

Commissioners' Journal
June 13, 2013

The Geauga County Board of Commissioners met in session on June 13, 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 Samide, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of June 11, 2012.

<i>Roll Call Vote:</i>	<i>Commissioner Spidalieri</i>	<i>Abstain*</i>
	<i>Commissioner Samide</i>	<i>Aye</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>

**Commissioner Spidalieri was absent from this meeting.*

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – SATISFACTION OF MORTGAGE – BURTON SCOT CONTRACTORS, LLC / 11330 KINSMAN, LLC

Program Coordinator Kelly Belconis explained that this is a Revolving Loan Fund client that has paid off the loan they had taken and are asking the Board to execute the Satisfaction of Mortgage.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute a Satisfaction of Mortgage for Burton Scot Construction, LLC/11330 Kinsman, LLC as the Revolving Loan Fund Loan in the amount of \$250,000.00 has been satisfied.

<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 HOME – INCREASE CURRENT REQUEST FOR SUMMER HELP (#0101) TO TWO POSITIONS

Director Karen DeCola stated that she currently has one summer help employee that will be leaving at the end of the month, noting that she was requesting the increase to hire an additional person. Ms. DeCola explained that Ms. Mullet was resigning due to medical reasons. Commissioner Jemison inquired if Ms. DeCola would be ok with the summer help to which Ms. DeCola stated that she should be with the help through the end of August but that was the reason she wanted to advertise now for the part-time attendants because of the time it takes.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to increase the current request for the position of Summer Help (#0101) to two positions for the Year 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>

COUNTY HOME – HIRE MCKENZIE KING – SUMMER HELP (#0101)

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve hiring McKenzie King to the position of Summer Help (#0101) at a rate of \$8.25 per hour to be effective June 18, 2013 through August 30, 2013 or the start of school, whichever comes first.

<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>

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COUNTY HOME – ACCEPT RESIGNATION – MARY MULLET – PART-TIME ATTENDANT (#1504-1)

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to accept the Resignation of Mary Mullet, Part-time Attendant (#1504-1) to be effective May 30, 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>

COUNTY HOME – ADVERTISE TWO POSITIONS – PART-TIME ATTENDANT (#1504-1) FIRST AND THIRD SHIFTS

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to grant permission to advertise for two (2) positions of Part-time Attendant (#1504-1), up to twenty-nine (29) hours per week on first and third shifts. These positions will remain posted until filled.

<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>

GEAUGA COUNTY HEALTH DISTRICT – RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION AND REQUESTING CERTIFICATION OF THE COUNTY AUDITOR OF THE DOLLAR AMOUNT GENERATED

Mr. Jemison stated that the Health Department is requesting the Board request from the Auditor the amount that would be generated for a replacement with an increase from .2 to .3 mills. Today the resolution is to have the Auditor certify the amounts of what that .3 will generate. It was noted that they were waiting to see what the outcome of SB59 will be and the changes in state funding that could affect the Health Department, adding that some changes to vaccinations is also affecting the revenue amounts in the budget. Mr. Jemison added that in the coming weeks there could be an additional resolution to actually put the levy onto the ballot.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-117 Declaring it Necessary to Levy a Tax in Excess of the Ten Mill Limitation and Requesting Certification of the County Auditor of the Dollar Amount Generated at the Request of the Geauga County Board of Health, As Authorized by O.R.C. 3709.29.

Board of County Commissioners, Geauga County, Ohio

Date: June 13, 2013

Resolution: 13-117

RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION AND REQUESTING CERTIFICATION OF THE COUNTY AUDITOR OF THE DOLLAR AMOUNT GENERATED AT THE REQUEST OF THE GEAUGA COUNTY BOARD OF HEALTH, AS AUTHORIZED BY O.R.C. 3709.29

WHEREAS, the Board of County Commissioners has determined that it is necessary to levy a tax outside the ten-mill limitation for the requirements of the Geauga County Board of Health, Geauga County, Ohio, established pursuant to Chapter 3709 of the Revised Code.

NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Health is collecting monies from an existing levy of two-tenths (.20) mills for each one dollar (\$1.00) of valuation, which amounts to six dollars, thirteen cents (\$6.13) for each one hundred-thousand dollars (\$100,000.00) of valuation for the purpose of providing the Geauga County Board of Health, with sufficient funds for the operation of Vital Statistics Division, Environmental Health Division, Personal Health Services Division, administrative staff and operational costs, which is due to expire at the end of the tax year 2013.

BE IT FURTHER RESOLVED that the Board of County Commissioners of the County of Geauga, State of Ohio, hereby certifies to the Geauga County Auditor this resolution requesting that the County Auditor certify to the Board of County Commissioners the total current tax

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valuation of Geauga County and the dollar amount of revenue that would be generated by a replacement and increase levy of three-tenths (.30) mills.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Geauga County, Ohio, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the Geauga County Board of Health, for the purpose of providing the Geauga County Board of Health, with sufficient funds for the operation of Vital Statistics Division, Environmental Health Division, Personal Health Services Division, administrative staff and operational costs, at a rate not exceeding three-tenths (.30) mills for each one dollar (\$1.00) of valuation, which amounts to nine dollars, nineteen cents (\$9.19) for each one hundred-thousand dollars (\$100,000.00) of valuation, which levy is a replacement and increase of an existing two-tenths (0.20) mill levy for said purposes.

BE IT FURTHER RESOLVED that said levy shall be a replacement and increase levy of three-tenths (.30) mills to be placed on the ballot as one proposition and placed upon the tax year 2014 if a majority of the electors voting thereon vote in favor thereof at the general election on November 5, 2013.

Upon roll call on the adoption of the resolution, the vote was as follows:

<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>

SHERIFF'S OFFICE – NOTICE OF WORK ACTIVITY – COURTESY NOTICE – AT & T VENDORS TO INSTALL ANTENNAS ON TOWER LOCATED AT 12581 MERRITT ROAD

Sheriff Dan McClelland stated that a tenant on the tower wants to do some upgrades that won't have any effect on our communications. Sheriff McClelland noted that they will be replacing antennas, but will put up 3 new ones to allow for the changeover of the equipment. It was noted that a weight study was done to make sure that everything would remain secure.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Notice of Work Activity – Courtesy Notice with Ameritech Wireless Communications, Incorporated LLC, now known as New Cingular Wireless PCS, LLC (AT & T) granting permission for AT & T vendors to install three additional antennas and ancillary antenna equipment to the existing wireless communications equipment on the tower located at 12581 Merritt Road, Chardon.

<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>

GEAUGA COUNTY FAIR BOARD – UPDATE

Fair Board President Bob Rogish, Vice President Sam Plants, and Secretary Paul Harris came before the Board and gave the following information, updating them regarding the fair, grounds and upcoming events. Mr. Rogish explained that as part of the lease agreement the Fair Board is required to update the Board of the happenings with the fair, adding that it is a great way to keep the communication open between everyone. Mr. Rogish invited the Board to attend the fair manager's convention next year January 9-12th, and stated that it is the tradeshow event where county fair directors from around the state get to experience new shows, acts and exhibitors.

Mr. Rogish stated that last year the fair attendance was just over 196,000 people, adding that while the weather was good, the forecast may have hurt with not so great weather in the surrounding areas that caused people to not want to come out. They look forward to increasing attendance this year, noting that the Cleveland Air Show will not be held this year at the same time and they have increased advertising in Cuyahoga County.

Mr. Rogish thanked the Board for the gas well revenue and most recently with the award of the Community Development Block Grant grant funding for the asphalt adding that it keeps the grounds safe and accessible for everyone.

Mr. Rogish stated that this past weekend was the Antique Market and that on June 22nd will be

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Truck Tractor Pulls along with the Rotary Ride on the 30th. Mr. Jemison added that the Rotary wanted to expand and have moved the event to the fairgrounds, noting that the cost is \$25.00 per bike and includes breakfast and lunch this year, along with the addition of some motorcycle pulling. Mr. Jemison stated that the money goes to the Veterans and this year would be going to the Geauga County Veterans Housing Fund that is administered by Habitat.

Mr. Rogish stated that some upcoming events included helping their neighbor Kent State in celebrating their 50th Anniversary next year, adding that they will be having a musical celebration at night with a concert from the Cleveland Pops Orchestra and another Boy Scout Expo.

Mr. Rogish briefly explained that they have seen a change in their food agreement, noting that people will now have the option of bringing in their own food for events or partnering with concessions available. Mr. Rogish noted that the lease was up with the current concessionaire under the grandstand and with the fire suppression system needing to be upgraded it was better to not renew and have the expense of the upgrades, so that area will be revamped and used for additional concession space for vendors.

Mr. Rogish explained that they were looking to put \$120,000.00 into capital improvements this year that included continuing to pay on the sheep barn upgrades, and installing a new concrete floor in the flower hall with the addition of some additional new risers for displays. Roofs continue to be updated and this year will be done at the racehorse barn in paddock and storage areas. Mr. Rogish expressed the hope with the 'racinos' opening that it will spark interest in horse racing again and that they will be able to bring back the racehorses to the grounds as they have seen decline over the last several years. Painting continues every year and this year will include the First Aid building up on the hill and instead of painting the small grandstand they have decided to extend its life by re-siding it with metal. Mr. Rogish stated that they will be adding an information booth on the top of the hill that will include a photo booth. Mr. Rogish stated that ventilation always seems to be an issue in the heat and the amount of people in buildings and they look to add some to the poultry barn and merchant halls this year. Mr. Rogish noted that they have set aside \$20,000.00 for asphalt paving, will continue to update electrical as needed and that they will be doing some tuck and point in the bottom of the main grandstand, along with the renovation of the space underneath from the previous food concession.

Mr. Rogish expressed gratitude with the great news regarding the recent award in Columbus to Gerry Blair for being named the "Outstanding Fair Supporter", and that their most recent audit report from the State and had no findings or recommendations.

Mr. Rogish noted that the fair was only 77 days away, presenting the Board with their honorary member passes for the year and inviting them to hold their annual meeting at the fair, and to come for a tour over the summer for a behind the scenes look at the operation.

Mr. Plants added that Geauga is the envy of the state from the support they receive from the Board of Commissioners and the Sheriff. Mr. Rogish stated that the goal is to continue to preserve the Agriculture industry, keeping the fair a family fun event.

There was discussion about the Geauga Learns program Judge Grendell sponsors on Thursday each year with the Farm Bureau and the Soil and Water Conservation District that brings the sixth graders from West Geauga and Kenston out to experience the fair. Mr. Harris noted that they would be adding a Truck Pull on Monday afternoon as an attempt to bring attendance on Monday, noting that they have battled the schools for years regarding school year start dates. Other attractions include 2 demolition derbies, the two truck pulls, pig races in the midway and that Chris Higbee would be returning for a free show at the small grandstand. Mr. Rogish thanked the Board, adding that they were looking forward the fair this year.

Mr. Jemison thanked them for coming out and for all they do.

COMMISSIONERS' OFFICE – RESOLUTION

Commissioner Samide mentioned that Sister Christin had been at Notre Dame for many years, then went to St. Helens. It was noted that Sister Christin had spent the last day of school passing out all the awards to the kids and asked them all to pray together one last time and she had passed away that evening in her sleep.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-118 Honoring Sister Mary Christin Alfieri (Eugenia Maria Alfieri).

Board of County Commissioners, Geauga County, Ohio

Resolution: 13-118
Date: June 13, 2013

A RESOLUTION HONORING SISTER MARY CHRISTIN ALFIERI
(EUGENIA MARIA ALFIERI)

WHEREAS, Bernard and Frances Alfieri brought Eugenia Maria Alfieri into this world on July 10, 1952 in Cleveland with whom she was the sister to Gloria Camillo, John Kastelic and Angela Oriol; and

WHEREAS, Eugenia Maria Alfieri became Sister Mary Christin when she became part of the congregation of the Sisters of Notre Dame when she committed her life and love to God; and

WHEREAS, Sister Mary Christin ministered as an educator and principal for thirty-eight years with the most recent years being shared at St. Helen School in Newbury; and

WHEREAS, Sister Mary Christin shared her passion for catholic education and her love of God through the eyes of every child she taught and spent time with; and

WHEREAS, Sister Mary Christin will be remembered for her compassion, understanding, her love of animals and music; and

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby honor and remember Sister Mary Christin for her dedication and compassionate heart to the children and families of Geauga County.

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 – CANCEL SESSION - HOLIDAY

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to cancel session on Thursday, July 4, 2013 as the offices will be closed due to the Holiday.

<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

Mr. Jemison noted that they would having a Public Viewing at 2:00 p.m. on site to vacate a portion of section B of Wisner Road. This vacation is at the request of Chardon Township and it was noted that the residents had been notified of the viewing and the hearing.

OTHER – CLOSE OFFICES JULY 5, 2013

Commissioner Spidalieri brought up closing the offices on July 5th for discussion, to which Mr. Jemison did not see a problem as Mr. Lair indicated that the Courts, the Prosecutor's Office, the Treasury and the Recorder's Offices would be closed. Mr. Lair noted that the Sheriff would not be due to union concerns and that the County Engineer was undecided. Ms. Samide noted that if an employee wanted the time to use a vacation day.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to close the Geauga County Offices, under the hiring authority of the Board of Commissioners, in light of the Fourth of July Holiday on Friday, July 5, 2013. Twenty-four hour operations will continue to operate as normal. Further, in

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order to maintain operations, the employees under the hiring authority of the Board of Commissioners required to work on July 5, 2013 will be entitled to overtime rate in addition to their regular pay. (Bargaining unit employees are governed by provision of their collective bargaining agreement).

Roll Call Vote:	Commissioner Spidalieri	Aye
	Commissioner Samide	No
	Commissioner Jemison	Aye

Auditor Frank Gliha stated that his office would be open and that he would not be accepting any money for the Treasurer's or Recorder's office.

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending June 5, 2013 as required by O.R.C. 955.12.*
- b) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the prisoner transport for the month ending May 2013 as required by O.R.C. 325.07.*

OTHER

The Board reviewed upcoming events.

MEETINGS

Fri., 6/14 NOACA meeting, 10:00 a.m. Cleveland

Mon., 6/17 Family First Council, 2:00 p.m. at Mental Health

Tues., 6/18 The Commissioners will hold regular session with a follow up from Geauga Growth Partnership on the Tour in Carroll County

Thu., 6/20 The Commissioners will hold regular session, during which will hold a Public Hearing at 10:15 a.m. regarding the Convenience and Necessity for the vacation of a portion of Section B of Wisner Road, Chardon Township

Tues., 6/25 The Commissioners will hold regular session.

Wed., 6/26 Board of Revision, 9:00 a.m. Auditor's Office

Thu., 6/27 The Commissioners will hold regular session, during which will hold a Public Hearing at 10:30 a.m. to discuss the Geauga County 2014 Tax Budget

Tue., 7/2 The Commissioners will hold regular session.

*Thu., 7/4 **County offices will be closed for general business due to the Fourth of July holiday.**
Twenty-four hour operations will continue to operate as usual.*

The Regularly scheduled Commissioners' meeting is cancelled.

Mr. Jemison noted that after approval the offices will also be closed on July 5, 2013.

OTHER – DISCUSSION

Mr. Spidalieri brought up a question regarding obtaining information on how to get VFW Halls and American Legions to be able to waive their property taxes, to become tax exempt. Mr. Gliha noted that it is a discussion at the state level as a way to produce a second homestead exemption for Veterans; it was noted that the discussion was not about Veterans as individuals but the organizations they belong to. There was discussion about those places being required to show proof of income of less than \$12,000.00 a year so they could file to become tax exempt. Mr. Gliha stated that SB 59 says if an organization is 100 years old that you should be exempt from

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taxes, adding that he was unaware if it will go through but it is in discussion. Mr. Spidalieri noted that it makes sense to make a moratorium that a facility that is established to be able to get that status, but new organizations would have to be looked at differently. Mr. Spidalieri explained that these organizations are struggling to make it and it was then discussed that the current law would have to be amended, so the law under the ORC would have to be changed. Ms. Samide mentioned sending a letter to the legislators or calling them and let them know that we are in support. County Administrator David Lair mentioned contacting CCAO to see if other counties are also interested in supporting this and if anyone else was submitting letters of support. Discussion continued about those veterans and the organizations and when they joined and became active members.

RECESS

Mr. Spidalieri moved to recess at 10:45 a.m. until the onsite Public Viewing to be held at 2:00 p.m. regarding the Convenience and Necessity of the Vacation of a Portion of Section B of Wisner Road in Chardon Township.

PUBLIC VIEWING – VACATE PORTION OF SECTION B – WISNER ROAD, CHARDON TOWNSHIP

The Board reconvened at 2:13 p.m. and opened the Public Viewing for the Vacation of Portion of Section B of Wisner Road. In attendance were: Commissioner Jemison, Commissioner Samide, Commissioner Spidalieri, County Administrator David Lair, Commissioners' Clerk Christine Blair, County Engineer Joe Cattell, Jack McMillan, Chad Knisely and John Mauter.

Mr. Jemison stated that the Board had been presented by the Chardon Township Trustees with a request to vacate a portion of Wisner Road and asked County Engineer Joe Cattell to explain. Mr. Cattell noted that Chardon Township approached the Engineers office during the previous vacation process to vacate an additional section at which time they were notified that it must go to the Commissioners' Office. Mr. Cattell stated that they then submitted a letter of request to the Commissioners, which the Board did receive. Mr. Cattell stated that Chardon Township noted that this road is not serving the public at large and therefore does not serve the convenience and welfare of the public. It was noted that they do have a problem with the embankment slipping which is not a cost they want to deal with. The Commissioners' Office requested the Engineers to prepare a vacation plat depicting the area requested by Chardon Township and is an additional 700 feet beyond the previous vacation, noting that it is roughly from the guardrail to just short of the McMillan property. Mr. Cattell noted that Peitro's own two parcels next to McMillan along the section that is to be vacated. The group then walked on Wisner to the end to where the markers would be placed for the end of the vacation. Mr. Cattell stated that the property line of Mr. McMillan's property is in the center of the stream and the vacation will start roughly 35 feet from the property line. They discussed the right of way being 50 feet, 25 feet each way off the centerline. The road closure will be marked with signage and not be blocked with guardrail since the section will become private property. It was noted that Chardon Township will be putting in a turn around and will stop maintaining the road at the turn around and the rest will have to be maintained by the property owner for snow and ice removal. Mr. Cattell stated that part of the vacation proceeding will include the rights to obtaining rights to a non-motorized trail which we propose to be 30 feet wide and down the center of the old right away. This section of the ORC will allow public access to the river. There was discussion about the maintenance on the non-motorized trail and maintenance of the road if it ever slipped away. Mr. Cattell noted that the Board will have a right to, but not a duty to maintain. Mr. Cattell stated that Commissioners own all right-away even on Township roads, but it is his understanding that the Board does not have to maintain. This question will need to be clarified by the Prosecutor's Office in regards to the requirement of maintenance and just allowing the public access. Mr. Cattell stated that with concern to the slippage, the reason for maintaining the rights to the trail on the center line because it deviates to the left which will allow that trail to be around a lot longer than taking it off the side of the river. Property owners maintain ingress and egress rights, along with utilities rights of way that can never be erased. The question of the maintenance will hopefully be answered at the public hearing held on June 20th. Brief discussion took place regarding signage that will be placed stating road closed ahead, private property. Chardon Township will put a turnaround in and Mr. McMillan inquired about whether they would discuss the location in relation to his property. Mr. Jemison stated that a Public Hearing will be held at 10:15 a.m. on June 20th. Being no further questions or comments the Public Viewing was closed at 2:26 p.m.

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BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SPIDALIERI ADJOURNED THE MEETING AT 2:26 P.M.

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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