio

as recorded in the Portage County Official Record Volume 87, Page 462./Resolution No. 21-0314

HUMAN RESOURCES

Present: Jenna Morgan, Human Resources Generalist

Discussion:

1. **Employee Appreciation Luncheon**

Several years ago, the Commissioners' direct staff used to host the Employee Appreciation Day every year in April and provided County employees with fruit and donuts and in 2016, it was turned over to the Human Resources Department. In 2017-2019, the Human Resources hosted an Employee Appreciation Day cookout. This year, the Department asked for suggestions from employees and the idea of the Ravenna movie theater tickets came to light. After some investigation, movie tickets would cost the County \$2.35 per ticket per County employee and currently there are 870 employees. The Appreciation Day budget \$1,500.00, however very little of the budget was used since 2017 because the cookout food was always donated by Duma's. Tickets expire December 31, 2021. Commissioner Christian-Bennett explained the movie theater is scheduled to reopen May 14th.

The Board agreed to move forward with the request and agreed to increase the budget to \$2,000 as no event was held in 2020.

Resolutions:

1. The Board of Commissioners agrees to approve revisions to the Return To Work Policy for employees./Resolution No. 21-0315
 - This resolution is to update the Commissioners' Return To Work Policy to keep up with CDC guidelines.

Journal Entries:

1. **JOURNAL ENTRY:** The Board of Commissioners agree to authorize a wage increase for Kellijo Jeffries, JFS Director for Portage County Job & Family Services, effective June 28, 2021.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

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

Motion Carries

2. **JOURNAL ENTRY:** The Board of Commissioners accepts the resignation of Monica Miller, Social Service Worker 3 for Portage County Job & Family Services, effective May 21, 2021.

Motion: Commissioner Badalamenti

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

3. **JOURNAL ENTRY:** The Board of Commissioners agree to authorize the three-day internal posting of the full time Social Service Worker 3, replacing Monica Miller 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 Kline, Yea; Commissioner Christian-Bennett, Yea;
 Commissioner Badalamenti, Yea;
Motion Carries

4. **JOURNAL ENTRY:** The Board of Commissioners accepts the resignation of Diamond Carroll, Social Service Worker 3 for Portage County Job & Family Services, effective May 28, 2021.

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

5. **JOURNAL ENTRY:** The Board of Commissioners agree to authorize the three-day internal posting of the full time Social Service Worker 3, replacing Diamond Carroll 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 Kline, Yea; Commissioner Christian-Bennett, Yea;
 Commissioner Badalamenti, Yea;
Motion Carries

6. **JOURNAL ENTRY:** The Board of Commissioners accept the retirement of Robert Luli, Water Treatment Plant Operator III, for Portage County Water Resources, effective May 29, 2021.

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

7. **JOURNAL ENTRY:** The Board of Commissioners agree to authorize the seven-day internal posting of the full time Water Treatment Plant Operator, replacing Robert Luli for Portage County Water Resources with external posting if no internal appointment is made.

Motion: Commissioner Badalamenti
Seconded: Commissioner Kline

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

JOB & FAMILY SERVICES

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

Discussion:

1. Annual Prevention Retention and Contingency (PRC) Plan
By statute, all 88 counties have PRC plans funded by TANF and the plans need to be approved annually by the Community Planning Committee. The Committee recently met and Director Jeffries recapped the following updates to the plan:
 - New Addition: Drivers' Education Fees: For 15-24 year old that are eligible for TANF and their household income is at or below 200% of the Federal poverty guideline, Job and Family Services would help with driver education fees not to exceed \$350.
 - New Addition, page 14: United Way 211 Information Referral not to exceed \$10,000.
 - New Addition, page 17: Kinship Support Program. Governor DeWine's legislation for those individuals that are kin that have children in their care are now able to become licensed like typical foster parents and if they become licensed, they would be eligible for the same per diem rate. Additionally an option was added for kinship families to receive \$350 a month for 4 months out of a year to help with a transition.

The final document and resolution will come through Internal Services.

2. Job and Family Services Payroll - Paid Leave Memo

Due to the loss of Protect Ohio funding for Child Protective Services, Director Jeffries imposed necessary measures to have their system become as lean as possible. These measures include but are not limited to the following:

- No Cost of Living increases to Non Bargaining Unit (NBU) staff in 2021, negotiating a non-financial one year bargaining contract with AFSCME 1696 (2021), reducing service contracts, making physical workspace changes, imposing a hiring freeze for non-essential positions, requiring comp time in lieu of overtime, rolling out new foster parent recruitment efforts and imposing weekly and bi-weekly placement meetings to ensure children in care are stepping down from residential placements to least restrictive environments in a timely fashion.

The department has realized significant cost savings because of these measures.

Within the hiring freeze of non-essential positions, a decision was made to not replace the Non-Bargaining Position of a Business Services Specialist in the Ohio Means JOBS Division in September 2020. The work for that position shifted to existing JOBS Counselors in that division which allowed for payroll cost savings. In March 2021, the

Executive Assistant to the Director (Non Bargaining) resigned and while the position is viewed as essential and posted, Director Jeffries decided to hold off on replacing this position until August 2021 which will allow for additional cost savings in the salary budget. The Director and Assistant Director will be absorbing this work themselves during this period.

Director Jeffries received an unofficial notice that a supervisor (Non-Bargaining) in the Public Assistance Division will be retiring in the fall. In consultation with the Public Assistance Division Administrator, a decision has been made to not replace this position at the time of resignation.

Based on the above three scenarios Job and Family Services has created enough cost savings to move forward in offering the forty nine Non Bargaining staff that did not get a cost of living increase in January, a 1.5% cost of living increase effective Monday, June 28, 2021. Increases will not be retroactive to January.

While the department doesn't have funding to offer cost of living increases for the 140 Bargaining Unit (BU) staff of JFS and because the one year non-financial bargaining unit contract for 2020 has already been finalized, Director Jeffries would like to move forward in offering three personal days to all bargaining unit staff from the period of June 28, 2021 through December 31, 2021. If you use a base line wage of \$20.00 an hour for this benefit, the average value of such a benefit would be \$480. To be transparent with my AFSCME 1696 leadership board, both proposals have been presented to them. The AFSCME 1696 board is in support of the proposal for their union body.

Contingent on the support of the Portage County Board of Commissioners, signed payroll change forms will be processed for Non-Bargaining staff and presented to the Commissioners next week through Human Resources. A Memorandum of Understanding will be drafted and approved by Job and Family Services' contracted attorney to support the benefit for Bargaining Unit staff to receive the three days of paid leave in 2021.

The Board agreed to move forward with the request.

Resolutions:

1. The Board of Commissioners agrees to transfer \$10,475.68 from Fund 0001, General Fund, to Fund 1414, Child Support Administration./Resolution No. 21-0316
 - This is the County's share of the 4D contracts paid in April for Domestic Court December, Clerk of Courts for January and February, Juvenile Court for January and February, and Prosecutor for January.

2. The Board of Commissioners agrees to transfer \$30,680.58 from Fund 0001, General Fund to Fund 1410, Public Assistance Fund./Resolution No. 21-0317
 - Regular monthly mandated share for May 2021.

PUBLIC BIDS, CONTRACTS, PURCHASING & COUNTY FACILITIES

Present: Director JoAnn Townend

Resolutions:

1. The Board of Commissioners agrees to declare the necessity to purchase one (1) vehicle for use by the Portage County Sheriff./Resolution No. 21-0318
 - Commissioner Christian-Bennett explained this request is for a second van paid by commissary account funding.
2. The Board of Commissioners authorizes the purchase through the Ohio Department of Transportation (ODOT) – contract #023-21, of one (1) 2022 Western Star 4700SB Tandem Axle Cab and Chassis – from Cleveland Freightliner, Inc. dba Valley Freightliner Sterling & Western Star, for use by the Portage County Engineer for snow and ice control./Resolution No. 21-0319
3. The Board of Commissioners authorizes the purchase, through the Ohio Department of Transportation (ODOT) – contract #023-21, of one (1) 2022 Freightliner M2 106 Single Axle Cab and Chassis – from Cleveland Freightliner, Inc., dba Valley Freightliner Sterling & Western Star, for use by the Portage County Engineer./Resolution No. 21-0320
4. The Board of Commissioners agrees to enter into an agreement for independent contractor services with the Board of Commissioners on behalf of the Portage County Office of Homeland Security & Emergency Management and Darryl Anderson./Resolution No. 21-0321
5. The Board of Commissioners approves the specifications and set bid date for the purchase of one (1) 2021 or newer, Class 3 Medium Truck for use by the Portage County Department of Homeland Security & Emergency Management./Resolution No. 21-0322
6. The Board of Commissioners agrees to enter into an agreement between the Board of Commissioners and the Portage County Regional Planning Commission for Community Planning Services for the Vision and Comprehensive Plan 2050./Resolution No. 21-0323
7. The Board of Commissioners agrees to enter into an agreement between the Board of Commissioners on behalf of the Portage County JFS and the Northeast Ohio Consortium of Council of Governments and Family and Community Services, Inc. for the Comprehensive Case Management & Employment Program (CCMEP)/Resolution No. 21-0324
8. The Board of Commissioners agrees to set proposal date for the re-bid of the request for qualifications for lawn mowing and leaf cleanup services for seniors and disabled homeowners within the City of Streetsboro./Resolution No. 21-0325

9. The Board of Commissioners agrees to approve specifications and set the bid date for the Windham Community Center – Center Hall, Ravenna, Ohio./Resolution No. 21-0326
10. The Board of Commissioners agrees to enter into an agreement between the Board of Commissioners and Sedgwick Claims Management Services, Inc. for Workers' Compensation TPA Services for 2021./Resolution No. 21-0327

DEPARTMENT OF BUDGET & FINANCE

Present: Interim Director Dave Lair

Resolutions:

1. The Board of Commissioners agrees to approve the Thursday, May 6, 2021 bills/ACH payments as presented by the County Auditor and reviewed by the Department of Budget and Financial Management./Resolution No. 21-0328
2. The Board of Commissioners agrees to approve the Thursday, May 6, 2021 wire transfers for health benefits as presented by the County Auditor and reviewed by the Department of Budget and Financial Management./Resolution No. 21-0329
3. The Board of Commissioners agrees to approve the Thursday, May 6, 2021 Journal Vouchers, as presented by the County Auditor and reviewed by the Department of Budget and Financial Management./Resolution No. 21-0330
4. The Board of Commissioners agrees to approve the Thursday, May 6, 2021 Then & Now Certification, as presented by the County Auditor and reviewed by the Department of Budget and Financial Management./Resolution No. 21-0331
5. The Board of Commissioners agrees to amend the General Fund 2021 Annual Appropriation Resolution No. 20-0802, adopted December 17, 2020. /Resolution No. 21-0332
 - Single request from the County Auditor's Office for \$28,478 with a decrease of \$1,893 for position regrading for individuals for the Auditor and Budget Commission Office.
6. The Board of Commissioners agrees to amend the Non General Fund 2021 Annual Appropriation Resolution No. 20-0803, adopted December 17, 2020. /Resolution No. 21-0333
 - The Probate Legal Research fund has an increase in contractual services and equipment for \$8,000
 - Police Services – reimbursements for outside security detail \$14,515. Last year \$38,000 paid into that fund.
 - EMA Urban Search and Rescue for equipment \$3,000
 - Oakwood Acres subdivision sewer project with \$150,000 going towards debt services and \$410,261 for miscellaneous expenses to close the fund.

PLEASE ADD TO YOUR AGENDA

May 6, 2021

DEPARTMENT OF BUDGET & FINANCE:

Resolution:

1. The Board of Commissioners authorizes the electronic grant application to the Ohio Department of Public Safety, Governor's Highway Safety Office for the Portage County Sheriff's Department, entitled Impaired Driving Enforcement Program/Selective Traffic Enforcement Program 2020, Portage County Sheriff's Office./21-0335
 - No local match \$28,700.
2. Create Fund 1501 American Rescue Plan./21-0336
 - Director Lair will forward the Board a PDF file that explains the plan in more detail.

BUILDING DEPARTMENT

Present: Director Randy Roberts

Resolution:

1. The Board of Commissioners agrees to amend Resolution No. 21-0127 for the Portage County Building Department fee regulations for the Portage County Townships and Villages to include the school districts and confirm applicability./Resolution No. 21-0334
 - Resolution No. 21-0127 provided a discount in building permit fees to Townships and Villages and after more discussion, it seems reasonable to include school district with the caveat that the check for payment had to come from the organizations not from a contractor.

9:37 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 move into executive session to consider the employment of a public employee. Also present: Director Randy Roberts. Roll call vote: Anthony J. Badalamenti, Yea; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

9:57 AM Upon conclusion of the above referenced discussion, it was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline that the Board of Commissioners move out of executive session. Roll call vote: Anthony J. Badalamenti, Yea; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

After exiting executive session, the Board took no action.

MISCELLANEOUS ITEMS

The Board of Commissioners approves the April 29, 2021 regular meeting minutes and the Special Meeting of May 4, 2021.

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

Regional Planning Commission

Journal Entries:

1. **JOURNAL ENTRY:** The Board of Commissioners authorizes the Portage County Regional Planning Commission to submit a pre-application for a Critical Infrastructure Grant for the City of Ravenna as presented by the Regional Planning Commission.

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

2. **JOURNAL ENTRY:** The Board of Commissioners authorizes the Portage County Regional Planning Commission to submit a pre-application for a Critical Infrastructure Grant for the Village of Windham as presented by the Regional Planning Commission.

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

Recessed: 9:58 AM
 Reconvened: 10:35 AM

SECRETARY OF STATE'S OFFICE

Present: Alex Pavloff

Discussion:

1. Update from the State's Office
 - The Portage County Board of Elections is a wonderful agency that goes the extra mile, doesn't make big mistakes, very conscientious and is involved at the State level.
 - In the middle of a global pandemic, there were record numbers of Ohioians who filed for new businesses over \$171,000 and that beats 2019's records of \$150,000.
 - Over the last year, the State was able to get the Board of Elections a little over \$250,000 in funding with $\frac{3}{4}$ of that amount was Federal funding (CARES Act funding and the Help America Vote Act (HAVA)).

- The State is advocating for online absentee ballot requests and reciprocity of Ohio's minority owned business certification and is looking to improve Ohio's voter registration system.
- The biggest challenge for the State have been the COVID pandemic during the 2020 election and security.

Recessed: 10:53 AM
Reconvened: 11:00 AM

PLEASE ADD TO YOUR AGENDA

1. **JOURNAL ENTRY:** The Board of Commissioners authorized the two-week external posting of the full time Budget Specialist, new position, for the Portage County Department of Budget and Financial Management.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

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

Motion Carries

PUBLIC COMMENT

1. Marion Yeagler

Ms. Yeagler shared her views on racism in Portage County noting it is alive and well as evident through recent incidents such as the Rootstown High School Football team, events at Kent State involving painting of racial slurs on the iconic rock, the Kent State student of Asian descent who was verbally harassed and that initiated a protest march on campus and the confrontations in Garrettsville during protests following the murder of George Floyd.

Ms. Yeagler encourages the Board to promote racial equity in Portage County.

Commissioner Christian-Bennett mention Commissioners' Department Heads and staff have received diversity training and she attended, as well.

Recessed: 11:05 AM

The following Resolutions were adopted today – May 6, 2021

RESOLUTION NO. 21-0314 - RE: RESOLUTION TO RENEW A SANITARY SEWER AND WATER MAIN EASEMENT IN FRANKLIN TOWNSHIP, PORTAGE COUNTY, ORIGINALLY GRANTED TO PORTAGE COUNTY BY STATE OF OHIO AS RECORDED IN THE PORTAGE COUNTY OFFICIAL RECORD VOLUME 87, PAGE 462.

It was moved by Anthony J. Badalamenti, and seconded by Sabrina Christian-Bennett that the following resolution be adopted:

WHEREAS, this Agreement shall be made and entered into by and between the State of Ohio, acting by and through the Department of Administrative Services, General Services Division, Office of Real Estate and Planning, 4200 Surface Road, Columbus, Ohio 43228-1395, the Grantor (hereinafter referred to as "State"), for and on behalf of the Kent State University (hereinafter referred to as "Agency"), and Portage County, Ohio, a governmental entity, duly formed and existing under the laws of the State of Ohio (hereinafter referred to as "Grantee"), <residing/having> its principal place of business located at 449 South Meridian Street, P.O. Box 1217, Ravenna, Ohio 44266-1217; and

WHEREAS, State is the owner, in fee simple, of the land described in Exhibit "A" attached hereto and made a part hereof and more particularly depicted in Exhibit "B" attached hereto and made a part hereof (hereinafter referred to as "Easement Area"). Further reference is made to DAS File No. 5472 on file with the State; and

WHEREAS, Portage County, the Grantee, desires to obtain from State an easement in order to permit the installation, construction, reconstruction, use, operation, maintenance, repair, replacement, removal, servicing and improvement of a certain sanitary sewer and water line improvement upon the Easement Area; and

WHEREAS, agency requested the State prepare this Agreement; and

WHEREAS, the term of this Agreement shall be for twenty-five (25) years, commencing on May 1, 2021 and expiring on April 30, 2046; and

WHEREAS, grantee shall pay to Agency the total sum of One 00/100 Dollar (\$1.00) in consideration of State's granting an easement. Grantee shall tender such payment payable to the "Treasurer, State of Ohio" to Agency upon delivery to Grantee of a fully executed counterpart of this Agreement; and

WHEREAS, the Portage County Department of Water Resources has reviewed the easement, has determined that it is necessary to retain the entirety of the sewer easement to maintain the existing sanitary sewer and water main utilities; and

WHEREAS, Portage County, the Grantee, shall present for recording a fully executed Agreement to County where the Easement Area is located. As proof of recording, Grantee shall promptly return a copy of the recorded Agreement to the State, the Grantor; now therefore be it

RESOLVED, that the funds be made available from the Portage County Regional Sewer District Fund 5200 for the granting of the easement to Portage County; and be it further

RESOLVED, that this BOARD hereby determines that it is necessary to retain the entirety of the sanitary sewer and water main easement, as recorded in Official Record Volume 787, Page 462 of Portage County Records, situated in Franklin Township, County of Portage, and State of Ohio; and be it further

RESOLVED, that, for good and valuable consideration and the recitals herein made, this BOARD approves the renewal agreement of this easement situated in Franklin Township, County of Portage, and State of Ohio, recorded in the Portage County official record volume 787, page 462, and known as bounded and described in Exhibit A, attached hereto and made a part hereof, and depicted in Exhibit B, attached hereto and made a part hereof; and be it further

RESOLVED, at its expense and within thirty (30) days of its receipt, Grantee shall present for recording a fully executed Agreement in accordance with Chapter 5301 of the Ohio Revised Code in the office of the County where the Easement Area is located. As proof of recording, Grantee shall promptly return a copy of the recorded Agreement to the State; 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, Absent; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

**RESOLUTION NO. 21-0315 - RE: APPROVING REVISIONS TO THE RETURN
TO WORK POLICY FOR EMPLOYEES
AFFECTED WITH COVID-19.**

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 20-0338 approving the Return to Work Policy for Employees Affected with COVID-19 on May 28, 2020 and Resolutions 20-0500 and 20-0741 approving revisions to the Return to Work Policy for Employees Affected with COVID-19 on August 10, 2020 and December 10, 2020, respectively; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) revised the quarantine guidelines for fully vaccinated people in close contact with someone who has COVID-19, the Return to Work Policy has been updated with the revised guidelines; now therefore be it

RESOLVED, the Portage County Board of County Commissioners approves the revised Return to Work Policy for Employees Affected with COVID-19 effective this date until further notice; 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 the 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;

RESOLUTION NO. 21-0316 - RE: TRANSFER FROM FUND 0001, GENERAL FUND TO FUND 1414, CHILD SUPPORT ADMINISTRATION

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 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 \$10,475.68 for April 2021 IV-D contract payments local match for Domestic Court December 2020, Clerk January & February 2021, Juvenile Court January & February 2021, Prosecutor January 2021 and a correction for January 2021 payments 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

\$10,475.68

TO:

FUND 1414, CHILD SUPPORT ADMINISTRATION

ORGCODE - 14140512

Revenue Account

Object: 280000 - Transfer In

Project NONE

\$10,475.68

; 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;

RESOLUTION NO. 21-0317 - RE: TRANSFER FROM FUND 0001, GENERAL 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 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

WHEREAS, it is necessary to do a transfer of the mandated share funds from the General Fund; now therefore be it

RESOLVED, that the following transfer of funds be made in the amount of \$30,680.58 for the month of May 2021 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 \$30,680.58

TO:

FUND 1410, PUBLIC ASSISTANCE FUND

ORGCODE - 14100512

Revenue Account

Object: 280000 – Transfer In
Project: NONE

\$30,680.58

; 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;

RESOLUTION NO. 21-0318 - RE: DECLARE THE NECESSITY TO PURCHASE ONE (1) VEHICLE 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, pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase one (1) 2020 Ford Transit Van for use by the Portage County Sheriff; and

WHEREAS, the purchase of the vehicle will be made from Sarchione Ford; and

WHEREAS, the cost of the 2020 Ford transit van is Forty thousand, two hundred eleven and 00/100 (\$40,063.30), now therefore be it

RESOLVED, that the Portage County Board of Commissioners declares it necessary to purchase (1) 2020 Ford Transit Van for the Portage County Sheriff at a cost of Forty thousand, sixty-three and 30/100 (\$40,063.30), the funding to be provided from the Sheriff's commissary fund; now therefore be it

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;

RESOLUTION No. 21-0319 - RE: A RESOLUTION AUTHORIZING THE PURCHASE, THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) - CONTRACT #023-21, OF ONE (1) 2022 WESTERN STAR 4700SB TANDEM AXLE CAB AND CHASSIS – FROM CLEVELAND FREIGHTLINER, INC., dba VALLEY FREIGHTLINER STERLING & WESTERN STAR, FOR USE BY THE PORTAGE COUNTY ENGINEER FOR SNOW AND ICE CONTROL.

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

WHEREAS, pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase one (1) **2022 Western Star 4700SB Tandem Axle Cab and Chassis** for use by the Portage County Engineer's road crew; and

WHEREAS, the Portage County Engineer, Michael A. Marozzi, wishes to purchase through the Ohio Department of Transportation (ODOT) - Contract #023-21, one (1) **2022 Western Star 4700 SB Tandem Axle Cab and Chassis**, and

WHEREAS, Cleveland Freightliner, Inc., dba Valley Freightliner Sterling & Western Star, is the contractor authorized by the Ohio Department of Transportation to offer said **Western Star 4700 SB Tandem Axle Cab and Chassis** -- at the ODOT contract price of \$98,986.00; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby authorize Michael A. Marozzi, Portage County Engineer, to purchase one (1) **2022 Western Star 4700 SB Tandem Axle Cab and Chassis** from Cleveland Freightliner, Inc., dba Valley Freightliner Sterling & Western Star, 10901 Brook Park Road, Parma, Ohio 44130 for a total cost of \$98,986.00; and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that

resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

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

RESOLUTION No. 21-0320 - RE: A RESOLUTION AUTHORIZING THE PURCHASE, THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) - CONTRACT #023-21, OF ONE (1) 2022 FREIGHTLINER M2 106 SINGLE AXLE CAB AND CHASSIS – FROM CLEVELAND FREIGHTLINER, INC., dba VALLEY FREIGHTLINER STERLING & WESTERN STAR, FOR USE BY THE PORTAGE COUNTY ENGINEER.

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

WHEREAS, pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase one (1) **2022 Freightliner M2 106 Single Axle Cab and Chassis** for use by the Portage County Engineer's road crew; and

WHEREAS, the Portage County Engineer, Michael A. Marozzi, wishes to purchase through the Ohio Department of Transportation (ODOT) - Contract #023-21, one (1) **2022 Freightliner M2 106 Single Axle Cab and Chassis**, and

WHEREAS, Cleveland Freightliner, Inc., dba Valley Freightliner Sterling & Western Star is the contractor authorized by the Ohio Department of Transportation to offer said **Freightliner M2 106 Single Axle Cab and Chassis** -- at the ODOT contract price of \$70,924.00; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby authorize Michael A. Marozzi, Portage County Engineer, to purchase one (1) **2022 Freightliner M2 106 Single Axle Cab and Chassis** from Cleveland Freightliner, Inc., dba Valley Freightliner Sterling & Western Star alley Freightliner, Inc., 10901 Brook Park Road, Parma, Ohio 44130 for a total cost of \$70,924.00; and be it further

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

Roll call vote as follows:

Vicki A. Kline, Yea;

Sabrina Christian-Bennett, Yea;

Anthony J. Badalamenti, Yea;

RESOLUTION NO. 21-0321

-

**RE: ENTER INTO AN AGREEMENT FOR
INDEPENDENT CONTRACTOR SERVICES
BETWEEN THE BOARD OF
COMMISSIONERS OF PORTAGE COUNTY
ON BEHALF OF THE PORTAGE COUNTY
OFFICE OF HOMELAND SECURITY &
EMERGENCY MANAGEMENT AND DARRYL
ANDERSON.**

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

- WHEREAS,** MARCS is the State of Ohio's interoperable radio system and in the past three (3) years Portage County has seen a shift in local safety forces utilizing the Multi-Agency Radio Communication System considered phase 1; and
- WHEREAS,** expansion in Portage County is recommended to continue to advance public safety radio communication interoperability and as such future expansion is considered phase 2; and
- WHEREAS,** Darryl Anderson, Public Safety Communications Consultant (the Independent Contractor), is qualified to produce a the phase 2 plan for the County; now, therefore, be it
- RESOLVED,** the Portage County Board of Commissioners does hereby agree to enter into an Independent Contractor Service Agreement by and between the Board of Commissioners and Darryl Anderson, Public Safety Communications Consultant, 41341 Township Rd. 324, Killbuck OH 44637, as Independent Contractor, for a total amount not-to-exceed Five thousand, one hundred fifty and 00/100 dollars (\$5,150.00) as outlined in the agreement; and be it further
- RESOLVED,** that the term of agreement shall be from May 13, 2021, through August 12, 2021 and subject to the availability of funding. The term of Agreement may be extended by execution of a written Amendment; 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;

RESOLUTION NO. 21-0322

- **RE: APPROVE SPECIFICATIONS AND SET BID DATE FOR THE PURCHASE OF ONE (1) 2021 OR NEWER, CLASS 3 MEDIUM TRUCK FOR USE BY THE PORTAGE COUNTY DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.**

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

RESOLVED, that the bid specifications for receiving bids for the purchase of a one (1) 2021 or newer, class 3 medium truck for use by the Portage County Department of Homeland Security and Emergency Management be and hereby are approved; and be it further

RESOLVED, that sealed bids, therefore, will be accepted by the Portage County Director of Internal Services, 1st floor – room 114, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 2:30 p.m. on June 2, 2021; and be it further

RESOLVED, that the notice of receiving bids shall be published in the Record Courier on May 12, 2021 and a copy thereof be posted on the County's website and bulletin board of the Board 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;

RESOLUTION No. 21-0323

- **RE: ENTERING INTO AN AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND THE PORTAGE COUNTY REGIONAL PLANNING COMMISSION FOR COMMUNITY PLANNING SERVICES FOR THE VISION AND COMPREHENSIVE PLAN 2050.**

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

WHEREAS: the County intends to engage the Regional Planning Commission to perform Community Planning Services for the Vision and Comprehensive Plan 2050; and

WHEREAS: the Regional Planning Commission agrees to undertake such services required by the County, pursuant to the Portage County Regional Planning Commission By-Laws and Ohio Revised Code 713.21 et. seq., now therefore be it

RESOLVED: that the Portage County Board of Commissioners desires to enter into the agreement with Portage County Regional Planning Commission to provide the Vision and Comprehensive Plan 2050 in the amount of Sixty-eight thousand, six hundred, thirty-one and 00/100 dollars (\$68,631.00); and be it further

RESOLVED: that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in 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;

**RESOLUTION NO. 21-0324 - RE: ENTER INTO AN AGREEMENT BETWEEN
THE PORTAGE COUNTY BOARD OF
COMMISSIONERS ON BEHALF OF THE
PORTAGE COUNTY JOB & FAMILY
SERVICES, AND THE NORTHEAST OHIO
CONSORTIUM COUNCIL OF
GOVERNMENTS AND FAMILY AND
COMMUNITY SERVICES, INC. FOR THE
COMPREHENSIVE CASE MANAGEMENT &
EMPLOYMENT PROGRAM (CCMEP)**

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

WHEREAS, portage county job & family services and the northeast ohio consortium council of governments (noccog) are in need of tutoring and study skills training, paid and

unpaid work experience, mentoring, counseling & treatment, a financial literacy program and a re-entry program to eligible portage county residents that will help eligible recipients of portage county, ages 16 – 24, to overcome barriers to employment and develop skills local employers seek; and

WHEREAS, Family & Community Services, Inc. is willing and able to provide these services; and

WHEREAS, an agreement between the parties was entered into and known as Portage County Contract NO. 20200109 (the "Original Contract") by Resolution NO. 19-0932; and

WHEREAS, amendment No. 1 between the parties was entered into and known as Portage County Contract No. 20200327 by Resolution NO. 20-0348 to increase the Original agreement by Seventy Four Thousand 000/100 (\$74,000.00); and

WHEREAS, the parties desire to amend the original agreement and a number of its WIOA and TANF program budgets to reflect the actual amount spent on the Original agreement: and

WHEREAS, the Agreement will be used to detail the terms of the relationship between the NOCCOG, Portage County Job & Family Services and Family & Community Services, Inc.; now therefore be it

RESOLVED, the total amount of this Agreement will not exceed Six Hundred Seventy Thousand Four Hundred and 00/100 dollars (\$670,400.00); and be it further

RESOLVED, that the Board of Portage County Commissioners on behalf of Portage County Job & Family Services does hereby enter into Amendment No. 2 with the Northeast Ohio Consortium Council of Governments and Family & Community Services, Inc. with its principal place of business located at 705 Oakwood Street, Suite 221, Ravenna, Ohio 44266, to move program budgets from TANF to WIOA for the period October 1, 2019 through September 30, 202018, 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;

**RESOLUTION NO. 21-0325 - RE: SET PROPOSAL DATE FOR THE RE-BID OF
THE REQUEST FOR QUALIFICATIONS FOR**

**LAWN MOWING AND LEAF CLEANUP
SERVICES FOR SENIORS AND DISABLED
HOMEOWNERS WITHIN THE CITY OF
STREETSBORO**

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

- RESOLVED,** that the specifications for receiving proposals for the request for lawn mowing and leaf cleanup services for seniors and disabled homeowners within the City of Streetsboro are approved; and be it further
- RESOLVED,** that sealed proposals, therefore, will be accepted by the Portage County Director of Internal Services, 1st floor – Room 114, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 2:30 p.m., E.S.T., on May 26, 2021; and be it further
- RESOLVED,** that the notice of receiving proposals shall be published in the Record Courier on May 9, 2021 and a copy thereof be posted on the County's website and bulletin board of the Board forthwith; and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all the 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;

**RESOLUTION NO. 21-0326 - RE: APPROVE SPECIFICATIONS AND SET THE
BID DATE FOR THE WINDHAM
COMMUNITY CENTER – CENTER HALL,
RAVENNA, OHIO**

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

- RESOLVED,** that the bid specifications for receiving bids for the required labor, material, services, permits and inspections to complete the project for all trades required for the scope of work to a building located at 9647 East Center Street in the Village of Windham be approved; and be it further

RESOLVED, that sealed bids, therefore, will be accepted by the Director of the Portage County Office of Internal Services, 1st floor, Room 114, Portage County Administration Building, 449 South Meridian Street, Ravenna, Ohio until 2:00 p.m. on June 2, 2021 and will be publicly opened and read to the public via Live Stream Only; and be it further

RESOLVED, that the notice of receiving bids shall be published in the Record Courier on May 9, 2021 and the County's website and a copy thereof be posted on the bulletin board of the Board 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;

**RESOLUTION NO. 21-0327 - RE: ENTER INTO AN AGREEMENT BETWEEN
THE BOARD OF COUNTY
COMMISSIONERS AND SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC. FOR
WORKERS' COMPENSATION TPA
SERVICES FOR 2021.**

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

WHEREAS, the Board of Portage County Commissioners has determined that there is a need for provision of workers' compensation third party administration services; and

WHEREAS, Portage County has insured its employees for Workers' Compensation coverage as demanded by any and all federal or state statutes; and

WHEREAS, Portage County requires the services of an organization to process and analyze the claims filed on behalf of its employees; and

WHEREAS, Sedgwick Claims Management Services, Inc. administers and processes claims on behalf of employers subject to Workers' Compensation requirements within the Ohio statutes; and

WHEREAS, Portage County desires to have Sedgwick Claims Management Services, Inc. administer, process and analyze the claims submitted against its Workers'

Compensation risk, and Sedgwick Claims Management Services, Inc. is agreeable to providing such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an agreement by and between the Board of Commissioners and **Sedgwick Claims Management Services, Inc., 8125 Sedgwick Way, Memphis, TN 38125-1128**, in the Amount of Twenty-five Thousand, three hundred eighty-one and 00/100 dollars (\$ 25,381.00) per year; and be it further

RESOLVED, that the term of the Agreement shall be for one year, effective from the 1st day of January, 2021 to the 31st of December, 2021 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;

RESOLUTION NO. 21-0328 - RE: BILLS APPROVED AND ACH CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline 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 May 6, 2021 in the total payment amount of **\$655,918.08, including late fees finance charges, interest & penalties amounting to \$41.09 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 ACH payment is approved as certified to the County Auditor for payment on or after Friday, May 7, 2021, 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 May 6, 2021 in the total payment amount of **\$80.16 to Neil Group** 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 A. Kline, Yea; Sabrina Christian-Bennett, Yea; Anthony J. Badalamenti, Yea;

**RESOLUTION NO. 21-0329 - RE: WIRE TRANSFER APPROVED AND
CERTIFIED TO THE PORTAGE COUNTY
AUDITOR FOR PAYMENT.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline 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 May 6, 2021 in the total payment amount as follows:

1. \$65,264.72 to Medical Mutual – Admin
2. \$449,787.39 to Medical Mutual – Claims
3. \$1,021.20 to Medical Mutual – Admin/Flex
4. \$14,586.17 to Medical Mutual – Claims/Flex; and

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, May 7, 2021	\$ 65,264.72
Wire Transfer on Friday, May 7, 2021	\$449,787.39
Wire Transfer on Friday, May 7, 2021	\$ 1,021.20
Wire Transfer on Friday, May 7, 2021	\$ 14,586.17

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;

**RESOLUTION NO. 21-0330 - RE: APPROVAL OF JOURNAL
VOUCHERS/ENTRIES.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline 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:

05/06/21	183	\$846.39
05/06/21	186	4,444.36
05/06/21	187	3,300.00
Total		\$8,590.75

; 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;

**RESOLUTION NO. 21-0331 - RE: ACCEPTANCE OF THEN AND NOW
CERTIFICATIONS FOR PAYMENT.**

It was moved by Anthony J. Badalamenti, seconded by Vicki A. Kline 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 **\$80,971.31** dated **May 6, 2021** 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:

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

**RESOLUTION NO. 21-0332 - RE: AMENDMENT TO THE GENERAL FUND
2021 ANNUAL APPROPRIATION
RESOLUTION NO. 20-0802 ADOPTED
DECEMBER 17, 2020**

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

RESOLVED, that it has become necessary to amend the General Fund 2021 Annual Appropriation 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:

						<u>Increase</u>	<u>Decrease</u>
0001	General Fund						
01003	Auditor - Personal Services					\$ 27,136	\$ 1,893
09133	Budget Commission - Personal Services					\$ 1,342	
Total:						\$ 28,478	\$ 1,893

; 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:

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

RESOLUTION NO. 21-0333 - RE: AMENDMENT TO THE NON GENERAL FUND 2021 ANNUAL APPROPRIATION RESOLUTION NO. 20-0803 ADOPTED DECEMBER 17, 2020

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

RESOLVED, that it has become necessary to amend the Non General Fund 2021 Annual Appropriation 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:

							<u>Increase</u>	<u>Decrease</u>
	1009	Comp Legal Research Prob.						
	10094	Contractual Services					\$ 3,000	
	10095	Materials and Supplies					\$ 5,000	
	Total:						\$ 8,000	
	1113	Police Services						
	11133	Personal Services						\$ 14,515
	11139	Miscellaneous Expenses					\$ 14,515	
	Total:						\$ 14,515	\$ 14,515
	1159	EMA Urban Search & Rescue						
	11595	Materials and Supplies					\$ 3,000	
	Total:						\$ 3,000	\$ -
	5322	Oakwood Acres Subdivision						
	53228	Debt Service					\$150,000	
	53229	Miscellaneous Expenses					\$410,261	
	Total:						\$560,261	
TOTAL MEMO BALANCE ALL AMENDMENTS:							\$585,776	\$ 14,515

; 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:

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

**RESOLUTION No. 21-0334 - RE: AMEND RESOLUTION No. 21-0127 FOR
THE PORTAGE COUNTY BUILDING**

**DEPARTMENT FEE REGULATIONS FOR
THE PORTAGE COUNTY TOWNSHIPS AND
VILLAGES TO INCLUDE THE SCHOOL
DISTRICTS AND CONFIRM APPLICABILITY.**

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

- WHEREAS,** on February 18, 2012 the Portage County Board of Commissioners Adopted Resolution 21-0127: providing a 50% reduction for all Portage County Building Department fees as adopted under Resolution by the Portage County Board of Commissioners, for all projects that are owned by the County Townships and Villages; and
- WHEREAS,** the Portage County Board of Commissioners desires to extend said fee reduction, to the Community School Districts that are located within the County Townships and Villages; and
- WHEREAS,** the Portage County Board of Commissioners desires to clarify that the 50% fee reduction only applies when the County Townships, Villages and School Districts issue payment directly for the applicable and reduced Portage County Building Department fees; and therefore let it be further;
- RESOLVED,** that the Board of Commissioners finds it correct to include the 50% reduction for the Portage County Building Department fee schedule to include the School Districts within the County Townships and Villages owned construction projects, and therefore let it be further;
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the Board of Commissioners and that all deliberations that resulted in those formal actions were in a 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;

**RESOLUTION NO. 21-0335 - RE: AUTHORIZE THE ELECTRONIC GRANT
APPLICATION TO THE OHIO DEPARTMENT
OF PUBLIC SAFETY, GOVERNOR'S
HIGHWAY SAFETY OFFICE FOR THE
PORTAGE COUNTY SHERIFF'S
DEPARTMENT, ENTITLED IMPAIRED
DRIVING ENFORCEMENT PROGRAM /**

**SELECTIVE TRAFFIC ENFORCEMENT
PROGRAM 2020, 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 Governor's Highway Safety Office offers a reimbursement grant known as the IDEP/STEP grant to provide additional deputies for high traffic and holiday weekends; and
- WHEREAS,** the Portage County Sheriff's Office is eligible to participate in the program; now therefore be it
- RESOLVED,** that the Portage County Board of Commissioners authorizes the electronic grant application to the Ohio Department of Public Safety, Governor's Highway Safety Office for the Portage County Sheriff's Office for a grant in the amount of \$28,700 ***with no local match requirement***, for Impaired Driving Enforcement and Selective Traffic Enforcement by the Portage County Sheriff's Office to reduce the number of fatal crashes in Portage County. The Sheriff will enforce speed, safety belt, DUI and aggressive driving laws by issuing citations vs. warnings; and be it further
- RESOLVED,** that the Portage County Board of Commissioners notes that the grant period is October 1, 2021 through September 30, 2022; and be it further
- RESOLVED,** that a copy of this resolution be forwarded to the Portage County Auditor, the Department of Budget and Financial Management, and to the Portage County Sheriff; and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll Call Vote as Follows:

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

**RESOLUTION NO. 21-0336 - RE: CREATE FUND 1501 AMERICAN RESCUE
PLAN**

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

- WHEREAS,** House Resolution #1319, the American Rescue Plan Act of 2021, provides additional relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses; and
- WHEREAS,** it is necessary to establish a new fund for monies received and expended in accordance to House Resolution #1319; now therefore be it
- RESOLVED,** that **Fund 1501 'American Rescue Plan Fund'** be created for the purposes of accounting for revenues and expended in accordance to House Resolution #1319; and be it further
- RESOLVED,** that a certified copy of this resolution be filed with the Department of Budget and Financial Management and 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 vote as follows:

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

**PUBLIC HEARING TO AMEND THE PORTAGE COUNTY
SUBDIVISION REGULATION
MEETING MINUTES**

Thursday, May 6, 2021 at the
County Engineer's Facility
7:00 PM

I. OPENING & INTRODUCTIONS OF THE BOARD OF COMMISSIONERS

Commissioner Christian-Bennett opened the public hearing at 7:00 PM and welcomed those in attendance.

II. PURPOSE OF THE HEARING – Commissioner Christian-Bennett

In compliance with Ohio Revised Code § 711.10, the Portage County Board of Commissioners will hold a Public Hearing to hear comment on the proposed amendments to the Portage County Subdivision Regulations which govern plats and subdivisions of land within the unincorporated areas of Portage County.

Notice of this hearing was published in the Record Courier Newspaper on April 3, 2021 and sent to all Townships in the County in accordance with the Ohio Revised Code. A copy of the proposed changes to the regulations has been on display and available for public viewing at the Commissioners' Office and the Regional Planning Commission's office and a copy has also been posted on the County's website.

III. SWEARING IN OF THOSE WHO ARE SPEAKING – Commissioner Christian-Bennett

For those of you who would like to speak during the public hearing, please raise your right hand

- Do you solemnly affirm under the penalties of the law of perjury of the State of Ohio that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?

Please respond: I do.

- We will also need you to state your name for the record each time you are speaking so the person transcribing the official record knows who is speaking.

IV. PRESENTATION OF THE PROPOSED AMENDMENTS

1. Regional Planning Commission Director Todd Peetz

Director Peetz indicated that the current plan has not been revised in 37 years and has no major updates. They have tried in the past to find a cost-efficient way to update the plan.

There were suggested changes from several different township and entities that were submitted.

As Needed Presenters:

Mary Helen Smith

Larry Jenkins

Eric Long

Tia Rutledge

Attorney David Garnier

- Brett Housley, Rootstown Township Trustee would rather hold off on commenting until the public comment.
- Nic Coia, Brimfield Township Trustee agreed to hold off on commenting.
- Director Peetz read the following comments as presented:

Rootstown Township Trustees



Comment: The holding & release of funds shall be administered entirely by the Board of County Commissioners.

Response: The administration of the required holding and release of funds is governed by terms of an agreement in favor of the Board of Commissioners. A subdivision rule requiring the Board to administer release of funds in a certain way may add cost or inefficiency, where the Board is accustomed to being able to rely on information and assistance from the County Engineer and Water Resources Department.

Rootstown Township Trustees



Comment: Each Township in Portage County shall sign off on the new Subdivision Regulations before they are presented to the Board of County Commissioners.

Response: The subdivision rules and regulations are implemented through the RPC Board and is made up of members including representatives from the Townships. The adoption of the subdivision regulations and their amendments by the RPC Board is an integral part of their coming into effect. All Townships have been notified of the proposed amendments, and their opportunity to provide feedback and comments is welcomed by the Regional Planning Commission and the Board of Commissioners.

Rootstown Township Trustees

Comment: Each Township in Portage County shall sign off on the new Subdivision Regulations before they are presented to the Board of County Commissioners.

Response: The subdivision rules and regulations are implemented through the RPC Board and is made up of members including representatives from the Townships. The adoption of the subdivision regulations and their amendments by the RPC Board is an integral part of their coming into effect. All Townships have been notified of the proposed amendments, and their opportunity to provide feedback and comments is welcomed by the Regional Planning Commission and the Board of Commissioners.

Rootstown Township Trustees



Comment: The townships and county shall have equal representation by the Portage County Prosecutor's Office in the enforcement of the Subdivision Regulations.

Response: Where court action is necessary to enforce the subdivision regulations of a regional planning commission, the county prosecutor institutes the action for any violation occurring in the county. See R.C. 711.102. The prosecuting attorney and the attorneys of his office have a professional duty to use their sound professional judgment in bringing or defending a proceeding or asserting or controverting an issue. The current subdivision regulations support such enforcement, and no change is suggested.



Brimfield Township Trustees

Comment: Trustees do not support the proposal to eliminate developers' ability to post security for a project through the traditional means of a bond. The Brimfield Township Trustees, unanimously implore the Commissioners to reconsider the proposed modification to the bond requirement.

Response: The existing subdivision regulations do not currently accept surety bonds for performance guarantees. If the Commissioners would like to retain language from the existing subdivision regulations or change the subdivision regulations to allow the use of surety bonds for performance guarantees staff would not be opposed.

Brimfield Township Trustees

512.1 Performance Guarantee

- A. Prior to any consideration of Plat approval, the Developer shall furnish a Performance Guarantee to the Portage County Board of Commissioners in the amount equal to one hundred ten (110) percent of the approved total cost of the improvements not yet completed based on the estimates prepared in accordance with Section 511.2. Such Performance Guarantee shall be secured by a cash-escrow-account established with a solvent financial institution. Such guarantee shall be in the form of a construction loan, cash escrow, savings account or other financial arrangement which binds the developer to completion of the improvements and from which the County Engineer has the authority to release funds as the work progresses, or in the form of a surety bond issued by a surety company authorized to do business in Ohio and approved by the Board of Commissioners. Performance Guarantees and Escrow agreements shall be provided utilizing forms in Appendix 5A or appropriate forms provided by the Portage County Engineer and the Portage County Soil and Water Conservation District.

Brimfield Township Trustees

512.2 Reduction of Performance Guarantee

The Portage County Engineer may authorize the release of funds backing the Performance Guarantee for Improvement Plan items completed after receiving a written, itemized request from the Developer. The request shall include copies of all invoices to be paid by the funds released. The amount of any surety bond may be reduced at times and in amounts deemed appropriate by the county engineer.

After an inspection of the completed work, an amount equal to 90% of the requested funds will be authorized for release. Ten percent (10%) of each release request will be retained until all improvements have been completed. The reduced Performance Guarantee shall remain in effect to cover the remaining construction of improvements.

Brimfield Township Trustees

514.6 Inspection Fees

- A. The inspection fees shall cover the actual wage/salary plus overhead of the County Engineer Inspector, or the contract cost of the inspection service as determined by the Portage County Engineer.
- B. Any costs incurred by the Portage County Engineer to perform pavement ~~corings~~, sub-grade borings and/or non-destructive testing to field verify the Developer's work shall be borne by the Developer.
- C. The Developer is held responsible for all inspection fees which will be payable upon receipt of invoice. The Performance Guarantees posted by the Developer guarantees the payment of all inspection fees. Without regard to any other provisions of these regulations, the guarantee for payment of all inspection fees shall be in the form of a cash escrow account established with a solvent financial institution.
- D. The Portage County Board of Commissioners shall not authorize the release of any Guarantees until the Portage County Engineer certifies that all inspection fees have been paid in full.

Brimfield Township Trustees



606.1 Performance Guarantee in lieu of the Installation of Sanitary Sewer and/or Water Improvements (Section 633, p. 51, 1984 PCSR)

- A. As consideration for plat approval by the Portage County Regional Planning Commission, and in lieu of the actual installation, completion and acceptance of any required improvement(s) prior to said plat approval, the Developer may execute a cash Performance Guarantee obligating the Developer to the completion of the required improvements and the payment of all costs incurred in such construction.
- B. Such Performance Guarantee shall be secured by a construction loan account established with a solvent building and loan institution or a cash escrow account established with a solvent financial institution, or be in the form of a surety bond issued by a surety company authorized to do business in Ohio and approved by the Board of Commissioners.

Brimfield Township Trustees

606.4 Release of the Performance Guarantee for Sanitary Sewer and/or Water Improvements (Section 636, p. 52, 1984 PCSA)

The Performance Guarantee may periodically be partially released or reduced at times and in amounts deemed appropriate by PCWR. PCWR will authorize such release or reduction of construction estimates from the Performance Guarantee to pay the Developer or the contractor for materials and/or labor furnished for the satisfactory completion of the sewer and/or water improvements. All payments shall be made according to the following general procedures:

- A. The Developer's engineer shall prepare the estimates on forms prescribed by PCWR and shall certify to PCWR that the work has been done according to the plans and specifications of PCWR.
 1. The sum to be paid or reduced must represent an increase in the value of the project at least equivalent to amount to be paid or reduced; and,
 2. Upon payment or reduction of the estimates, sufficient funds amount will remain to complete the project.
- B. Upon the approval of the Developer and PCWR, the estimates will be forwarded to the financial institution for payment or reduction.
- C. At all times, the retainage amount of ten percent (10%) of each construction estimate will be withheld as stipulated in Section 606.1.
- D. PCWR will release the ten percent (10%) retainage of the Performance Guarantee upon final acceptance of the completed improvements by the Portage County Board of Commissioners.

Home Builders Association



Comments: 150-Planned Unit Developments; There should be exemptions afforded to Planned Developments to allow for innovative planning and design.

Response: As the intent of this section is to allow for flexibility as determined by the Township and the County Engineer's Office and Water Resources as appropriate, this feedback is considered and the proposed amendments to section 150 are suggested to be withdrawn. Subdividers may pursue a non-traditional development, but those are determined through the preliminary plan process and thorough evaluation, including in the area of public safety, which is crucial when dealing with road design.

Home Builders Association



Section 150

Planned Unit Developments Encouraged

The planned unit development approach to development is greatly encouraged. These Regulations may be modified by the degree necessary to accomplish the objectives and standards required for the FLEXIBILITY IN SUBDIVISION DESIGN FOR planned unit development of residential, commercial, or industrial subdivisions, or a mixture thereof, in accordance with provisions of township zoning resolutions, IS SUGGESTED TO INTEGRATE LAND USES, OPEN SPACE AND COMMUNITY AMENITIES. Nothing within this section, however, shall exempt the developer from the requirements of these Regulations.

Home Builders Association

Comments: 201 - Definitions: The term "Road Opening" should be defined. The definition of Preliminary Plan should be expanded to also include a registered engineer as well. Variance should be defined as a modification of the strict terms of the relevant regulations, where such a modification will not be contrary to public interest and are due to conditions specific to the property and not the result of the actions of the applicant.

Response: Road opening as mentioned in Section 308.1 is in relation to Ohio Revised Code section 711.131, and here is intended to have the same meaning. In keeping with Section 302.2, definition of Preliminary Plan should include a registered engineer.

The definition of Variance is in accord with Section 705 on Variances, and no change is suggested.

Home Builders Association



Section 201

Definitions

Plan

5. Preliminary Plan: A map of a proposed subdivision prepared by a registered surveyor or registered engineer in accordance with these regulations that includes explanatory exhibits and text, and is submitted to the Regional Planning Commission for its review and comments. The Preliminary Plan, if approved or conditionally approved by the Regional Planning Commission, shall provide the basis for proceeding with the preparation of the final plat of a proposed subdivision.

Home Builders Association



Comments: 301 - Pre-Application Meeting: This is an added step in the subdivision process. It is not required, but "strongly recommended". The Pre-Application Meeting will result in additional time and expense to the developer in the approval process.

Response: The pre-application meeting is, as noted, strongly recommended, and the intent is to help the developer to work through some pre-application issues informally and have constructive dialogue before launching into extensive engineering costs, which may result in a savings for some developers.

Home Builders Association

Comments: 302.1 - Preliminary Plans Required for Major Subdivisions: Under the current regulations, a preliminary plan is optional. This will be an unnecessary added expense to a landowner simply trying to subdivide property along and existing public roadway.

Response: Preliminary plans are required for major subdivisions involving new, expanded, or extended roads, water and/or sewer lines, as well as other major subdivisions with circumstances involving stormwater, wetlands, floodplain etc. issues that may exist on site. We understand there will be less information devoted to roads and or water and sewer if they already exist, but we believe the required preliminary plan will resolve any possible issues earlier in the platting process and may result in savings to subdividers as well as consistency in applying the subdivision rules and regulations. No change to Section 302.1 is suggested.

Home Builders Association



Comments: 402 - Road and Street Design: It appears that the new regulations will require a variance to not extend public roadway to adjacent properties. The variance would require the developer to prove a hardship created by the requirement to extend the roadway. The developer will also be burdened with determining the development potential of the adjacent parcels. The required Extension of streets to the boundary for future extension will result in added design and infrastructure costs to the developer. It may also result in a layout that is not favorable to the developer.

Response: Proposed amendments to this item are a clarification of an existing requirement found in Section 410.4 of the subdivision regulations and will be determined at the planning level.

Home Builders Association



Comments: 408 - Open Space: The proposed regulations require increased open space for developments with lot sizes less than 0.92 acre. The proposed regulations change from 5% to 7% for medium density lots and 10% for high density. We want to keep 5%. We want "permanent water bodies should comprise no more than 30% of the required open space" and "no more than 40% of the open space are may be sensitive or natural environmental areas" stricken from the regulations.

Response: The intent of the change is two-fold, first as lots get smaller under an acre and under a half-acre -- kids and adults need space to recreate. We created a sliding scale to address smaller lots. We recognize that environmental constraints, topography lot layout, may tip the scale on profitably developing the subdivision and added a fee-in-lieu of option. The fee is based on the land value prior to development and a fund is created for the Township to provide new equipment for all residents. We are trying to provide options and create a win/win opportunity for future and or current residents.

Home Builders Association



Comments: Article 5 - Portage County Engineers Standards for Road, Storm water and Drainage Improvements: The items being proposed are not uncommon in other locations. However, it is significant upgrade to the previous regulation and will result additional survey, design, and construction costs for development projects in the county.

Response: The Board appreciates that different standards for road, storm water and drainage improvements could be accompanied by a different cost, and a resultant potentially different cost in home prices or other developments, which may be affected by many factors. The revisions, as mentioned, are not uncommon, and would have the additional result of reduced wear and tear on vehicles, lower maintenance costs to the community, as well as higher quality standard of living and service within the communities of the county, which is believed to outweigh the risk of additional costs.

Home Builders Association



Comments: 502.5 Road Plan and Profile Sheets: The scales designated for roadway plan and profile sheets by the highway engineer do not match the scales designated for sanitary/water plan and profile sheets by Water Resources in Section 601.2. Differing scales would require added plan sheets, resulting in additional design costs. The regulations need to be consistent with other regulations.

Response: The County Engineer agree with matching the scale requirements and will adjust the appropriate sections to make them the same for consistency.



502.5 Road Plan and Profile Sheets

All roads within the subdivision shall be shown on a standard plan and profile sheet. Plan view on top of sheet and profile view on bottom.

A. Scale

1. 1" = 50 feet for the horizontal scale and 1" = 5 feet for vertical scale on rural density Subdivisions.
2. 1" = ~~30~~ 20 feet for the horizontal scale and 1" = 5 feet for vertical scale on suburban or urban density Subdivisions.

Home Builders Association



Comments: 519.2 - As Built Drawings: as built drawings will be required for all permanent Post-Construction Storm Water Management facilities (including as-built design calculations), all storm water structures, waterline and gas line structures such as valves and hydrants, service valves, sanitary, storm, and water connection in lots. The requirement for as built will be an added expense to the developer.

Response: As-built locations for the ends of the utilities is also a safety issue. We want to ensure the home excavator knows where the ends of the laterals are to ensure they are not searching for laterals so close to high power underground electric lines and fiber optics that are located behind the right of way within the easement. This is viewed as a safety and cost saving measure for each individual lot.

Home Builders Association



Comments: 519.3 - Final Inspections: The proposed regulations will require all storm sewer to be cleaned and televised prior to acceptance by the county. This will be an added expense to the developer.

Response: This is not a new requirement and is currently part of the ODOT specifications and is only highlighted to ensure it is not missed by the contractors in their estimates.

Home Builders Association



Comments: 520.2 - General Liability Insurance: The proposed regulations will increase the insurance limits required by the developer. This will result in increased insurance premiums for the developer. We need to keep this regulation in line with other municipalities.

Response: Matching to the county's insurance limits for liability per the current coverage rate standards. The old rates were from 1984.

Home Builders Association



Comments: 521 - Minimum Roadway Specifications: The proposed regulations will change the roadway specifications for publicly dedicated roads. This is an upgrade and will result in a more superior roadway construction. However, it will also be a significant cost increase for the developer to install streets.

Response: The revisions, as mentioned, will result in superior roadway construction, and would have the additional result of reduced wear and tear on vehicles, lower maintenance costs to the community, as well as higher quality standard of living and service within the communities of the county, which is believed to outweigh the risk of additional costs.

Home Builders Association

Comments: Article 6 - Water Resources Standards: In general, it appears that PC Water Resources is incorporating their current standards into the subdivision regulations. Most items listed in the proposed regulations were already required for the installation and dedication of public water and sanitary sewer mains.

Response: The intent of the update to the subdivision regulations was to match the Departments rules and regulations for sewer and water systems.

Home Builders Association



Comments: 601.2 - Drawings shall be submitted in the following format: The scales designated for sanitary/water plan and profile sheets by the highway engineer do not match the scales designated for roadway plan and profile sheet by the Highway Engineer in Section 502.5. Differing scales would require added plan sheets, resulting in additional design costs.

Response: The County Engineer agree with matching the scale requirements and will adjust the appropriate sections to make them the same for consistency.

Home Builders Association



502.5 Road Plan and Profile Sheets

All roads within the subdivision shall be shown on a standard plan and profile sheet. Plan view on top of sheet and profile view on bottom.

A. Scale

1. 1" = 50 feet for the horizontal scale and 1" = 5 feet for vertical scale on rural density Subdivisions.
2. 1" = 30 20 feet for the horizontal scale and 1" = 5 feet for vertical scale on suburban or urban density Subdivisions.

Richard Bancroft & Mike Wohlwend



Comments: Section 404(B)3 - basically not allowing Cul-du-sacs to be longer than 1,200 feet if they do not intersect with an ingress/egress path from the development.

Response: Suggested revision: 404 1a) Lengths over 1,200 shall require a variance to the block length requirements.

1b) The variance will be required to demonstrate the ability to adequately address emergency vehicles for public safety.

1c) Variances should consider lot configuration, topography, environmental constraints (wetlands, floodplains, and soil conditions), and the ability to appropriately sub-street connect to adjoining parcels.

The intent is primarily for public safety with emergency vehicles and to encourage interconnection to other existing or future subdivisions.

Richard Bancroft & Mike Wohlwend



404.1 Block and Cul-De-Sac Length

A. Blocks

1. Residential and mixed-use blocks may average 1,200 feet in length, but in no case exceed 1,500 feet.
 - a. Lengths over 1,200 shall require a variance to the block length requirements.
 - b. The variance will be required to demonstrate the ability for adequately address emergency vehicles for public safety.
 - c. Variances should consider lot configuration, topography, environmental constraints (wetlands, floodplains, and soil conditions), and the ability to appropriately sub-street connect to adjoining parcels.

Richard Bancroft & Mike Wohlwend



Comments: Section 301.1(B) - clarify what we want for a pre-application sketch.

Response: We want applicants to use FIRM Maps and NWI maps for the surrounding parcel info.

Richard Bancroft & Mike Wohlwend



301.1 Pre-application Sketch Content

The Developer is encouraged to submit to the Regional Planning Commission a sketch plan, legibly drawn at a suitable scale and containing the following information:

- A. The proposed Subdivision in relation to existing community facilities, thoroughfares and other transportation modes, shopping centers, manufacturing establishments, and residential developments.
- B. Natural and man-made features such as soil types, vegetation, contours, surface water, and possible wetlands on the site of the development and immediately adjacent to it and use the FIRM and National Wetland Inventory Maps.



Comments: Section 303.2(H&I) - Clarify what we want as part of the preliminary plan (information just outside the project site).

Response: We want applicants to use FIRM Maps and NWI maps for the surrounding parcel info.



303.2

- I. Location of wooded areas and other significant topographic and natural features, including surface water, wetlands and flood hazard areas per FEMA Flood Insurance Rate Maps (FIRM), within and adjacent to the plan for a minimum distance of fifty (50) feet and use the FIRM and National Wetland Inventory Maps.

General Inquiries



Comments: Enactment of regulation amendments

Response: Added section 180: Enactment

General Inquiries

Section 180

Enactment

These Regulations shall become effective from and after the date of their approval, adoption and/or amendment by the regional planning commission and the board of county commissioners after public hearing(s) and certification to the county recorder as required by Chapter 711 of the Ohio Revised Code. Henceforth, any other subdivision regulations previously adopted pursuant to Chapter 711 of the Ohio Revised Code by the Portage County Regional Planning Commission and Portage County Board of Commissioners shall be deemed to be repealed. These Regulations shall not affect any subdivision having received preliminary plan approval prior to the effective date of these regulations or amendment thereto, provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.



General Inquiries

Comments: Appendices 5A & 6A

Response: The template / example documents provided in Appendices 5A and 6A are not themselves rules or regulations and are being stricken during the pendency of the amendment process so that they may be updated and provided for convenience of developers at the time any amendments to the subdivision rules and regulations are approved and adopted.

Staff Changes

305.4 Required Statements on Plats

L. The following statement shall be affixed to all Subdivision Plats involving the construction of new roads, which have been constructed in accordance with the specifications set forth on the approved plat, and have been found to be in good repair following the required period of maintenance:

Roads APPROVED in Accordance with Section 711.091, Ohio Revised Code.

Date _____, 2_____.

Portage County Engineer

Staff Changes

405.3 Lot Frontage

- A. If public sewer is not available, the Subdivider of land shall provide each lot with a minimum frontage on a public or private street of sixty (60) feet. The 60-foot width, or greater, shall be maintained the entire length of the lot. Frontage on a limited access road will not be counted as frontage without proof that access can be obtained.
- B. If public sewer is available and zoning permits, the lot frontage may be reduced to 50 feet. The 50-foot width, or greater, shall be maintained the entire length of the lot. Frontage on a limited access road will not be counted as frontage without proof that access can be obtained.
- C. Flag lots with minimum frontage on a public road or private road built to county standards shall provide access to only that lot. If the narrow portion of the lot offers access to more than one parcel or lot, it shall be built to road standards as specified in these regulations.
- D. Frontage may be reduced by the Regional Planning Commission for lots on a permanent cul-de-sac or on the curved portions of a loop street. Frontage requirements must meet local zoning regulations.
- E. The subdivider of land shall provide each lot with a minimum frontage on a public or private street of sixty (60) feet in width or an access strip to a road approved by the County Engineer. Such access strip must be at least sixty (60) feet in width for entire length of said strip and must provide access to only one (1) parcel of land. A strip of land providing access to more than one (1) parcel of land shall be dedicated as a public or private street and shall be improved by the developer or subdivider in accordance with these regulations.



Staff Changes

406.3 Schedule of Building Construction

The sanitary sewers and water lines (where applicable), storm sewers and first layer of asphalt on roads shall be installed prior to the construction of buildings within a Subdivision. No lot shall be sold or leased, nor shall any building permits be issued for any building unless required improvements are first constructed as specified by these regulations and township zoning requirements are met. It is imperative that traffic be contained on the pavement and driveway areas since stronger pipe is to be provided at these areas. This case will aid in preventing damage to the storm and sanitary sewer systems. In addition, all items constructed shall be completely protected. Damaged items shall be replaced or repaired as directed by the inspector and at the contractor's expense. The curbing and road base will follow when ordered by the inspector upon an approved sub-grade. Upon completion and approval of all other items, the pavement surface-course will be applied. (Amended 26, 1984)



Staff Changes

514.9 Change Orders

If during the prosecution of the work, it becomes necessary to modify the approved plans or specifications due to unforeseen circumstances, the subdivider's engineer shall revise the plans, specifications and estimate of cost and recommend approval of the required change to the Portage County Engineer and/or Sanitary Engineer. If the County Engineer and/or Sanitary Engineer approves such a revision, a written change order shall be prepared by the subdivider's engineer and signed by the appropriate county authority.



Staff Changes

508.1 Drainage System Requirements (Sec. 620 1984 PCSR)

The design criteria for the drainage system shall be based on the State of Ohio Department of Transportation design policy and/or County Engineer standards. These criteria shall apply to development along existing roads as well as those requiring new roads to be constructed.

A. Road Drainage System

The road storm drainage system shall serve as the local drainage system. It shall be designed to carry roadway, adjacent land, and house storm water drainage. To prevent excessive pipe sizes, storm sewers shall drain into natural waterways as soon as possible.

B. Off-Road Drainage System

The design of the off-road drainage system shall include the watershed affecting the Subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage.

C. Dams or Basins Embankments

Three (3) copies of detailed drawings of proposed dams or basins and all calculations shall be submitted to the County Engineer for approval. The developer or his engineer shall apply for a permit from the State of Ohio, Department of Natural Resources, Division of Water, if applicable, and any other applicable agencies.



Staff Changes

509.2 Storm Water Pollution Prevention Plan (SWPPP)

- D. As-built drawings will be required for all permanent, post-construction storm water management facilities and shall be submitted per Section 519.2 to the County Engineer. The As-Built Survey of the permanent Stormwater Management facilities shall include an As-Built set of stormwater facility calculations. These As-built volume and outflow calculations shall be certified (sealed, signed and dated) by a Registered Surveyor and/or Engineer as applicable, with a statement certifying that the Storm water facilities as installed meet the design criteria of the improvement plans approved by the County.
- E. No earthmoving activities may commence without SWPPP approval from the PCSWCD.

Staff Changes

514.5 Inspection

- A. The Portage County Engineer shall be responsible for the inspection of all improvements listed in Section ~~516.4D~~ 514.5D below. The Developer, his/her engineer, or his/her contractor shall give notice to the Portage County Engineer at least three (3) working days in advance of any construction of physical public improvements. Failure to notify the Portage County Engineer may result in requiring the complete removal of such uninspected work at the Developer's sole cost.

V. PUBLIC COMMENT

- Brett Housley, Rootstown Township Trustee thanked the Board and Regional Planning Commission for their hard work. He asked the Board of Commissioners table the public hearing to give townships the opportunity to review the responses that have been given to them. We have concerns over the subdivision regulations, and we received the responses on Monday and have not had sufficient time to discuss them.
- Nic Coia, Brimfield Township Trustee indicated that he sent a letter to the Commissioners on March 29, 2021 encouraging the Commissioners to use a traditional bond, and instead of requiring developers to post or deposit actual cash into an escrow or similar account. Also based on Board of Commissioners public meeting minutes of February 23, 2021 the justification for this proposed change to the security requirements appears to be the allegations that, on several occasions "the developer did not finish the improvements and when the County tried to cash the bond to access the finding to build the improvements, nothing was available, and the Commissioners were responsible for completing the improvements." The language still does not exist according to the meeting minutes. The township has not had any response from the Commissioners about our March 2021 public records request. Trustee Coia asks that you table your decision to allow sufficient time to review. If we would have gotten our request fulfilled by the Prosecutor's Office, we could have additional concerns or questions.
- Richard Bancroft of Home Builders Association said every time he hears subdivision regulations, he wonders how much this is going to cost him. In 2004, the hard cost was \$25.00 linear foot. In 2005, the cost was \$375 linear foot. I to pass along the real-world implications some of these regulations would have on home building. It makes it hard to do. There must be some consistency in the application standards and balancing the cost with the changes. How many times can a developer absorb the costs? The changes are very relevant; there are a few areas that need modifications. We want to make sure the regulations are fair and equitable to the home building industry to keep housing prices affordable.
- Commissioner Christian-Bennett asked if anyone else in the audience wished to comment? I believe the request is to table tonight's proposal. She asked if two weeks would be enough time to review the requests.
- Trustee Coia said they just had their meeting and is now 2 weeks out. It should be sufficient as long as the Prosecutor's office is able to get their public information request, so they have time to review. We cannot decide before reviewing the information. Commissioner Christian-Bennet said she thought it may have been too broad of a request. Trustee Coia said their attorney spoke with Chris Meduri he said "he didn't know where the information is we are still trying to find it".
- County Engineer Marozzi said those conversations were not privy to me. I was not part of the that discussion and not aware of what was said or done.

- Attorney David Garnier indicated if the board wishes to deliberate on a specific issue in public forum, they may do so. That may put Brimfield Township at ease. Trustee Coia said the cash option we need more information on from the Prosecutor's Office.
- Commissioner Christian-Bennett asked County Engineer Marozzi if the Board wishes to eliminate the cash bond he would be in favor. County Engineer Marozzi said he would. There were items in the letter from Brimfield Township that was not consistent and made it confusing to figure out.
- Commissioner Christian-Bennett said if the Commissioners considered changing it to a performance bond vs. a cash bond would it be better? Director Peetz said we could use a performance bond and that would resolve that issue.
- Trustee Housley said two weeks out would be good. Commissioner Christian-Bennett asked if Rootstown could hold a special meeting if necessary. Trustee Housley said they could if that is what it come down to.
- Attorney Garnier indicated the proposed subdivision regulations can still be used and we will have an opportunity to amend the proposal in the future.
- Director Peetz suggested an annual review where updates can always be addressed when deemed necessary.

VI. CLOSING STATEMENT

This concludes the Public Hearing portion on the proposed amendments to the Portage County Subdivision Regulations.

VII. ADJOURN THE PUBLIC HEARING AT 8:12 PM

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

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

Motion Carries

Reconvened the Commissioners' meeting: 8:12 PM

1. Motion to table the Regional Planning Commission revised amendments to the Portage County Subdivision Regulations Public Hearing to Tuesday, June 1, 2021 at 9:00 AM in the Commissioners' Board Room.

Motion: Commissioner Badalamenti

Seconded: Commissioner Kline

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

Motion Carries

Motion: by Commissioner Christian-Bennett, seconded by Commissioner Badalamenti that the Board adjourn the Meeting of **May 6, 2021 at 8:12 PM.**

All in Favor: Commissioner Christian-Bennett, Yea; Commissioner Badalamenti, Yea;
Commissioner Kline, 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 May 6, 2021.


Sabrina Christian-Bennett, President


Anthony J. Badalamenti, Vice President


Vicki A. Kline, Board Member


Amy Hutchinson, Clerk