

**Commissioners' Journal**  
**March 5, 2013**

*The Geauga County Board of Commissioners met in session on March 5, 2013 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 10:00 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**APPROVE MINUTES**

*Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute the minutes for the meeting of February 28, 2013.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <i>Roll Call Vote:</i> | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
|                        | <i>Commissioner Samide</i>     | <i>Aye</i> |
|                        | <i>Commissioner Jemison</i>    | <i>Aye</i> |

**APPROVE FINANCIALS**

*Budget and Finance Administrator Heidi Delaney explained the financials for today as including a Revenue Certification for the Board of Mental Health fund for additional federal funding received; Supplemental Appropriations for the Sheriff's 800 Communications Fund for software upgrades for radios, the Sheriff's Rotary fund for the purchase of four (4) vehicles for the Social Security Task Force and the Department on Aging Capital Projects fund for anticipated 2013 capital projects; a Cash transfer out of the General Fund for 2013 funding for the Transit Department; a Purchase Order for Wachev LLC for the state bid purchase of a 2013 Chevrolet Cargo Van for the Department of Water Resources in the amount of \$18,950.00; Travel requests for the Commissioners' Office, Department of Job and Family Services, the Public Defender's office and the Recorder's Office; and a payment to Envirocom Construction for the Opalocka Wastewater Treatment Plant improvement project in the amount of \$56,450.00.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-054 itemizing the financials for the meeting of March 5, 2013.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <i>Roll Call Vote:</i> | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
|                        | <i>Commissioner Samide</i>     | <i>Aye</i> |
|                        | <i>Commissioner Jemison</i>    | <i>Aye</i> |

**COMMISSIONERS' OFFICE – RESOLUTION HONORING LEADERSHIP GEAUGA 2013 EMERALD LEADER AWARD WINNER – KATHY LEAVENWORTH**

*Commissioner Jemison explained that he and Commissioner Spidalieri had presented Emerald Leader for 2013, Kathy Leavenworth with an information resolution on Saturday, and need to do the formal resolution today to be executed and it will then be forwarded.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-055 Honoring Leadership Geauga 2013 Emerald Leader Award Winner Kathy Leavenworth.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 13-055*  
*Date: March 5, 2013*

**RESOLUTION HONORING LEADERSHIP GEAUGA  
2013 EMERALD LEADER AWARD WINNER KATHY LEAVENWORTH**

*WHEREAS, each year since 2001, Leadership Geauga County has recognized community leaders who have significantly enhanced the quality of life in Geauga County. The Emerald Leader Award is presented annually to an individual, a business and / or a non-profit agency*

**Commissioners' Journal**  
**March 5, 2013**

*that exemplifies outstanding leadership by positive contributions through volunteerism, philanthropy, or innovation that impact the quality of life in Geauga County; and*

*WHEREAS, Kathy Leavenworth attended Wells College in Aurora, New York and earned a BS in Interpersonal Communications from Cleveland State University, retiring as a consultant in interpersonal training, communications, group dynamics, strategic planning and outdoor team building; and*

*WHEREAS, Kathy Leavenworth began serving on the West Geauga Local School Board when she was elected to serve on in 1979 , was President for twenty-two years, and served as chair on many committees that included policy, finance, operations, personnel and advocacy; and*

*WHEREAS, Kathy Leavenworth was instrumental in the strategic planning of the district, she initiated the Citizens Advisory Committee, helped with numerous bond and levy campaigns, founded the West Geauga Educational Foundation in 1986 and the West Geauga Performing Arts Foundation in 2000; and*

*WHEREAS, Kathy Leavenworth served on the Northeast Region of Ohio School Boards Association (OSBA), the OSBA Board of Trustees and Executive Committee along with many OSBA committees that worked on public education issues on a national level, along with being appointed in 2009 to chair the early childhood subcommittee by Governor Ted Strickland; and*

*WHEREAS, Kathy Leavenworth is very active in serving her community and by participating with the Chagrin River Land Conservancy (CRLC), the Geauga Humane Society Rescue Village, the Geauga Park District Foundation, the Ohio League of Conservation Voters, and the National Council for the Land Trust Alliance; and*

*NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners wish to recognize the dedicated service of Kathy Leavenworth with the honor of being the recipient of the 2013 Leadership Geauga County Emerald Leader Award.*

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

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <i>Roll Call Vote:</i> | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
|                        | <i>Commissioner Samide</i>     | <i>Aye</i> |
|                        | <i>Commissioner Jemison</i>    | <i>Aye</i> |

**COMMISSIONERS' OFFICE – GREAT GEAUGA COUNTY FAIR CONTRACT FOR 2013**  
*County Administrator David Lair explained that as an exhibitor at the fair in the Bicentennial building the county is required to follow the same rules and execute the contract. Mr. Lair stated that the building represents the many departments throughout the county and provides information on their services.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to execute The Great Geauga County Fair Contract for 2013, running August 29 through September 2, 2013.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <i>Roll Call Vote:</i> | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
|                        | <i>Commissioner Samide</i>     | <i>Aye</i> |
|                        | <i>Commissioner Jemison</i>    | <i>Aye</i> |

**COMMISSIONERS' OFFICE – ACKNOWLEDGE LETTER FROM CHARDON TOWNSHIP TRUSTEES – REQUEST COUNTY ENGINEER TO SUBMIT RECOMMENDATION – VACATE A PORTION OF WISNER ROAD**

*County Engineer Joe Cattell explained that Chardon Township has asked the Board to extend the vacation of Wisner Road on the south end of the previously vacated section. Mr. Cattell explained that during the previous vacation there had been some additional erosion by the river that caused some additional damage to the road. Mr. Cattell stated that the statute states that the Township must request the Board to start the vacation process, then the Board requests that the Engineer give recommendation for the public convenience and ask that they prepare the paperwork. It was discussed that this section to be vacated affects mainly the Holden and Pietro*

**Commissioners' Journal**  
**March 5, 2013**

*properties, that the already vacated section was north of that to the river, however during the process of the first vacation this section began to be discussed to be included. Due to the requirement of starting the process over, which would include holding an additional viewing and public hearing it was determined to continue with the initial section. Mr. Cattell stated that this is only for about 700 feet of additional road that deteriorated. Commissioner Samide expressed concern and asked for clarification if the residents had been informed and if the horse group that expressed concern during the first section that was vacated would continue to be able to have access. Mr. Cattell explained that in the previous section that was vacated the Board had included the non-motorized trail right of way to the river and that it could also be included in this section, and that he believed that the affected residents had been advised of the tentative plan during the first vacated section but could not say if they had been notified yet on this section. Mr. Cattell expressed that we are ahead of the game, that this is the first step of the process. Mr. Jemison stated that this today gets the process moving, that there will be a public viewing of the area to be vacated and a public hearing, to which the residents are welcome to attend both and give comment. Mr. Cattell noted that there are two parts, first being that any property owner beyond the vacated section have access to cross and anyone they give permission to, and a second that is a non-motorized trail designation that gives everyone access to the right of way. Mr. Jemison stated that during the first vacation that there had been some trepidation from a lot of people over the vacation and we were able to work it out. Mr. Cattell noted that during the hearing all the residents will be given the opportunity to speak and asked that while the request did not include the non-motorized trail designation, if the board wanted to include that again this time. Mr. Jemison agreed that the Board wanted to include it like it had been done during the first vacated section.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to acknowledge receipt of a letter from the Chardon Township Trustees supporting the Board in initiating the process of vacating a portion of Wisner Road (depicted on the attached map) under O.R.C. 5553.04 and request the County Engineers' office submit a recommendation with regards to Public Convenience.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <i>Roll Call Vote:</i> | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
|                        | <i>Commissioner Samide</i>     | <i>Aye</i> |
|                        | <i>Commissioner Jemison</i>    | <i>Aye</i> |

**COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER RECONSTRUCTION OF BUNDYSBURG ROAD BRIDGE – EXECUTE TITLE SHEET – SET BID OPENING**

*Mr. Cattell explained that the Bundysburg Road Bridge had been previously discussed at meetings, this is currently a wood box structure and will be replaced with a twenty foot by four foot concrete box. Mr. Cattell noted that this is a quick construction and was asking the board to approve the resolution to order the reconstruction, execute the title sheet on the plans and give permission to advertise for bids.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-056 To Order the Reconstruction of the Bundysburg Road Bridge (Structure #311-6.60) in Huntsburg Township.*

*This resolution also requests the Board approve and execute the Title Sheet for Plans for the same.*

*Further, this resolution sets a bid opening on Wednesday, April 3, 2013 at 2:00 p.m. Notice of this bid opening will be advertised on March 14, 2013 and on the county website.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: March 5, 2013*

*Resolution: 13-056*

**RESOLUTION TO ORDER THE RECONSTRUCTION OF THE BUNDYSBURG ROAD BRIDGE, STRUCTURE #311-6.60 IN HUNTSBURG TOWNSHIP**

*WHEREAS, the Board of County Commissioners of Geauga County has determined by Resolution #12-142 that the public convenience and welfare require the reconstruction of the*

**Commissioners' Journal**  
**March 5, 2013**

*bridge over Mill Creek on Bundysburg Road at mile marker 6.60, and the grading, paving, widening, and draining of a portion of Bundysburg Road in the immediate vicinity of the bridge in Huntsburg Township in accordance with Section 5555.022 of the Ohio Revised Code; and,*

*WHEREAS, lands needed to be taken relative to the reconstruction of the Bundysburg Road bridge are in the process of being secured with no objection from landowners; and,*

*WHEREAS, the County Engineer has secured Ohio Public Works grant funding for this bridge replacement; and,*

*WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and*

*WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans with the County Engineer in public session for the reconstruction of Structure #311-6.60 on Bundysburg Road, is satisfied that the public convenience and welfare require that said improvement be made.*

*NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.*

*BE IT FURTHER RESOLVED that the Board of County Commissioners in accordance with Section 5555.022 of the Ohio Revised Code hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from an Ohio Public Works Commission grant and local funding sources in accordance with Section 5555.43 of the Ohio Revised Code.*

*BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners is hereby ordered to let this project for bids in accordance with Section 5555.61 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 P.M. on Wednesday, April 3, 2013 and opened and read aloud at 2:00 P.M. the same day.*

*BE IT FURTHER RESOLVED that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to the Huntsburg Township Board of Trustees and the Geauga County Engineer.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <i>Roll Call Vote:</i> | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
|                        | <i>Commissioner Samide</i>     | <i>Aye</i> |
|                        | <i>Commissioner Jemison</i>    | <i>Aye</i> |

**OTHER**

*Local resident Diane Jones inquired of Mr. Cattell that at the previous night Auburn Township Trustees meeting that a Deputy Engineer was present and that it had never happened before. Mr. Cattell explained that recently becoming Engineer in January that he has made it a policy that he or a deputy will be present to answer Trustee or the public questions when a plan is presented by the Engineers office to the Trustees. Mr. Cattell stated that a large amount of funding is spent by the townships on their roads and since the plans are done by the Engineers office they want to make sure any questions are answered. Ms. Jones thanked Mr. Cattell for doing that, that it was appreciated.*

**OTHER**

*Mr. Spidalieri asked Mr. Cattell about a recent accident on Newcomb road where a horse went down taking a buggy full of people who were on their way to a funeral. Mr. Cattell inquired about the section where the accident happened, to which Mr. Spidalieri noted it was between Shedd and Georgia roads. Mr. Cattell explained that it was a Middlefield Township road and that there has been problems with edges of the road and buggies moving over to the edge to stay out of the of way of cars. Mr. Cattell explained that they had worked with the township to get them Ohio Public Works Commission (OPWC) funding to do culvert work, and then the township did the work to widen the road, the next step would be to asphalt pave it, however the township doesn't have the funding to do that and any additional hope of OPWC funding is about two to three years out. Mr. Spidalieri questioned whether there was anything that could be done to help them out, citing that kudos were given to Mr. Jemison, that about two years prior he had helped*

**Commissioners' Journal**  
**March 5, 2013**

them. Mr. Jemison stated that he had spoken with R.L. Phillips, County Engineer at the time and the trustees in hopes of maybe they could do something to improve the road, noting that this is really a long construction project that has had some work done but full repaving is still a ways away. Mr. Cattell explained that there were only two additional rounds of OPWC funding remaining in place and the voters will have to vote statewide on additional funding, adding that the project cost would be \$800,000.00 to \$1 Million dollars. Ms. Samide mentioned that NOACA might be a possibility that funds might be left from projects. The Board discussed with Mr. Cattell options of grinding the road and having it re-graded. Mr. Cattell stated that he would look into the accident and where it happened, go check the area and contact the trustees and see about options of a solution and let the Board know what he found out. Mr. Spidalieri mentioned that Shedd Road is also in bad shape, but that it was now in process of upgrade after the Boards' recent approvals. Mr. Cattell added that Shedd Road is four townships working together and in OPWC's vision is a better project, not that Newcomb isn't a good project to do, it just helps more townships out at once.

DEPARTMENT OF WATER RESOURCES – ACCEPT RESIGNATION – COREY ALLEN – OPERATOR I (#2326)

Director Doug Bowen explained that Mr. Allen had worked with the department for a year under the OTCO program before obtaining his license and was hired. Mr. Bowen explained that Mr. Allen had been offered a position as on Operator in Medina, and that it was closer to home.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to accept the resignation of Corey Allen, Operator I (#2326) to be effective March 15, 2013.

|                 |                         |     |
|-----------------|-------------------------|-----|
| Roll Call Vote: | Commissioner Spidalieri | Aye |
|                 | Commissioner Samide     | Aye |
|                 | Commissioner Jemison    | Aye |

DEPARTMENT OF WATER RESOURCES – INCREASE POSTING – OPERATOR I (#2326)

Mr. Bowen stated that they were asking to increase the current posting to two, due to Mr. Allen's resignation.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to increase the current posting for Operator I (#2326) from one available position to two positions. These open positions will remain posted until filled.

|                 |                         |     |
|-----------------|-------------------------|-----|
| Roll Call Vote: | Commissioner Spidalieri | Aye |
|                 | Commissioner Samide     | Aye |
|                 | Commissioner Jemison    | Aye |

COMMISSIONERS' OFFICE- EXECUTIVE SESSION

Mr. Jemison stated that Mr. Bowen, Mr. Lair and Colleen Lockhart would be joining them in executive session.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to move into Executive Session for the purpose of discussing the compensation of public employees under the Commissioners' hiring authority.

|                 |                         |     |
|-----------------|-------------------------|-----|
| Roll Call Vote: | Commissioner Spidalieri | Aye |
|                 | Commissioner Samide     | Aye |
|                 | Commissioner Jemison    | Aye |

The Board returned from Executive Session at 11:12 a.m. No action was taken as a result of this executive session.

ACKNOWLEDGEMENTS

- a) Geauga County Board of Developmental Disabilities Board Minutes from January 16, 2013.

OTHER

The Board reviewed upcoming events.

**Commissioners' Journal**  
**March 5, 2013**

MEETINGS

Thu., 3/7     *The Commissioners will hold regular session.*

Thu., 3/7     *Leadership Geauga, Youth Government Day*

*Mr. Jemison explained that some of the kids are given roles along with an idea for a project. They then have to learn what about the requirements to do that project, permits that are required and then present their project in a mock session before a mock board. Mr. Jemison added that they would be having lunch at Joey's and then back to the office at 2 p.m. to watch.*

Fri., 3/8     *NOACA meeting, 10:00 a.m. in Cleveland*

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

Tues., 3/12   *The Commissioners will hold Public Hearing #1 at 10:15 a.m. for the FY 2013 Community Development Block Grant (CDBG) programs*

Tues., 3/12   *The Commissioners will hold Public Hearing #2 at 10:20 a.m. for the FY2012 Community Development Block Grant (CDBG) Amendment to #B-F-12-1AZ-1 to decrease Activity #1 Maple Leaf Community Residences and add Activity #5 City of Chardon Clearance Project*

Tues., 3/12   *Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*

Thu., 3/14    *The Commissioners will hold regular session.*

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SPIDALIERI ADJOURNED THE MEETING AT 11:15 A.M.***

*Geauga County Board of Commissioners*

\_\_\_\_\_  
*Tracy A. Jemison*

\_\_\_\_\_  
*Mary E. Samide*

\_\_\_\_\_  
*Ralph Spidalieri*

\_\_\_\_\_  
*Christine Blair, Commissioners' Clerk*