

Commissioners' Journal
July 1, 2010

The Geauga County Board of Commissioners met in session on July 1, 2010 at 10:00 a.m. in the Commissioners' Chambers located at 470 Center Street in Chardon, Ohio.

It is declared and determined that all formal actions of the Board of County Commissioners concerning and relating to the adoption of all resolutions that were adopted in this meeting, and that all deliberations of the Board of County Commissioners that resulted in such formal action were open to the public and were in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

The President of the Board, Mary E. Samide opened the meeting at 10:05 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Young was absent from this session.

APPROVE MINUTES

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of June 29, 2010.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

APPROVE FINANCIALS

Budget Specialist Heidi Delaney explained the financials as including cash transfers for medical, dental and life insurance for July 2010; and a local grant match for the Prosecutor's Office Victim Witness Assistance Program.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution #10-138 itemizing the financials for the meeting of July 1, 2010.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

ENGINEER'S OFFICE – RELEASE BID/PERFORMANCE BONDS

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve releasing the bid/performance bonds for the following projects as all specifications have been met:

Replace Auburn Road bridge (Structure # 4-5.36); 6-11-08
Reconstruct Georgia Road (CH 40, Portions of C&D); 7-2-08
Asphalt Resurface Fairmount Road (CH 16, Sections A&B); 8-27-08
2 Current Model Single Axle Diesel trucks; 11-19-08
Asphalt Resurface Music Street (CH 36, Section A); 3-4-09
Asphalt Resurface Hemlock Road (CH 36, Sections Y&Z); 3-4-09
Reconstruct Pioneer Road Bridge (Structure #166-2.93); 3-25-09
Improve Bass Lake Road (CH 23, Section A); 3-25-09
Improve Nelson Road (CH 2); 3-25-09
Application of Polyester Pavement Marking; 3-25-09
Replacement of Chardon Windsor Road Bridge (Structure 13-5.43); 4-15-09
Reconstruct Portion of Sec C-Georgia Road (CH 40, Section C); 5-20-09
Improve Thompson Road (CH 7, Sections A-E); 5-20-09
Widen & Asphalt Resurface Auburn Road (CH4, Section P); 5-20-09
Resurfacing of Washington Street (CH 606, Sections A&B); 6-17-09
Resurfacing of Wilson Mills (CH 8, Sections D-F); 6-17-09
Resurfacing of Wilson Mills (CH 8, Sections A-C); 6-17-09
Replacement of Guardrail, Various County Roads; 6-17-09
Resurfacing Munn Road (CH 32, Sections A-C); 7-22-09
Resurfacing Burton Windsor Road (CH 14, Sections A-C); 7-22-09
2 Current Model Single Axle Diesel trucks; 7-22-09
2 Purchase and Installation of Current model dump bodies, hydraulic system; 7-22-09

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Roll Call Vote:	Commissioner Young	Absent
	Commissioner Jemison	Aye
	Commissioner Samide	Aye

COMMISSIONERS' OFFICE – ACKNOWLEDGE ENGINEER'S CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE AND RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX

Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge receipt of the Geauga County Engineer's Certificate of Estimated Property Tax Revenue indicating the tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$3,239,731 per year at 100% collection.

Roll Call Vote:	Commissioner Young	Absent
	Commissioner Jemison	Aye
	Commissioner Samide	Aye

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution #10-137 Declaring it Necessary to Levy a Tax in Excess of the Ten-Mill Limitation and Requesting Certification of the County Auditor of the Dollar Amount Generated, at the request of the County Engineer, for the General Construction, Reconstruction, Resurfacing, and Repair of Streets, Roads and Bridges in Geauga County as Authorized by O.R.C. 5705.19(G), 5705.25, and 5705.26.

Board of County Commissioners, Geauga County, Ohio

Date: July 1, 2010
Resolution: 10-137

RESOLUTION NO. 137

A RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION AT THE REQUEST OF THE COUNTY ENGINEER FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS AND BRIDGES IN GEAUGA COUNTY AS AUTHORIZED BY SECTIONS 5705.19(G), 5705.25, 5705.26 OF THE OHIO REVISED CODE

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Geauga County;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Geauga, State of Ohio, two-thirds of all members elected thereto concurring, that:

Section 1. It is necessary to levy a tax in excess of the ten-mill limitation for the benefit of Geauga County for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Geauga County as authorized by Section 5705.19(G) of the Ohio Revised Code at a rate not exceeding two and five tenths (2.5) mills for each one dollar of valuation, which amounts to twenty-five cents (\$0.25) for each one hundred dollars of valuation, for a period of five (5) years, and which levy is a renewal of an existing levy of 2.5 mills.

Section 2. Said levy shall be placed upon the tax list of the current tax year 2011 if a majority of the electors voting thereof vote in favor thereof.

Section 3. The Geauga County Board of Elections is hereby directed to submit the question of levying the renewal tax pursuant to this Resolution and Sections 5705.19(G) and 5705.25 of the Ohio Revised Code to the electors of Geauga County at the general election to be held at the usual voting places on the 2nd day of November 2010.

Section 4. The Clerk of the Board of Commissioners of Geauga County is directed to deliver a certified copy of this Resolution to the Board of Elections not less than 75 days before the general election to be held on November 2, 2010, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

Section 5. The Board 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

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Board and that all deliberations of this Board and of any committees 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:	Commissioner Young	Absent
	Commissioner Jemison	Aye
	Commissioner Samide	Aye

BOARD OF DEVELOPMENTAL DISABILITIES – FIRST AMENDMENT TO CONSTRUCTION AGREEMENT – TRANSPORTATION FACILITY – METZENBAUM CENTER

Assistant Prosecuting Attorney Laura LaChapelle explained there is a slight inconsistency between the contract and the general conditions section of the contract. The retainage provisions are pretty comprehensive but by changing three words in a paragraph it totally changed the amount of retainage that was to be paid. This is for payment of retainage before the project was fifty percent complete. The retainage is always four percent. This change is very subtle but important to the contractor. Ms. LaChapelle reported she talked with the architect and the project is moving along with just a few minor soil issues and wetland issues, nothing out of the ordinary.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the First Amendment to the Agreement for the Construction of the Transportation Facility for the Metzenbaum Center in order to correct an inconsistency between the Contract and Contract General Conditions as they relate to the payment of retainage.

Roll Call Vote:	Commissioner Young	Absent
	Commissioner Jemison	Aye
	Commissioner Samide	Aye

DEPARTMENT OF WATER RESOURCES – ACCEPT RESIGNATION – JOHN ASMAR

Director Doug Bowen stated that Mr. Asmar got another job with the City of Solon.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the resignation of John Asmar, Full-time Maintenance Worker Water/Wastewater Systems position (#2330), to be effective, July 2, 2010.

Roll Call Vote:	Commissioner Young	Absent
	Commissioner Jemison	Aye
	Commissioner Samide	Aye

DEPARTMENT OF WATER RESOURCES – ADVERTISE INTERNALLY – POSITION OF FULL TIME WATER / WASTEWATER PLANT OPERATOR I (#2326) – MERRITT ROAD

Mr. Bowen explained that in April three employees passed their license test and part of the union contract that if they can be utilized in that job title they are given the promotion. Mr. Bowen added that he believes the staff is aware that several other employees are getting ready to retire and the department is trying to hire within so they employees are going after their licenses.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise internally, for ten days and in accordance with the union contract, for the position of a Full-time Water/Wastewater Plant Operator I (#2326) at the Merritt Road Garage location.

Roll Call Vote:	Commissioner Young	Absent
	Commissioner Jemison	Aye
	Commissioner Samide	Aye

DEPARTMENT OF WATER RESOURCES – INTERNAL POSTING - WATER/WASTEWATER PLANT OPERATOR I (#2326) DRINKING WATER – MERRITT ROAD

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise internally, for ten days and in accordance with the union contract, for the position of a Full-time Water/Wastewater Plant Operator I (#2326) for the Drinking Water Division at the Merritt Road Garage location.

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<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

DEPARTMENT OF WATER RESOURCES – INTERNAL POSTING WASTE WATER PLANT OPERATOR III (#2312) – MCFARLAND CREEK

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the internal posting, for ten days and in accordance with union contract, for the position of a Full-time Waste Water Plant Operator III (#2312) for the McFarland Creek Wastewater Treatment Plant facility.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – ADVERTISE BID OPENING – GEAUGA LYRIC THEATER GUILD ADA BATHROOMS

Program Coordinator Rhea Benton explained this is a Formula project and they were awarded \$36,900 to renovate two bathrooms to make them ADA accessible.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for a bids for the Geauga Lyric Theater Guild ADA Bathrooms Renovation Project (Grant #B-F-09-026-1) with a bid opening to be held Wednesday, July 21, 2010 at 2:00 p.m. Notice of this opening will be advertised July 8, 2010 and posted on the county web site.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

TRANSIT DEPARTMENT – UNPAID FAMILY MEDICAL LEAVE OF ABSENCE (FMLA) – TIMOTHY LAMOREAUX

Director Kristina Reider explained that Mr. LaMoreaux just lost his wife and he is now having some health issues and is still not released to return to work.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve a Family Medical Leave of Absence (FMLA), unpaid medical related leave of absence for Timothy LaMoreaux, Full-time Driver, for time not covered by accrued sick and vacation leave for the approximate period of July 6, 2010 through July 26, 2010, pursuant to Section 6 of the Geauga County Personnel Policy.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

TRANSIT DEPARTMENT - BID AWARD - INSTALLATION OF MOBILE DATA COMPUTING, INTERACTIVE VOICE RESPONSE AND WEB ACCESS SOFTWARE - TRAPEZE SOFTWARE

Ms. Reider explained that things are now progressing according to ADP's schedule, this is part of the next process. This was the only company that bid on this project. These were not state term so they had to be bid out. Ms. Reider stated this will be a time saver and all the information they need will be updated on the screen. Some are hesitant about the new system but Ms. Reider explained they are not making their job more difficult it will be a huge saving on paper. These are using aircards and they are working with Verizon on those. Ms. Reider stated she wanted to find out about WiMax so they would not have to use the aircards. Commissioner Jemison commented that they have been looking into WiMax for better service. Ms. Reider added that PARTA in Portage County is going to be the lead agency at looking into WiMax. A short discussion followed on the benefits of WiMax.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid to Trapeze Software for The Provision and Installation of Mobile Data Computing (MDC), Interactive Voice Response (IVR) and Web Access (WEB) Software

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Solutions in the amount of \$312,316.00, as they represented the best and lowest bid.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

TRANSIT DEPARTMENT - BID AWARD - INSTALLATION OF MOBILE DATA TERMINALS AND EQUIPMENT – CDW-G

Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid to CDW-G for The Provision and Installation of Mobile Data Terminals and Associated Equipment in seventeen (17) Geauga County Vehicles in the amount of \$124,874.48, as they represented the best and lowest bid.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

TRANSIT DEPARTMENT – EXECUTIVE SESSION

Motion: by Commissioner Jemison, seconded by Commissioner Samide to move into executive session for the purpose of discussing the discipline of two public employees.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

The Board reconvened at 10:40 am. The following action was taken as a result of this executive session:

Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the recommendation of the Transit Department Director to suspend John Klingman, Full-time Driver, in the Department of Transit, without pay for sixteen (16) hours for violation of Geauga County Personnel Policy and Procedure Manual. The time off is to be scheduled by the Director.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the recommendation of the Transit Department Director to suspend Michael Nuniviller, Full-time Driver, in the Department of Transit, without pay for sixteen (16) hours for violation of Geauga County Personnel Policy and Procedure Manual. The time off is to be scheduled by the Director.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

LIQUOR LICENSE – CINIGA SAN MIGUEL LLC (D.B.A. RANCHO LOS ALAZANES) – CHESTER TOWNSHIP

Motion: by Commissioner Jemison, seconded by Commissioner Samide to concur with the Chester Township Trustees in not requesting a hearing on the liquor license requested by Ciniga San Miguel LLC (d.b.a Rancho Los Alazanes) located at 8053 Mayfield Road, Chester Township (C NEW 1513689).

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Absent</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

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ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending June 23, 2010 as required by O.R.C. 955.12.*

MEETINGS

- Mon., 7/5 **The County Offices will be closed in honor of July 4th Independence Day Holiday.***
- Tue., 7/6 **The Regularly scheduled Commissioners' meeting is cancelled.***
- Thu., 7/8 The Commissioners will hold regular session.*
- Thu., 7/8 A public hearing for the proposed rehiring of Karen DeCola as a retirant and employment to the position of County Home Superintendent, to be effective August 1, 2010 at 10:30 a.m.*
- Tue., 7/13 The Commissioners will hold regular session.*
- Tue., 7/13 Investment Advisory meeting immediately after session.*
- Wed., 7/14 Township Association quarterly dinner meeting at St. Denis Party Center at 6:00 p.m.*
- Thu., 7/15 **The Regularly scheduled Commissioners' meeting is cancelled.***
- Fri., 7/16 TAC meeting*
- Tue., 7/20 The Commissioners will hold regular session.*
- Thu., 7/22 The Commissioners will hold regular session.*
- Thu., 7/22 A public hearing continuance on the issue of the removal of the rock obstructions (specifically large rocks) in the Sperry Road right-of-way pertaining to the Todd Tornstrom property located at 13140 Sperry Road, Chesterland, at 10:30 a.m. in Commissioners Chambers.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 11:57 A.M.

Geauga County Board of Commissioners

ABSENT
William S. Young

Tracy A. Jemison

Mary E. Samide

Claudine Kozenko, Commissioners' Clerk