

Commissioners' Journal
December 2, 2008

The Geauga County Board of Commissioners met in session on December 2, 2008 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, Craig S. Albert opened the meeting at 10:07 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE FINANCIALS

Fiscal Specialist Heidi Delaney reported the financials as including a Revenue De-certification for the Community Development Infrastructure Loan Fund and the Sheriff Dispatch Rotary Fund; supplemental de-appropriations for the Community Development Infrastructure Loan Fund and the Transportation Capital Fund; supplemental and appropriation transfers to redistribute appropriations where necessary; cash transfers for medical, dental and life insurance for December, 2008 and two travel requests.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-164 itemizing the financials for the meeting of December 2, 2008.

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

AUDITORS OFFICE – CHANGE ORDER – NEW WORLD SYSTEMS

Auditor Tracy Jemison explained that basically there are four areas that needed to be strengthened. The changes include: the ability during payment processing to stop or give warning if cash in any fund being impacted has a negative balance, the ability in Purchase Order approval processing to require all previous levels of approval before the higher levels are completed, the ability to prevent the Invoice Date from being prior to the Purchase Order date in Accounts Payable entry and the ability to have approval processing for Change Purchase Orders be different based on the type of change. Mr. Jemison further explained that otherwise all change purchase orders would have to go through session. Mr. Jemison stated that he has the funds to pay for this change order.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 with New World Systems for changes in scope of work, in the amount of \$31,760.00.

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

AUDITORS OFFICE – ACKNOWLEDGE RESIGNATION – TRACY JEMISON - AUDITOR

Motion: by Commissioner Samide, seconded by Commissioner Young to acknowledge the resignation of Tracy A. Jemison from the position of Geauga County Auditor to be effective December 31, 2008 at 11:59 p.m.

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

COMMISSIONERS OFFICE – APPOINT BETH MCCAFFREY – INTERIM AUDITOR

Mr. Jemison commented that Ms. McCaffrey will be sworn in on December 31, 2008.

Motion: by Commissioner Samide, seconded by Commissioner Young to appoint Beth McCaffrey as the Interim Geauga County Auditor, to be effective January 1, 2009 at 12:00 a.m.

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Roll Call Vote: *Commissioner Samide* *Aye*
 Commissioner Young *Aye*
 Commissioner Albert *Aye*

COUNTY ENGINEER'S OFFICE – AWARD BID – LAKE TRUCK SALES & SERVICE INCORPORATED

Motion: *by Commissioner Samide, seconded by Commissioner Young to award the bid to Lake Truck Sales and Service Incorporated for two (2) Current Model Single Axle Diesel Powered Trucks and Chassis in the amount of \$96,400.00, as they represented the lowest and best bid.*

Roll Call Vote: *Commissioner Samide* *Aye*
 Commissioner Young *Aye*
 Commissioner Albert *Aye*

BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES (MRDD) – EXECUTE CONTRACT

Motion: *by Commissioner Samide, seconded by Commissioner Young to approve and execute a contract with Development Systems LLC (d.b.a. Action Contractors Incorporated) for The Workshop Toilet Remodeling Project (as recommended by Fogle / Stenzel Architects, Incorporated), in the amount of \$37,785.00.*

Roll Call Vote: *Commissioner Samide* *Aye*
 Commissioner Young *Aye*
 Commissioner Albert *Aye*

OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT – COMBINED NOTICE OF NO SIGNIFICANT IMPACT & RELEASE OF FUNDS & CERTIFICATION

Director Anita Stock explained that this paperwork is just housekeeping in advance and there is no commitment at this point. This is for the environmental clearance part, and saves time at the end of the loan process.

Motion: *by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Combined Notice of No Significant Impact (NOI) and Request for Release of Funds and Certification (RROF) for the CDBG Revolving Loan Fund loan to LMR Construction / Rickleman Properties LLC.*

Roll Call Vote: *Commissioner Samide* *Aye*
 Commissioner Young *Aye*
 Commissioner Albert *Aye*

TRANSIT – EXTENSION FMLA – TIMOTHY LAMOREAUX

Director Kristina Reider stated that this accident did not happen at work. Mr. LaMoreaux has not been cleared by the doctor yet.

Motion: *by Commissioner Samide, seconded by Commissioner Young to approve an extension for Family Medical Leave of Absence (FMLA), unpaid medical leave of absence, for Timothy LaMoreaux, Full-time Driver, for the time not covered by accrued sick and vacation leave for the extended period of November 24, 2008 through the expected return of December 22, 2008, pursuant to section 6 of the Geauga County Personnel Policy.*

Roll Call Vote: *Commissioner Samide* *Aye*
 Commissioner Young *Aye*
 Commissioner Albert *Aye*

SHERIFF'S OFFICE – WIFI WIRELESS ACCESS AGREEMENT AND ADDENDUM - ALLTEL COMMUNICATIONS INCORPORATED

Present for the discussion were Sheriff Dan McClelland, Chief Deputy Scot Hildenbrand and DoIt Chief Technology Officer Steve Decatur. Sheriff McClelland explained that this agreement allows connectivity between units and fire trucks, police cars and sheriff cars. Commissioner Samide commented that this is not internet based. Mr. Decatur explained that there will be VPN

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connection back to Alltel and then dedicated lines will run from Alltel to the annex and to the safety center for redundancy.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Business Accounts Agreement and Contract Addendum with Alltel Wireless Communications Incorporated for county-wide, unlimited wireless Wifi access (voice/data/text) for the county-wide MDT (mobile data terminal) Project for a 24 month period, in the amount of \$215,726.30.

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

DEPARTMENT OF WATER RESOURCES – RESOLUTION 08-165 STATE OF OHIO
REIMBURSEMENT – MCFARLAND CREEK COLLECTION SYSTEM REHABILITATION
PROJECT

Business Manager Adrian Gorton reported that the department puts the money upfront to pay the contractors for these projects and then OPWC funds will be used to reimburse the department for this upfront money.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-165 Declaring the Official Intent and Reasonable Expectation of the Board of County Commissioners on behalf of the State of Ohio (The Borrower) to Reimburse its Water Resources Fund (P Fund) for the McFarland Creek Collection System Rehabilitation Project (P0804) with the Proceeds of Tax Exempt Debt of the State of Ohio and a total aggregate principle amount of \$578,000.00.

Board of County Commissioners, Geauga County, Ohio

Resolution: 08-165
Date: December 2, 2008

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE GEAUGA COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS WATER RESOURCES FUND (P FUND) FOR THE MCFARLAND CREEK COLLECTION SYSTEM REHABILITATION PROJECT (P0804) WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO

BE IT RESOLVED, by the Geauga County Board of County Commissioners on behalf of the State of Ohio that:

Section 1. That the Geauga County Board of County Commissioners reasonably expects to receive a reimbursement for the McFarland Creek Collection System Rehabilitation Project (P0804) as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$578,000.00

Section 3. The Clerk of the Geauga County Board of County Commissioners is hereby directed to file a copy of this Resolution with this Geauga County Board of County Commissioners for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4. This Geauga County Board of County Commissioners finds and determines that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this Resolution were taken in an open meeting of this Geauga County Board of County Commissioners and that all deliberations of this Board of County Commissioners and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

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

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

DEPARTMENT OF WATER RESOURCES - RESOLUTION 08-166 STATE OF OHIO
REIMBURSEMENT – OPALOCKA WASTE WATER TREATMENT PLANT PROJECT

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-166 Declaring the Official Intent and Reasonable Expectation of the Board of County Commissioners on behalf of the State of Ohio (The Borrower) to Reimburse its Water Resources Fund (P Fund) for the Opalocka Waste Water Treatment Plant Improvements Project (P0802) with the Proceeds of Tax Exempt Debt of the State of Ohio and a total aggregate principle amount of \$300,000.00.

Board of County Commissioners, Geauga County, Ohio

Resolution: 08-166
Date: December 2, 2008

**A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION
OF THE GEAUGA COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE STATE
OF OHIO (THE BORROWER) TO REIMBURSE ITS WATER RESOURCES FUND (P FUND)
FOR THE OPALOCKA WWTP IMPROVEMENTS PROJECT (P0802) WITH THE PROCEEDS
OF TAX EXEMPT DEBT OF THE STATE OF OHIO**

BE IT RESOLVED, by the Geauga County Board of County Commissioners on behalf of the State of Ohio that:

Section 1. That the Geauga County Board of County Commissioners reasonably expects to receive a reimbursement for the Opalocka WWTP Improvements Project (P0802) as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$300,000.00.

Section 3. The Clerk of the Geauga County Board of County Commissioners is hereby directed to file a copy of this Resolution with this Geauga County Board of County Commissioners for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4. This Geauga County Board of County Commissioners finds and determines that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this Resolution were taken in an open meeting of this Geauga County Board of County Commissioners and that all deliberations of this Board of County Commissioners and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

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 Samide</i>	<i>Aye</i>
	<i>Commissioner Young</i>	<i>Aye</i>
	<i>Commissioner Albert</i>	<i>Aye</i>

DEPARTMENT OF WATER RESOURCES – PROJECT AGREEMENT GRANT /LOAN STATE
OPWC – OPALOCKA WASTE WATER TREATMENT PLANT

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize Craig Albert, the Chief Executive Officer for the Ohio Public Works Commission project entitled Opalocka Waste Water Treatment Plant Improvements Project (CG29M and CG30M), in Chester Township, to execute the Ohio Public Works Commission (OPWC) Project Agreement Grant / Loan State Capital Improvement Program, in the amount of \$700,000.00.

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

*DEPARTMENT OF WATER RESOURCES – PROJECT AGREEMENT GRANT/LOAN STATE
OPWC – MCFARLAND CREEK COLLECTION SYSTEM*

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize Craig Albert, the Chief Executive Officer for the Ohio Public Works Commission project entitled McFarland Creek Collection System Project (CG21M), in Bainbridge Township, to execute the Ohio Public Works Commission (OPWC) Project Agreement Grant / Loan State Capital Improvement Program, in the amount of \$578,000.00.

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

COMMISSIONERS OFFICE – ENCUMBRANCES FOR 2009

Motion: by Commissioner Samide, seconded by Commissioner Young to approve the encumbrances to be considered by the Board of County Commissioners at their first meeting in January 2009, to be effective January 1, 2009.

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

PROSECUTOR'S OFFICE – CRIMINAL INVESTIGATOR EQUAL OPPORTUNITY FORM

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Ohio Office of Criminal Justice Services Equal Employment Opportunity form for the Prosecutor's Criminal Investigator Karen Sweet.

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

GEAUGA COUNTY PARK DISTRICT – PROJECT UPDATES

Geauga County Park District Director Thomas G. Curtin was present to update the Board on upcoming projects. The first is the new park in Chester Township off of Heath Road called Sunnybrook Preserve. Mr. Curtin shared pictures of the new shelter at this preserve that is heated and has a maximum capacity of 48 people. The other project called Observatory Park in Montville Township is a bigger project. It is on Clay Street, south of Route 6. Several years ago an amateur astronomer built a telescope and donated it to the park. This park is being built without using park district funds. Phase one was just completed which includes the drive, parking lot and grading the site for the buildings at a cost of \$411,000.00 and \$500,000.00 has been raised to date. A weather station and a seismograph will be located at this facility to do earth science programs with school groups as well as nature programs. There will be a public building that will function as a shelter to be reserved for picnics and family reunions that will hold 150 people. There will be concrete pads for amateurs to set up telescopes and plug in to observe the night skies. On specific evenings staff will be available to the public to do all night observation. Sculptures will be incorporated: a lunar phase sculpture and a constellation sculpture. Phase 2 includes raising another \$650,000.00 for the building in the plaza which includes these sculptures. Mr. Curtin further added that a mound will be created and an earthworks henge will be installed to get people to talk about how people in the past, over time, related to the night sky and what past cultures did. One of the trails will be called the Planetary Trail with planetary exhibits along the path. The entry to the plaza will have a sundial and lunar phase display which will include ground plates that indicate the months and days of the year. A different phase includes the acquisition of 2100 acres from Case Western Reserve University including the NASA observatory which will be a different phase of the project. The Park District hopes to restore the observatory and it will be used to focus on history of astronomy in northeast Ohio, specifically Case's contribution to the study of astronomy. There will be a path connecting the observatory with the Case observatory. Mr. Curtin explained the completion of these projects is years down the road and is based on the ability to raise the money for all the phases.

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Mr. Curtin also discussed "dark-skies". The Park District just received a provisional status as a "Dark-Sky Preserve" from the International Dark-Sky Association, only the third park in the United States to receive this designation and the first to receive a provisional status.. The Association usually does not award this status until the park is built, but because the park is being built around astronomy it has been award the provisional status. Lighting ordinances (and zoning provisions) were discussed and which townships have already changed, are in the process of changing and who those that have not yet changed to "down lighting" to be more dark-sky friendly. Part of the Park's education with the facility is to help townships to pass legislation (amendment to their zoning resolutions) to change their lightning standards. Mr. Curtin added that the International Dark-Sky Association asked if the county would be interested in having the county designated as a Dark-sky reserve. There have been cities that have done this but no counties. Commissioner Young asked that if the county were to enact that would the county have to change lights now. Mr. Curtin responded that the lights would have to be retrofitted for shields and lower wattage bulbs.

Commissioner Albert left session at this point.

Mr. Curtin added that statistics show that by changing wattage a substantial amount of money can be saved over time and conserves energy. Sheriff McClelland reported that the Safety Center is already down lighted. As townships change lighting codes, overtime businesses and home will comply. Billions of dollars are going up in the sky because our lights are going up there. Commissioner Samide asked how we apply for this status. Mr. Curtin responded that first the townships are on board with lighting ordinances (standards) and then we can discuss exterior lighting on county buildings. Once those are accomplished Mr. Curtin can approach the International Dark-Sky Association for a county dark-sky designation. Commissioners' Clerk Claudine Kozenko asked if there is a time frame. Mr. Curtin reported there was not, however they just report to the association on the progress of the county.

OTHER

Ms. Kozenko reviewed the calendar of upcoming events for the Board.

ACKNOWLEDGEMENTS

- a) Acknowledge receipt (September 19, 2008) and rejection of an incomplete petition for the Kenston Lake Ditch Improvement submitted by Donna Patz (POA) for Anna Schulz.
- b) Acknowledge receipt of a petition and \$500.00 bond for the Kenston Lake Ditch Improvement submitted by Donna Patz (POA) for Anna Schulz received on November 24, 2008.

MEETINGS

Thu., 12/4 The Commissioners will hold regular session.

CCAO Winter Conference will be held in Columbus December 7-10, 2008

Tue., 12/9 **The regularly scheduled session is cancelled as the Board will be attending Winter Conference.**

Wed. 12/10 The Board will attend the Geauga Trumbull Solid Waste District Board of Directors meeting at noon.

Thu., 12/11 The Commissioners will hold regular session.

Thu., 12/11 The Board of Commissioners will hold a public hearing for the re-employment of Dave Lair after retirement resignation, at 10:30 a.m.

Thu., 12/11 The Board of Commissioners will attend the Portage Geauga Joint Juvenile Detention Center Board meeting at 2:00 p.m. on Portage County.

Fri., 12/12 NOACA meeting at 10:00 a.m.

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Tue., 12/16 The Commissioners will hold regular session.

Thu., 12/18 The Commissioners will hold regular session.

Tue., 12/23 The Commissioners will hold regular session.

Wed - Fri., 12/24 – 12/26 The County Offices, under the hiring authority of the Board of Commissioners, will be closed at noon (half day) on Wednesday, December 24, 2008 and all day Thursday, December 25, 2008 and Friday, December 26, 2008. Twenty-four hour operations will continue to operate as normal.

Tue., 12/30 The Commissioners will hold regular session.

*Tue., 1/1/09 **County offices will be closed for general business due to the New Years holiday.** Twenty-four hour operations will continue to operate as usual.*

Tue., 1/6/09 The Commissioners will hold regular session.

Mon., 1/6 thru 1/8/09 The Commissioners will be attending the Ohio Fair Managers Association Convention January 6 through January 8, 2009.

*Thu., 1/8/09 **The Commissioners will hold regular session at 1:00 p.m. Please note different starting time.***

Mon., 1/12/09 The Commissioners will hold the re-organizational meeting at 10:00 a.m.

*Tue., 1/13/09 **The Commissioners regular session is cancelled.***

Thu., 1/15/09 The Commissioners will hold regular session.

Mon., 1/19/09 The County offices will be closed for general business in honor of the Martin Luther King, Jr. Holiday.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER ALBERT ADJOURNED THE MEETING AT 11:05 A.M.

Geauga County Board of Commissioners

Mary E. Samide

William S. Young

Craig S. Albert

Claudine Kozenko, Commissioners' Clerk