

Commissioners' Journal
March 4, 2010

The Geauga County Board of Commissioners met in session on March 4, 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 10:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of March 2, 2010.

<i>Roll Call Vote:</i>	<i>Commissioner Young</i>	<i>Aye</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 Then and Now's for the Law Library fund and the Department on Aging. Ms. Delaney explained that the Law Library had some outstanding invoices from when they were not part of the county system. Geauga County Deputy Auditor Ron Leyde discussed the situation with the State Auditor's Office who advised him that doing Then and Now's was the best way to handle those invoices. Commissioner Jemison added that the Law Library moved all their money into the county fund but hadn't gotten all their bills paid.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-031 itemizing the financials for the meeting of March 4, 2010.

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

**ENGINEER'S OFFICE – STAFFORD ROAD BRIDGE REPLACEMENT BID AWARD –
PHILLIP MILLER CONSTRUCTION INCORPORATED**

Motion: by Commissioner Young, seconded by Commissioner Jemison to award the bid to Phillip Miller Construction, Incorporated for the Replacement of the Stafford Road Bridge (Structure #187-2.90) Project in Auburn Township, in the amount of \$90,528.00, as they represented the lowest and best bid.

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

**ENGINEER'S OFFICE – REPLACEMENT BUTTERNUT ROAD BRIDGE BID AWARD –
PHILLIP MILLER CONSTRUCTION INCORPORATED**

Motion: by Commissioner Young, seconded by Commissioner Jemison to award the bid to Phillip Miller Construction Incorporated for the Replacement of the Butternut Road Bridge (Structure #21-7.06) Project in Burton Township, in the amount of \$122,055.00, as they represented the lowest and best bid.

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

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**ENGINEER'S OFFICE – RESURFACE MESSENGER ROAD BID AWARD – RONYAK
PAVING INCORPORATED**

Motion: by Commissioner Young, seconded by Commissioner Jemison to award the bid to Ronyak Paving, Incorporated for the Resurfacing of Messenger Road (CH 31, Section A) in Auburn Township, in the amount of \$175,999.34, as they represented the lowest and best bid.

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

**ENGINEER'S OFFICE – RESURFACE BURTON WINDSOR ROAD BID AWARD – RONYAK
PAVING INCORPORATED**

Motion: by Commissioner Young, seconded by Commissioner Jemison to award the bid to Ronyak Paving, Incorporated for the Resurfacing of Burton Windsor Road (CH 14, Sections D & E) in Middlefield and Huntsburg Townships, in the amount of \$398,618.36, as they represented the lowest and best bid.

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

MAINTENANCE DEPARTMENT – 2009 AUCTION REPORT

Maintenance Department Director Glen Vernick and Fiscal Specialist Diane Arp were present to discuss the Annual Auction Proceeds Report for 2009. Ms. Arp explained that the Geauga County Auction, Gov Deals and the sale of the surplus county property earned a total of \$159,607.67, which is up from \$63,000 in 2008. Ms. Arp stated that a total of 75 items were sold on Gov Deals including 33 vehicles. 46 items were claimed by various county departments such as chairs, desks, computers, cameras and snow blowers through the distribution list. A lot of items have been transferred between departments; allowing for savings as the departments did not have to purchase new items. Ms. Arp added that some buses from transit and trucks from Water Resources will be added to the auction sometime this year. The average vehicle sold for around \$2,800. The Board commented that Ms. Arp and the department should be proud of these accomplishments. Commissioner Jemison commented that the county is not storing these items any longer. Department Director Glenn Vernick explained that the auction was suggested/started in April of 2006 by Maintenance Supervisor Dennis Renz then it went to Linda Burhenne and now Diane Arp.

TOURISM – PRESENTATION AND UPDATE

Director Linda Nemeth thanked the Board of Commissioners and the Tourism Board for all their support. Ms. Nemeth recognized Tourism Board President Tina Mooney, Vice President Marianne Goodwin, and Board Members Craig Sirna from Sirna's Farm and Market and Mark Hardenburg from Century Village. Ms. Nemeth shared some of the success of tourism in Geauga County including the fact that membership is up and is the highest it has ever been with twenty new members with an all time high membership of 155. Area small businesses are seeing the value of what Geauga Tourism can do for them. Lois Hewitt, the new Office Assistant and facilitator of the Rack Card Service was added in 2009 as well as opening on Saturday's, a makeover for the office, and an upgraded brochure system. A new Contact Box has been added to the website that adds visitors to the database to receive ongoing newsletters and an increase in visibility through media like Twitter and Facebook. Geauga County was featured in a video on travel to air nationally in the spring on the Travel Channel. Tourism did their first major fundraiser, Hometown Hoe-Down, raised \$4,944 and plan to do it again in 2010. Tourism is out and about and putting up booths, doing presentations and sharing information and promoting Geauga County. Ms. Nemeth stated that they are doing regional partnerships such as partnering with Positively Cleveland which has generated a new image ad to be used which will be showcasing Geauga County. They also participated in group marketing with Adventures in Northeast Ohio for the Heartland Travel Showcase and are exploring partnerships with Lake and Ashtabula County Visitor Bureau Directors. Tourism received awards from U.S. Department of Commerce, placed in Top 15 Motorcoach Destinations, 2009 Excellence Award by Adventures in Northeast Ohio and received the RUBY award from the Ohio Travel Association (for their Social Media Campaign). Tourism will be working on creating a Policies and Procedures Manual for the Tourism Office, developing .mobi pages for the website for

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access on mobile devices, and "Name the Raccoon" contest, all to increase visitation in Geauga County.

COMMISSIONERS' OFFICE – SUBDIVISION REGULATIONS PROPOSED AMENDMENT

Commissioner Samide opened the Public Hearing for the Proposed Amendment to the Geauga County Subdivision Regulations at 10:30 a.m.

Motion: by Commissioner Young, seconded by Commissioner Jemison to waive reading of the advertisement for the public hearing.

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

Present for the hearing were Planning Commission Director Dave Dietrich, Chairman Margaret Muehling and legal counsel Rebecca Schlag, APA. Mr. Dietrich stated that this amendment was approved by the Planning Commission at their January meeting. In summarizing the amendment Mr. Dietrich explained three bullet points: 1. proposed divisions of land within a township that are over 20 acres in size or represent a transfer to an adjacent owner that does not create an additional building site must be submitted to the Planning Commission for review; 2. all proposed divisions of land must be checked for zoning compliance by the affected zoning inspector, with a required signature of the zoning inspector on the zoning map signifying compliance; and 3. work with the Auditor's Office on reviewing lot consolidation proposals (zoning compliance will be checked). Mr. Dietrich explained there have been issues with non-compliance especially with exempt conveyances (1.) that have not been reviewed by the Planning Commission where an affidavit approach was used. This amendment will eliminate that approach and will insert the zoning inspectors in the process. Munson Township Zoning Inspector Tim Kearns described a case of an elderly women who went through the process of selling eight acres of land to a business, through her attorney, who ended up only wanting five acres. The land is in a commercial zoned district that had a minimum of five acres which left the women with the remaining three acres unable to be sold. This slipped through because they used an affidavit rather than this review process. This amended process will help the seller and the buyer. Mr. Kearns added that this would have been caught right away had it come through the zoning inspector's office who would have then made sure the person totally understood the situation of selling or dividing their land. Commissioner Jemison inquired as to the additional processing time frame for this amendment. Mr. Dietrich replied that it would certainly not be more than seven days, but usually under that time frame. Karen Endres, Newbury Township Zoning Inspector added that it does work as Newbury had a situation of a property with two houses on it; it is unclear how that happened. The property owner is now having trouble selling that property because of nonconformity. The property has since gone through the process of reviews with the zoning inspector and the Planning Commission and has now been recorded as a lot split. Zoning Inspector of Chester Township J. Meiring Borchers added that this is amendment is common sense to rule making, to sustainable development and bringing the property to a communication level with the zoning department and the Planning Commission to discuss the future plans of property instead of going blindly through lot splits. This process furthers the strength of helping the residents to better plan for future development of their property. Hambden Township Zoning Commission Chairman Helen Scheuring stated that it protects the developer and the seller on what they both need to do to comply and will save zoning inspectors, the Board of Commissioners and Trustees from getting involved in law suits which affects tax payers. This should be done before the economy turns around and developers start again. Hambden Township Zoning Inspector Darlene Welch concurred with the other zoning inspectors and added that this will be a good asset. Commissioner Samide added that the amendments were unanimously adopted at the Planning Commission meeting. This new process will not be any longer than seven days. Mr. Dietrich stated that this amendment is to make a zoning compliance check before properties are recorded. Mr. Dietrich also stated that he talked to every one of the inspectors and sent letters to all the trustees and received no negative feedback. County Auditor Frank Gliha stated that this is the best thing that could happen as it will save residents money. The residents will know right away if this will cost them money rather than get a big surprise at the end. Commissioner Jemison added that the key for a smooth transition is to educate that part of the sector that deals with these types of things all the time, such as title companies. Mr. Dietrich added that this will not go into effect until around the end of the month. Mr. Dietrich stated that he will send out a letter summarizing the amendment. Mr. Dietrich added that Bob Kolcum, Real Estate Manager/Deed Review for the Auditor's Office has

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communicated informally with title companies and others that he has seen in his office of the coming changes. Mr. Dietrich stated that this will put an end to a lot of the fuzzy, gray areas on the zoning component. Ms. Muehling reiterated that the Planning Commission voted unanimously for the amendment. Ms. Schlag added that this makes sense, protects everyone, is enforceable, very reasonable and is not overstepping any bounds. There have been a lot of problems over lot splits by affidavits and therefore creating zoning "headaches". Ms. Schlag added that it is a common sense, good approach. Mr. Dietrich added that in the 70's the Planning Commission did review all the divisions of land but in the early 80's the affidavit came in to play. Being no further comments Commissioner Samide closed the public hearing at 10:47 a.m.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-032 adopting an amendment to the Subdivision Regulations of Geauga County, Ohio.

Board of County Commissioners, Geauga County, Ohio

Date: March 4, 2010

Resolution: 10-032

**RESOLUTION ADOPTING AN AMENDMENT
TO THE
SUBDIVISION REGULATIONS
OF
GEAUGA COUNTY, OHIO**

WHEREAS, on the 13TH Day of January, 2010 the Board of County Commissioners of Geauga County, Ohio received an amendment to the Subdivision Regulations of said county from the County Planning Commission; and

WHEREAS, on the 4th day of March, 2010 the Board of County Commissioners held a public hearing to consider said amendment pursuant to chapter 711 of the Ohio Revised Code; and

NOW THEREFORE, BE IT RESOLVED this 4th day of March, 2010 by the Board of County Commissioners of the County of Geauga, State of Ohio that an amendment to the Subdivision Regulations of Geauga County, Ohio marked exhibit AA@ and attached hereto and incorporated herein as fully rewritten be and is hereby adopted and approved.

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

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

OTHER

Ms. Mia Moore, First Energy Area Manager First Energy will comply with the PUCO order to revert to the residential all electric rates as of December 31, 2008, no details. Ms. Moore added that they have to file within ten days.

The Board reviewed calendars and events.

MEETINGS

Thu., 3/4 A public hearing on the proposed amendment to the County Subdivision Regulations will be held at 10:30 a.m. in the Commissioners' Chambers.

Fri., 3/5 Geauga Economic Leadership (GEL) breakfast at Kent State University/Gauga Branch at 8:00 a.m.

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Tue., 3/9 The Commissioners will hold regular session.

Tue., 3/9 Planning Commission meeting at 7:30 p.m. at Building #1C, 470 Center Street

Thu., 3/11 A public hearing for the review of plans and specifications for the Application of Polyester Pavement Markings to Various Roads in Geauga County, Year 2010 to be held at 10:15 a.m.

Fri., 3/12 NOACA Governing Board meeting at 10:00 a.m. at NOACA Offices

Tue., 3/16 The Commissioners will hold regular session.

Tue., 3/16 A public hearing for the review of plans and specifications for the Asphalt Resurfacing of Wilson Mills Road (CH 8, Sections G-L) in Munson Township to be held at 10:15 a.m.

Tue., 3/16 A public hearing for the review of plans and specifications for the Asphalt Resurfacing of Washington Street (CH 606, Sections C-F) in Bainbridge and Auburn Townships to be held at 10:20 a.m.

Tue. 3/16 Portage Geauga Joint Detention Center Board meeting at 2:00 p.m. at the Joint Detention Center in Portage County.

Thu., 3/18 The Commissioners will hold regular session.

Thu., 3/18 Leadership Geauga Youth Day

Fri., 3/19 NOACA TAC meeting at NOACA Offices

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 10:59 A.M.

Geauga County Board of Commissioners

William S. Young

Tracy A. Jemison

Mary E. Samide

Claudine Kozenko, Commissioners' Clerk