

**Commissioners' Journal**  
**June 2, 2009**

*The Geauga County Board of Commissioners met in session on June 2, 2009 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, William S. Young opened the meeting at 10:08 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Samide was absent from this session.*

**APPROVE MINUTES**

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute the minutes for the meeting of May 28, 2009.*

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

**APPROVE FINANCIALS**

*Fiscal Specialist Heidi Delaney explained the financials as including cash transfers for medical, dental and life insurance for June 2009 and the first half of 2009 cost allocations for Job and Family Services; a supplemental appropriation for the 800 Communications funds in the amount of \$155,000.00 for the purchase of digital radios; and three travel requests for various departments.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Resolution 09-103 itemizing the financials for the meeting of June 2, 2009.*

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

**COMMISSIONERS' OFFICE – SUPPORT CHARDON MIDDLE SCHOOL SIXTH GRADE STUDENTS – 93 CENTS FOR FLIGHT 93**

*Tim Bowen explained that they have been going to Flight 93 Memorial every year with the sixth grade class from Chardon Middle School. Mr. Bowen explained that the (9/11) 93 Cents for Flight 93 Organization is an educational and fund raising organization. The students have raised over \$2,000.00 selling T-shirts and charging a \$1.00 donation to sign a greeting on a giant banner that will be placed at the 9/11 Flight 93 Memorial.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Resolution 09-104 Supporting Chardon Middle School Partners with (9/11) 93 Cents for Flight 93 Organization.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 09-104*  
*Date: June 2, 2009*

**RESOLUTION SUPPORTING THE OUTSTANDING CHARDON MIDDLE SCHOOL SIXTH GRADE STUDENTS AND “93 CENTS FOR FLIGHT 93”  
FOR VICTIMS OF 9/11’S FLIGHT 93**

*WHEREAS, Chardon Middle School sixth grade students will be part of history in the making when they visit the Shanksville, Pennsylvania temporary memorial for the victims of 9/11’s Flight 93 crash site to meet victims and families and participate in a video being filmed at the site; and*

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*WHEREAS, Chardon Middle School sixth grade students have partnered with "93 Cents for Flight 93" organization to help raise funds for the creation of a permanent memorial as a National Park on the site of the 9/11 crash and will conduct a fundraiser entitled "Everyday Heroes" that will honor local safety forces, firefighters and veterans; and*

*WHEREAS, Chardon Middle School sixth grade students will meet David Beamer, father of Todd Beamer (Hero of Flight 93, "Let's Roll") and will be given a Military Escort to the memorial site, where they will also meet with Debbie Borza, mother of Deora Bodley (the youngest victim of Flight 93) and Kenny Nacke, brother of Hero Louis Nacke; and*

*NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Chardon Middle School Students, for helping to preserve the story of courage, heroism and sacrifice from 9/11's Flight 93 for future generations.*

*BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.*

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

**SOIL AND WATER CONSERVATION DISTRICT – WATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS AMENDED 2009 – SET PUBLIC HEARINGS**

*Director Carmella Shale explained that the last changes were made in 2007. Most of the changes this time are very minor. The Ohio EPA NPDES Construction General Permit was released in March of this year and all those changes were reflected in the regulations. Definitions and duplications were cleaned up. There are no fee changes, just more wording and organization of the regulations.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to publish the legal notice and to hold two public hearings for the consideration of the adoption of the updated "Water Management and Sediment Control Regulations, Amended 2009" to be held June 25 and June 30, 2009 at 10:30 a.m. Notice of these public hearings will be advertised on June 11 and June 18, 2009 and posted on the county's internet site.*

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

**SOIL AND WATER CONSERVATION DISTRICT – ACKNOWLEDGE FIRST AND SECOND NOTICE OF VIOLATIONS – TANNO PROPERTY – CHESTER TOWNSHIP**

*Colleen Sharp, District Urban Technician stated that they have been in violations since March 20, 2009 and they are trying to get this property in compliance.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to acknowledge the first and second Notice of Violations issued against James and Tiffany Tanno, owner of property located at 8962 Wyandot Road (Parcel 11-389280) in Chester Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached "Notice of Violation" (section 8.01A) "Inspection Reports", and to forward the "Notice of Violation" and "Inspection Reports" to the Geauga County Prosecutor to enforce compliance with the Geauga County Water Management and Sediment Control Regulations by seeking an injunction or other further relief to secure the required compliance.*

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

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SOIL AND WATER CONSERVATION DISTRICT – ACKNOWLEDGE FIRST AND SECOND NOTICE OF VIOLATIONS – STASKO PROPERTY – AUBURN TOWNSHIP

*Colleen Sharp stated that they have been in violations since the end of March.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to acknowledge the first and second Notice of Violations issued against Glen Smith and Lori Stasko, owner of property located at 11785 Edinboro Lane (Parcel 01-118974) in Auburn Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached “Notice of Violation” (section 7.03, 7.07, 7.11, and 7.15) “Inspection Reports”, and to forward the “Notice of Violation” and “Inspection Reports” to the Geauga County Prosecutor to enforce compliance with the Geauga County Water Management and Sediment Control Regulations by seeking an injunction or other further relief to secure the required compliance.*

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

DEPARTMENT OF WATER RESOURCES – PROFESSIONAL SERVICE INDUSTRIES, INCORPORATED AGREEMENT – GEOTECHNICAL SERVICES

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute an Agreement between the Geauga County Board of Commissioners and Professional Service Industries, Incorporated for geotechnical services for the Opolacka Wastewater Treatment Plant Upgrades Project (P0802), in an amount not to exceed \$2,810.00.*

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

DEPARTMENT OF WATER RESOURCES – COUNTY PROPERTY USE – LAUNCH OF FIREWORKS – MCFARLAND WASTE WATER TREATMENT PLANT

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute an Agreement between the Geauga County Board of Commissioners and the Bainbridge Township Board of Trustees granting permission to Bainbridge Township to use County property (McFarland Waste Water Treatment Plant) located at 17630 Chagrin River Road as the launching site for the Independence Day fireworks.*

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

DEPARTMENT OF WATER RESOURCES – CHANGE ORDER – SITEWORK DEVELOPING INCORPORATED

*Business Manager Adrian Gorton explained that the department had to use Sitework for a costly emergency repair, in comparison with the original service contract. This motion is to build the contract back up to use them for repairs that they usually use them for during the year. This is not related to any project.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Change Order #1 increasing the service contract with Sitework Developing Incorporated to cover the additional material and labor costs beyond the financial scope of the original service contract, in the amount of \$13,000.00.*

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

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COMMISSIONERS' OFFICE – APPOINT PREVAILING WAGE COORDINATOR - GERARD MORGAN

*Motion: by Commissioner Jemison, seconded by Commissioner Young to appoint Gerard Morgan to serve as a Prevailing Wage Coordinator for Geauga County for remainder of the 2009 Year.*

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – NEIGHBORHOOD STABILIZATION (NSP) GRANT SUBRECIPIENT AGREEMENT

*Director Anita Stocker reported the amount of funding received was much more than anticipated. In responding to Commissioner Jemison's question, Ms. Stocker replied that the four entities voted on who should administer the grant to which Ashtabula was chosen. Commissioner Young inquired as to what the money is being spent on. Ms. Stocker responded that it is for demolition, except for the acquisition of two houses. The funding will allow for the acquisition but the decision has to be made which non-profit entity will acquire the two houses. This is the first time this grant has been available. Ms. Stocker continued that they will try for voluntary demolition. Originally in the NSP grant half the money was supposed to be spent by October and they were to be done by May 2010, but it has been extended to May 2013. There are a set of six milestones that have to be met, such as draw downs of funds and encumbering funds. Ms. Stocker is hoping to get the Kiwanis Community to advocate for the NSP grant project. With two activities, demolition and acquisition, if it looks like they may be able to acquire more they may demolish less but they can switch between the two activities. Commissioner Young suggested they may run into a lot of septic problems with the acquisitions there also.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Neighborhood Stabilization Program (NSP) Grant Subrecipient Agreement between Ashtabula County and Geauga County in the amount of \$440,000.00, for the project period of June 15, 2009 through May 30, 2013 under Grant B-Z-08-004-1. This grant will utilize funds awarded from Development under the Housing and Economic Recovery Act of 2008 through NSP for demolitions and residential development in Kiwanis Lake Community in Newbury Township.*

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

MAINTENANCE DEPARTMENT – AUTHORIZE COUNTY ADMINISTRATOR - EXECUTE PATTERSON CENTER CONTRACTS

*County Administrator Dave Lair stated that the documents will not be ready until after session Thursday and they want to get moving on the renovations.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to authorize County Administrator David Lair to execute contracts for the interior repair and renovation of portions of the Patterson Center, in a total amount not to exceed \$12,000.00*

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

OTHER

*Commissioners' Clerk Claudine Kozenko acknowledged receipt of the Bainbridge Township Resolution TR 2009-0528-A Resolution of Convenience and Necessity for the Replacement of Structure #299-0.20 on Kenston Lake Drive.*

*Mr. Lair discussed the Law Library funding and the new Law Library Board with the Board of Commissioners. Mr. Lair asked the Board to think about the change in law adding that it does not require any funding of the Law Library from the general fund starting in 2010. Mr. Lair added that the Board has no obligation to even give them space. Mr. Lair suggested not giving*

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*the Law Library general fund money (estimated at about \$50,000.00) for 2010 and then in 2011 the Law Library will have to figure out if they will move or pay rent for their current space. Commissioner Jemison asked what the Law Library's source of revenue is. Mr. Lair replied it comes from fines and other items set aside by law. Mr. Lair reiterated that the Board has to decide whether to continue to pay the \$50,000.00 from the general fund as well as to give them space without cost, have them pay rent or move out and use the space for someone else. Commissioner Young replied that he wants to try to be fair with them. Commissioner Jemison replied he is alright with still offering them the space, but in these economic times it would be good not to have to pay out the \$50,000.00. There is also the issue of returning the excess funds at the end of the year to the General Fund.*

*The Board briefly discussed the Board of Education lease and that Laura LaChapelle has worked on a revised lease. Mr. Lair said it will come before the Board soon.*

**ACKNOWLEDGEMENTS**

- a) *Receipt of The Geauga County Public Library annual Budget for the year commencing January 1, 2010.*
- b) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending May 27, 2009 as required by O.R.C. 955.12.*

**MEETINGS**

- Thu., 6/4      The Commissioners will hold regular session.*
- Thu., 6/4      Public Hearing continuance of deliberations for the Petition on the Ditch Improvement proposed for Culvert # 299-0.20 located under Kenston Lake Drive in Bainbridge Township Town Hall at 6:30 p.m.*
- Tue., 6/9      The Commissioners will hold regular session.*
- Tue. 6/9      Public Hearing #2 to discuss Geauga County's application to the Ohio Department of Development, Office of Housing and Community Partnerships for funding under the Fiscal Year 2009 Small Cities Community Development Block Grant (CDBG) Formula Program grant #B-F-09-026-1 to be held in conjunction with public hearing #2 for CDBG Microenterprise Program to be held on June 9, 2009 at 11:00 a.m.*
- Tue., 6/9      Planning Commission meeting at 7:30 p.m.*
- Thu., 6/11     The Commissioners will hold regular session.*
- Fri., 6/12     NOACA 10<sup>th</sup> Annual Summit*
- Tue., 6/16     The Commissioners will hold regular session.*
- Thu., 6/18     The Commissioners will hold regular session.*
- Tue., 6/23     The Commissioners will hold regular session.*
- Thu., 6/25     The Commissioners will hold regular session.*

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 10:55 A.M.***

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*Geauga County Board of Commissioners*

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*Tracy A. Jemison*

*ABSENT*  
*Mary E. Samide*

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*William S. Young*

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*Claudine Kozenko, Commissioners' Clerk*