

Commissioners' Journal
May 17, 2011

The Geauga County Board of Commissioners met in session on May 17, 2011 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, Tracy A. Jemison opened the meeting at 10:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the minutes for the meeting of May 12, 2011.

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

APPROVE FINANCIALS

County Administrator David Lair explained the financials as a revenue certification for the Board of Mental Health fund; a cash transfer for a portion of 2011 funding for the Youth Center; Travel requests for the Department of Job and Family Services and the Transit Department; 1st Quarter 2011 Bed Tax disbursements to the City of Chardon and the Geauga County Tourism Council; and a payment to Johnson Controls for the security system at the Board of Developmental Disabilities transportation facility in the amount of \$81,739.00.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-079 itemizing the financials for the meeting of May 17, 2011.

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

SHERIFF'S OFFICE – OHIO OFFICE OF CRIMINAL JUSTICE SERVICES QUARTERLY SUBGRANT REPORTS – VIOLENCE AGAINST WOMEN

Sheriff Dan McClelland stated that there is no activity on either of these grants, but the department is required to submit the quarterly reports. Grant #2010-WF-VA2-8214 had a clerical error that needed to be corrected and now has to be resubmitted.

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 Quarterly Subgrant Report, Violence Against Women (#2009-WF-VA2-8214A) for the period ending March 31, 2011.

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

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the updated Ohio Office of Criminal Justice Services Quarterly Subgrant Report, Violence Against Women (#2010-WF-VA2-8214) for the period ending March 31, 2011.

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

MAINTENANCE DEPARTMENT – CHANGE ORDER #1 – LILLIBRIDGE LANDSCAPING

Director Glen Vernick explained that this is a change order for \$1,600.00 for snow removal and salting stating that the original contract was not high enough. Commissioner Jemison stated

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that Mr. Vernick had waited till the end of the contract and make all adjustments at one time. Mr. Vernick stated that the extra could have pulled from other locations to cover it, but wanted to do it all at once.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 increasing the contract with Lillibridge Landscaping for additional snowplowing and salting of the 24 hour service areas in the amount of \$1,600.79.

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

MAINTENANCE DEPARTMENT – CONTRACT AGREEMENT – MT BUSINESS COPIER TECHNOLOGIES, INCORPORATED

Mr. Vernick explained the contract as starting three years ago when the copier was purchased, along with one for Building and one for the Commissioners' office. This contract has been re-written by going back and forth with MT Business and getting the price lowered; those price reductions will be seen with other contracts when they come due. The updated cost per copy is \$0.008 for Black and White and \$0.055 for Color. County Administrator David Lair questioned Mr. Vernick on the amount actually spent over the last three year period. Mr. Vernick explained that the contract amount is not to exceed that \$23,000.00. Last year for the copier the department used about \$3,500.00, to date this year the department has not had any major contracts that involve making a lot of copies and the total so far is around \$600.00 in use. Mr. Vernick stated that this was to let the contractor know that the total cost cannot exceed the contracted price. Mr. Lair noted that the toner and maintenance is included in the contract and the machines are often used for scanning which is not an additional cost.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve, initial changes and execute a maintenance Contract Agreement with MT Business Technologies, Incorporated to perform maintenance and service to copier machine (Model #LD425Cspf, ID#C6758) for the period of three years, May 17, 2011 through May 16, 2014, in an amount not to exceed \$23,000.00.

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

COMMISSIONERS' OFFICE – APPOINT ED LOFTUS – GAPP AREA 19 WORKFORCE INVESTMENT BOARD

Motion: by Commissioner Young, seconded by Commissioner Jemison to appoint Ed Loftus to the Geauga, Ashtabula, Portage Partnership (GAPP) Area 19 Workforce Investment Board for the unexpired term of Cynthia Grier, ending June 30, 2011.

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

COMMISSIONERS' OFFICE – AMICUS BRIEF - OHIO SUPREME COURT FORM – FIFTH DISTRICT COURT OF APPEALS

Mr. Lair explained that the County Commissioners Association of Ohio (CCAO) sent a letter to the Board asking them to consider participating in this legal action that is before the Ohio Supreme Court. This is about the Knox County Commissioners versus the Knox County Engineer. This is a long standing issue that the Commissioners feel that the County Engineer should be able to use Motor Vehicle License Tax and Gas Tax money to pay for their property casualty insurance as a cost of doing business. Operating trucks going up and down the road has insurance exposure. The Commissioners feel that is an appropriate use of special revenue funds to help cover the cost of insurance and the Engineers Association would rather see the counties' general fund cover that. This action has made its way to the Supreme Court. These actions basically just say that the county is joining in saying that we agree with the action and that we want to be supportive. Mr. Lair stated that there is no legal liability to the county, and that he had checked with legal counsel and that it simply states the county support in an official

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manor on this action. Mr. Jemison stated that there is no legal or monetary requirement on behalf of the county.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the authority to participate as an amicus brief before the Ohio Supreme Court Form for the Fifth District Court of Appeals Case No. 10CA000018 Knox County Commissioners v. Knox County Engineer.

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

COMMISSIONERS' OFFICE – RESOLUTION AUTHORIZING THE PARTICIPATION OF GEAUGA COUNTY AS AMICUS CURIAE

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-080 Authorizing the Participation of Geauga County as Amicus Curiae in Support of Knox County in the case of Stockberger Et Al. V. Henry.

Board of County Commissioners, Geauga County, Ohio

Resolution: 11-080

Date: May 17, 2011

AUTHORIZING THE PARTICIPATION OF GEAUGA COUNTY AS AMICUS CURIAE IN SUPPORT OF KNOX COUNTY IN THE CASE OF STOCKBERGER ET AL. V. HENRY

WHEREAS, the Knox County Commissioners and the Knox County Engineer have been engaged in litigation (Stockberger et al. v. Henry, Case No. 10CA000018, Knox County Court of Appeals) to determine whether the Commissioners may require the engineer to use motor vehicle and gas tax funds controlled by the engineer to pay the engineer's office's share of property and liability insurance costs; and

WHEREAS, this issue is an important one to all Ohio counties in this time of very difficult funding decisions; and

WHEREAS, the County Commissioners Association of Ohio (CCAO) has asked Geauga County to join it in an amicus curiae brief requesting the Ohio Supreme Court to accept jurisdiction of the case, and this Board wished to do so;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Geauga County, Ohio:

Section 1. That Geauga County agrees to join with CCAO to participate as amicus curiae in support of the Knox County Commissioners in the case of Stockberger et al. v. Henry, Case No. 10CA000018, Knox County Court of Appeals, urging the Ohio Supreme Court to accept jurisdiction of the case.

Section 2. That it is understood that this participation will be at no cost to Geauga County.

Section 3. That this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

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>
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Commissioner Young *Aye*
Commissioner Jemison *Aye*

COMMISSIONERS' OFFICE – CANCEL SESSION

Motion: *by Commissioner Samide, seconded by Commissioner Young to cancel session on Thursday, June 2, 2011.*

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

OTHER

A brief discussion was had amongst the Board concerning the meeting Commissioner Samide attended regarding the Ohio State University (OSU) Extension offices. Ms. Samide explained that there are discussions taking place about regionalizing the offices. Ms. Samide stated that 4-H is very important here in Geauga County and there are a lot of Volunteers that help make that happen.

ACKNOWLEDGEMENTS

- a) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the inmate meals for the month ending April 2011.*

OTHER

The Board reviewed upcoming events.

MEETINGS

- Wed., 5/18 Community Corrections Planning Board meeting*
- Thu., 5/19 The Commissioners will hold regular session.*
- Thu., 5/19 Mental Health and Recovery Services 25th Annual Behavioral Health Care Recognition Dinner*
- Tues., 5/24 The Commissioners will hold regular session.*
- Thu., 5/26 The Commissioners will hold regular session.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 10:34 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

William S. Young

Mary E. Samide

Christine Blair, Commissioners' Clerk

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