

**Commissioners' Journal**  
**November 19, 2009**

*The Geauga County Board of Commissioners met in session on November 19, 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 10:01 a.m. by requesting Transit Director Kristina Reider to lead the Board and audience in reciting the Pledge of Allegiance.*

**APPROVE MINUTES**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of November 17, 2009.*

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

**COUNTY ENGINEER'S OFFICE – SIGNAL SERVICE COMPANY BID AWARD – TRAFFIC SIGNAL IMPROVEMENT – WASHINGTON STREET AND SNYDER ROAD**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid to Signal Service Company for the Traffic Signal Improvements Project at the intersection of Washington Street and Snyder Road in Bainbridge Township in the amount of \$43,854.45, as they represented the lowest and best bid.*

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

**TRANSIT DEPARTMENT – UPDATE JOB DESCRIPTIONS**

*Director Kristina Reider explained that this is the result of the ODOT audit from last year which has taken most of this year to get the correct verbiage and the correct part of O.R.C. that they must follow (pertaining to ambulette licensing which they are exempt from). As long as the department does background checks and pre-employment testing they do not have to follow all of the other ambulette licensing requirements.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the updates to the Transit Driver, Driver Supervisor, and Operations Manager job descriptions to include criminal background checks through the State of Ohio BCI and FBI as a condition of employment in accordance with the requirements of ORC 4766.15 and Ohio Department of Transportation rural transit manual.*

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

**TRANSIT DEPARTMENT – ACCEPT RESIGNATION – EVA HANSEN**

*Commissioner Young inquired if these new hires have to pass the testing just approved. Mrs. Reider stated that they did as it is a condition of employment and can be terminated for failure to pass the testing. The testing is to happen almost immediately.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the resignation of Eva Hansen, Part-time Driver, to be effective November 19, 2009.*

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

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**TRANSIT DEPARTMENT – INTERMITTENT FMLA LEAVE – TIMOTHY LAMOREAUX**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve an intermittent 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 beginning November 17, 2009 with an undetermined ending date at this time, pursuant to section 6 of the Geauga County Personnel Policy.

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

**TRANSIT DEPARTMENT – HIRE PART TIME DRIVERS #2210 - SHARON ZARACK, RAYMOND WERNET, FRANK LOMBARDO AND MARK NERONE**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve the hiring of Sharon Zarack for the position of Part -time Driver (#2210) at a rate of \$11.69 per hour, to be effective November 20, 2009. After the successful completion of a 1,000 hour probationary period the rate will increase to \$12.31 per hour.

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

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve the hiring of Raymond Wernet for the position of Part-time Driver (#2210) at a rate of \$11.69 per hour, to be effective November 20, 2009. After the successful completion of a 1,000 hour probationary period the rate will increase to \$12.31 per hour.

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

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve the hiring of Frank Lombardo for the position of Part-time Driver (#2210) at a rate of \$11.69 per hour, to be effective November 20, 2009. After the successful completion of a 1,000 hour probationary period the rate will increase to \$12.31 per hour.

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

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve the hiring of Mark Nerone for the position of Part-time Driver (#2210) at a rate of \$11.69 per hour, to be effective November 20, 2009. After the successful completion of a 1,000 hour probationary period the rate will increase to \$12.31 per hour.

<i>Roll Call Vote:</i>	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>
	<i>Commissioner Young</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 a public employee.

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

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*The Board returned at 10:26 a.m. The following action was taken as a result of this executive session:*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to Geauga County Transit is requesting the Board accept the recommendation of the Department Director to suspend Mr. Michael Nuniviller, a Full-time Driver in the Department of Transit, without pay for 24 hours and mandatory Anger Management sessions for violation of ORC 124.34 and the Geauga County Transit Best Practices Manual. The time off is to be scheduled by the Director.*

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

**COMMISSIONERS' OFFICE – BE A SANTA TO A SENIOR**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-204 in support of “Be a Santa to a Senior”.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: November 19, 2009*

*Resolution: 09-204*

**“BE A SANTA TO A SENIOR”**

*WHEREAS, Geauga County seniors are valued members of society and it is our collective responsibility to ensure they are remembered during the holiday season; and*

*WHEREAS, The “Be a Santa to a Senior” program, sponsored by Home Instead Senior Care, brightens the lives of hundreds of older adults in Geauga County with gifts who otherwise might not be remembered this holiday season; and*

*WHEREAS, “Be a Santa to a Senior “ is also designed to help stimulate human contact and social interaction for seniors in Geauga County who are unlikely to have guests during the holidays; and*

*WHEREAS, The “Be a Santa to a Senior” program is a way that we can give back to our community by providing gifts to some of our most treasured residents and guarantee that they will be treated with respect and dignity this holiday season.; and*

*WHEREAS, we are all responsible for building caring communities for Geauga County seniors; and*

*WHEREAS, the well-being of all seniors is in the interest of all and further adds to the well-being of Geauga County communities; and*

*NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners hereby proclaim support for “Be A Santa To A Senior Day” for December 2009; and encourage all our citizens to recognize and celebrate the 2009 holiday season of Geauga County seniors through The “Be A Santa To A Senior” program.*

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

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

**COMMISSIONERS' OFFICE – AMEND ACCOUNTING FORMS MOTION – MAINTENANCE DEPARTMENT**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to amend the motion of November 17, 2009 to correct the authorized names and to read: “approve and authorize the President of the Board to execute the updated Accounting Forms Authorization Form authorizing David Lair, Glen Vernick and*

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*Diane Arp to sign their name and or the Elected Official's name or Department Head's name on the Department Head line on all accounting forms for the Maintenance Department."*

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

**COMMISSIONERS' OFFICE – RESOLUTION APPROVING NORTHEAST OHIO AREAWIDE COORDINATING AGENCY CODE OF REGULATIONS REVISIONS – OFFICER QUALIFICATIONS**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-205 Approving the Northeast Ohio Areawide Coordinating Agency Code of Regulations Revisions – Officer Qualifications.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: November 19, 2009*  
*Resolution: 09-205*

**RESOLUTION APPROVING THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY CODE OF REGULATIONS REVISIONS – OFFICER QUALIFICATIONS**

*WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the designated Metropolitan Planning Organization for Cuyahoga Geauga, Lake, Lorain, and Medina Counties; and*

*WHEREAS, Article IV of the Code of Regulations of the NOACA Governing Board provides for the duties and qualifications of its officers; and*

*WHEREAS, under Article IV, non-elected officials may hold the offices of President and First Vice President; and*

*WHEREAS, Article IX of the Code of Regulations requires that any amendments made to Article IV be not only adopted by the Governing Board but also be approved in writing by a majority of each of the NOACA member Boards of County Commissioners.*

*NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Northeast Ohio Areawide Coordinating Agency, consisting of thirty-eight principal elected and other officials of general purpose local government throughout and within the Counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, that:*

*Section 1. Article IV, § 4.3(f) and (g) of the Code of Regulations be amended as follows:*  
*(f) President. The President of the Governing Board shall be the chief policy officer of the Agency and shall exercise all powers and duties in leadership of the Agency as are generally 'associated with such office including, but not limited to, the power to execute such documents and instruments authorized by resolutions adopted by the Governing Board. The President shall represent the Agency before bodies of the State and Federal government and shall be an ex officio voting member of all Standing Committees. The President shall also be responsible for execution of all directives and resolutions adopted by the Governing Board. The President shall be an elected public official.*

*(g) First Vice President. The First Vice President, in the absence or disability of the President, shall perform duties and exercise powers. of the President. In addition, the First Vice President shall perform such other duties prescribed by the Governing Board or President. The First Vice President shall be an elected public official.*

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

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COMMISSIONERS' OFFICE – RESOLUTION APPROVING NORTHEAST OHIO AREAWIDE COORDINATING AGENCY CODE OF REGULATIONS REVISIONS – MEMBERSHIP AND VOTING

Commissioner Samide stated that the resolution gets rid of the weighted voting at NOACA and it will now be based on a new formula.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-206 Approving the Northeast Ohio Areawide Coordinating Agency Code of Regulations Revisions – Membership and Voting.

Board of County Commissioners, Geauga County, Ohio

Date: November 19, 2009

Resolution: 09-206

**RESOLUTION APPROVING THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY CODE OF REGULATIONS REVISIONS – MEMBERSHIP AND VOTING**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the designated Metropolitan Planning Organization for Cuyahoga, Geauga, Lake, Lorain, and Medina Counties; and

WHEREAS, the NOACA Governing Board is currently made up of 38 voting members, each member having one vote; and

WHEREAS, Article IV of the Code of Regulations of the NOACA Governing Board provides for weighted voting, if invoked by a member for a particular issue; and

WHEREAS, the NOACA Governing Board desires to remove weighted voting and create a membership and voting structure that more closely approximates proportional representation by population on a permanent basis; and

WHEREAS, Article IX of the Code requires that any amendments made to Article IV be not only adopted by the Governing Board but also be approved in writing by a majority of each of the NOACA member Boards of County Commissioners.

NOW, THEREFORE BE IT RESOLVED by the Governing Board of the Northeast Ohio Areawide Coordinating Agency, consisting of thirty-eight principal elected and other officials of general purpose local government throughout and within the Counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, that:

Section 1. Article IV, § 4.2(a)-(f), of the Code of Regulations be amended as follows:  
Section 4.2 Composition: Alternates: Term. The Governing Board shall consist of representatives from the five-county area. The goal for representation is to bring to the Boards discussions and decision-making the principal elected officials and regional administrators of the NOACA area concerned with transportation and environmental planning while assuring to the areas citizens an approximation of equal representation by population. Board positions shall be granted based on requirements of this section and individual Board members shall be specified annually at the first meeting. The Board of Commissioners within each County shall be responsible for assuring appropriate representation according to this section, recognizing the goal for representation, dues procedures and compliance within each County and the Agency's mission. Each member of the Board shall be entitled to vote on all matters submitted to the Board for a vote. ~~In order to preserve an approximation of proportional representation by population, some Board members are entitled to cast votes on a weighted basis but only after following the procedure described in subsection (1) of this section.~~

<del>Weighted</del>	<del>Regular</del>
<u>Votes</u>	<u>Votes</u>

(a) Cuyahoga County

(i) County Commissioners		
(A) County Commissioner	4—	1
(B) County Commissioner	4—	1
(C) County Commissioner	4—	1

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(ii) <i>Other Elected Official</i>		
(A) <i>County Engineer</i>	<del>2</del>	<i>1</i>
(iii) <i>Regional Authorities</i>		
(A) <i>Northeast Ohio Regional           Sewer District</i>	<del>1</del>	<i>1</i>
(B) <i>Greater Cleveland Regional           Transit Authority</i>	<del>1</del>	<i>1</i>
(C) <i>Cleveland-Cuyahoga County Port           Authority</i>		<u>1</u>
<i>TOTAL</i>	<del>16</del>	<del>6</del> -7
(iv) <i>Cuyahoga Suburban Regions</i>		
(A) <i>West Shore Region</i>	<del>1.85</del>	<del>1</del>
(B) <i>Southwest Region</i>	<del>1.85</del>	<del>1</del>
(C) <i>South/Central Region</i>	<del>1.85</del>	<del>1</del>
(D) <i>Cuyahoga Region</i>	<del>1.85</del>	<del>1</del>
(E) <i>Chagrin/Southeast Region</i>	<del>1.85</del>	<del>1</del>
(F) <i>Heights Region</i>	<del>1.85</del>	<del>1</del>
(G) <i>Hillcrest Region</i>	<del>1.85</del>	<del>1</del>
(H) <i>City of Parma</i>		<i>1</i>
(I) <i>City of Lakewood</i>		<i>1</i>
(J) <i>City of Euclid</i>		<i>1</i>
(K) <i>City of Cleveland Heights</i>		<u>1</u>
<i>TOTAL</i>	<del>13.00</del>	7 <i>11</i>
(v) <i>City of Cleveland</i>		
(A) <i>Mayor</i>	<del>1.00</del>	<i>1</i>
(B) <i>Public Service Director</i>	<del>1.00</del>	<i>1</i>
(C) <i>Council Member</i>	<del>1.00</del>	<i>1</i>
(D) <i>Council Member</i>	<del>1.00</del>	<i>1</i>
(E) <i>Council Member</i>	<del>1.00</del>	<i>1</i>
(F) <i>City Planning Director</i>	<del>1.00</del>	<u>1</u>
<i>TOTAL</i>	<del>6.00</del>	<i>6</i>
(b) <u><i>Geauga County</i></u>		
(i) <i>County Commissioner</i>	<del>1</del>	<i>1</i>
(ii) <i>County Commissioner</i>	<del>1</del>	<i>1</i>
(iii) <i>County Commissioner</i>	<del>1</del>	<u>1</u>
<i>TOTAL</i>	<del>3</del>	<i>3</i>
(c) <u><i>Lake County</i></u>		
(i) <i>County Commissioner (President of Board)</i>	<del>2</del>	<i>1</i>
(ii) <i>County Commissioner</i>	<del>1</del>	<i>1</i>
(iii) <i>County Commissioner</i>	<del>1</del>	<i>1</i>
(iv) <i>County Engineer</i>	<del>1</del>	<i>1</i>
(v) <i>Municipal Representative</i>	<del>1</del>	<u>1</u>
<i>TOTAL</i>	<del>6</del>	<i>5</i>
(d) <u><i>Lorain County</i></u>		
(i) <i>County Commissioner</i>	<del>1</del>	<i>1</i>
(ii) <i>County Commissioner</i>	<del>1</del>	<i>1</i>
(iii) <i>County Commissioner (County Engineer)</i>	<del>1</del>	<i>1</i>
(iv) <i>City of Lorain</i>	<del>1</del>	<i>1</i>
(v) <i>City of Elyria</i>	<del>1</del>	<i>1</i>
(vi) <i>Municipal Representative</i>	<del>1</del>	<i>1</i>
(vii) <i>Townships Representative</i>	<del>1</del>	<u>1</u>
<i>TOTAL</i>	<i>7</i>	<i>7</i>
(e) <u><i>Medina County</i></u>		
(i) <i>County Commissioner</i>	<del>2</del>	<i>1</i>
(ii) <i>County Commissioner (Municipal Rep)</i>	<del>1</del>	<i>1</i>
(iii) <i>County Commissioner (Twnshp Rep)</i>	<del>1</del>	<i>1</i>
(iv) <i>County Engineer</i>	<del>1</del>	<u>1</u>
<i>TOTAL</i>	<i>4</i>	<del>3</del> <i>4</i>

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(f) State of Ohio

(i) Department of Transportation	4	1
(appointment to be made by ODOT Director) --		
TOTAL	1	1
 TOTAL	 56	 38 44

Section 2. Article IV, § 4.2(1) of the Code of Regulations be amended as follows:

~~(1) Weighted voting may take place only after written notice to all members of the Governing and then only on the issue(s) identified for such purpose. Such request for notice must be given to the Executive Director, or designee, at least 96 hours prior to the regular or special meeting for which weighted voting is proposed. The Executive Director will provide notice to members and alternates no less than 72 hours prior to commencement of the meeting at which weighted voting is to take place. (REPEALED)~~

Section 3. The NOACA Governing Board recommends that the Boards of Commissioners of Cuyahoga, Geauga, Lake, Lorain and Medina counties ratify the revisions within 90 days of this date.

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

EAGLE SCOUT – HONORING CHRISTOPHER JAMES COMER

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-207 Honoring Christopher James Comer for achieving the rank of Eagle Scout.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-207  
Date: November 19, 2009

A RESOLUTION HONORING CHRISTOPHER JAMES COMER FOR ACHIEVING EAGLE SCOUT  
THE HIGHEST AWARD OF ADVANCEMENT BESTOWED UPON A BOY SCOUT

WHEREAS, the Boy Scouts is a nationally acclaimed organization known for training young men to build character, citizenship, and leadership; and

WHEREAS, each scout must prove to his adult leaders the basics of outdoor survival including nature study, first aid, life saving and other activities that provide leadership qualities; and

WHEREAS, the Eagle Scout Rank is an accomplishment that only four percent of all those who start Boy Scouting ever attain; and

WHEREAS, Christopher James Comer is a member of Troop 93 of Chardon, Geauga County, and has excelled in his search for knowledge, leadership, planning and community support; and

WHEREAS, Christopher James Comer provided leadership at meetings and on campouts and has done an excellent job in all aspects of scouting; and

WHEREAS, Christopher James Comer's Eagle Scout project consisted of contributing to the cost and building of an outdoor classroom at Chardon High School, the apex of the north wing is now a full brick courtyard with eight sandstone benches perched on concrete pads, lined with flora, and decorative gravel surrounds the young red maple in the center; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Christopher James Comer for service to his community and the Scouts of America;

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

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

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**OTHER**

*The Board briefly reviewed calendars.*

**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 October 2009.*
- b) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending November 11, 2009 as required by O.R.C. 955.12.*

**MEETINGS**

*Thu., 11/26 **County offices will be closed for general business for the Thanksgiving Holiday. Twenty-four hour operations will continue to operate as usual.***

*Fri., 11/27 **County offices under the hiring authority of the Board of Commissioners will be closed for general business.***

*Tue., 12/1 The Commissioners will hold regular session.*

*Thu., 12/3 The Commissioners will hold regular session.*

*Thu., 12/3 Portage/Gauga Joint Detention Center meeting in Chambers at 1:30 p.m.*

*Thu., 12/3 Chagrin River Watershed Partners Board of Trustees meeting at 4:00 p.m. at Willoughby Hills Community Center*

*Fri., 12/5 Geauga County Fair Board dinner at the school building at 6:45 p.m.*

*Mon., 12/7 thru Wed., 12/9 CCAO Winter Conference*

*Tue., 12/8 **Regularly scheduled Commissioners' meeting is cancelled as the Board will be attending the CCAO Winter Conference.***

*Thu., 12/10 The Commissioners will hold regular session.*

*Tue., 12/15 The Commissioners will hold regular session.*

*Thu., 12/17 The Commissioners will hold regular session.*

*Mon., 12/21 Family First meeting at Mental Health.*

*Tue., 12/22 The Commissioners will hold regular session.*

**BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 10:40 A.M.**



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*Geauga County Board of Commissioners*

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*Tracy A. Jemison*

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*Mary E. Samide*

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*William S. Young*

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*Claudine Kozenko, Commissioners' Clerk*