

Commissioners' Journal
January 13, 2011

The Geauga County Board of Commissioners met in session on January 13, 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 10:03 a.m. by asking Chief Deputy Scott Hildenbrand to lead 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 January 10, 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>

COUNTY TREASURER AND COUNTY AUDITOR – MONTHLY STATEMENT OF COUNTY FINANCES – DECEMBER 2010

Motion: by Commissioner Samide, seconded by Commissioner Young to accept, execute and file the monthly Statement of County Finances filed by the County Treasurer for the month of December, 2010 pursuant to O.R.C. 319.15.

<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 accept, execute and file the monthly Statement of County Finances filed by the County Auditor for the month of December, 2010 pursuant to O.R.C. 319.15.

<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>

COUNTY ENGINEER'S OFFICE – ACKNOWLEDGE RECEIPT OF PLANS – SET PUBLIC HEARING – ASPHALT RESURFACING AUBURN ROAD, CHARDON TOWNSHIP

Engineer Michael Stone explained that this was a Federal Aid project and the public hearing is for the environmental justice provisions within the Federal Code. The plans have been filed with the Commissioners and the Engineers are asking to set the hearing for February 1st to approve the plans and move ahead with the Federal funding. Commissioner Young asked for further information about something from four years ago, referencing the date of the resolution of May of 2007. Mr. Stone explained it as the first resolution that actually set up the project allowing them to pursue federal funding. As they go through the NOACA and Federal process, the TIP timeline now is about four years. Mr. Stone stated that they basically have to start their projects four years in advance. Mr. Stone explained that they had been lucky during ARRA times that they had projects that they put in for and moved up due to projects being finished and allowing other items to also get done. It most often occurs that the first resolution for a given project is dated in a year previous to its completion. Commissioner Samide commented that sometimes they (NOACA) have extra money left over when they go through the projects and that little bit of money opens up to allow for other projects and sometimes our projects are able to get in on it. Commissioner Jemison commented that we had gotten a few extra projects in last year. Mr. Stone responded that last year was a very big year.

Motion: by Commissioner Samide, seconded by Commissioner Young to acknowledge Receipt of Plans for the Asphalt Resurfacing of Auburn Road (CH 4, Sections S-U) in Chardon Township per Resolution #07-082 approved May 3, 2007. This will set a public hearing to be held February 1, 2011 at 10:15 a.m. Notice of this hearing will be published on January 20 and January 27, 2011.

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<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>

*COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE BASS LAKE ROAD,
MUNSON TOWNSHIP*

Mr. Stone stated that this was the first resolution in that process to start putting it all together, including the design and plans for the project this summer. Mr. Stone explained that they will be doing some further studying as there seems to be some drainage issues in the lower section just north of the township line. This project includes a portion of section D, starting at Butternut and going north to Mayfield Rd.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-005 to Improve Bass Lake Road (CH 23, Section D&E) in Munson Township.

Board of County Commissioners, Geauga County, Ohio

Resolution: 11-005
Date: January 13, 2011

***RESOLUTION TO IMPROVE A PORTION OF SECTION D &
SECTION E OF BASS LAKE ROAD (CH 23) IN MUNSON TOWNSHIP***

WHEREAS, the Board of County Commissioners of Geauga County has determined the public convenience and welfare requires the improvement of Sections D&E of Bass Lake Road from the Newbury / Munson Township line to Mayfield Road (US 322) in Munson Township in accordance with Section 5555.022 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Geauga County that the public convenience and welfare requires the improvement of Sections D&E of Bass Lake Road from the Newbury / Munson Township line to Mayfield Road (US 322) in the Township of Munson, County of Geauga by constructing and reconstructing culverts, performing drainage improvements, widening, asphalt resurfacing and improving the shoulders as necessary.

BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.

BE IT FURTHER RESOLVED that special assessments to real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be appointed as follows:

The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants that may be secured for the project.

BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way of Bass Lake Road, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.

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

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<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>

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – ADVERTISE FINDING OF NO SIGNIFICANT IMPACT (FONSI) – NOTICE OF INTENT TO REQUEST A RELEASE OF FUNDS (NOI/RROF)

Director Anita Stocker explained that this was the first step to getting environmental clearances and notification process for the projects that actually move dirt. Ms. Stocker stated that the Formula Grant that was approved last year covers new construction for Habitat, paving a section at Chagrin Falls Park Community center, demolition at Chardon Rubber, and an umbrella for all the septic replacements.

Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise a Finding of No Significant Impact (FONSI) on the Environment for a Combined Notice of CDBG Grant #B-F-10-1AZ-1 for Habitat for Humanity Middlefield Village new construction, Chagrin Falls Park, Demolition and Clearance Project in Chardon City, Septic Replacement; and a Notice of Intent to Request a Release of Funds (NOI/RROF). This notice will be published on January 20, 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 – STOP VIOLENCE AGAINST WOMEN (VAWA) GRANT - OHIO OFFICE OF CRIMINAL JUSTICE SERVICES QUARTERLY SUBGRANT REPORT

Chief Deputy Scott Hildenbrand stated that this was to close out the VAWA grant so they can request the reimbursement amounts.

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 for the STOP Violence Against Women (VAWA) Grant #2009-WF-VA2-8214 for the period ending December 31, 2010.

<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>

PROSECUTOR'S OFFICE – PROSECUTOR'S CRIMINAL JUSTICE INVESTIGATOR SUBGRANT AWARD AGREEMENT – OHIO OFFICE OF CRIMINAL JUSTICE SERVICES

Prosecutor Karen Sweet explained that this grant pays her salary for being the criminal investigator for County Prosecutor David Joyce. The grant was awarded for \$40,000.00, with a match approved for \$13,000.00. The actual cost is \$80,000.00, the other \$20,000.00 is provided through the county and the remaining \$20,000.00 is made up by doing investigations for the Solid Waste District. Mr. Jemison asked if they were the same numbers. Ms. Sweet stated they keep decreasing the amount from Ohio Office of Criminal Justice Services, but that this was the same amount as last year.

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 Subgrant Award Agreement for the Prosecutor's Criminal Justice Investigator, Karen Sweet for the period of January 1, 2011 through December 31, 2011 in the amount of \$60,000.00 (\$40,000.00 from Ohio Office of Criminal Justice Services and \$20,000.00 from the General Fund) subgrant #2010-JG-A02-6468.

<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>

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DEPARTMENT ON AGING – USE OF COUNTY CREDIT CARDS

Motion: by Commissioner Samide, seconded by Commissioner Young to approve the use of credit cards for the 2011 year for a BP Oil in an amount not to exceed \$1,500.00 per month, a Giant Eagle Gas Card in an amount not to exceed \$1,500.00 per month and a PNC Giant Eagle in an amount not to exceed \$1,500.00 per month.

<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 Application for Authorization to Permit the Use of County Credit Cards form (Personnel Policy 7.11 form – ORC 301.27) per month for JoAnna Brace, Tom McGrew, Cecil Hinkle, Kathy Petrella, Bobby Seagraves, Bob Debevits, Bernadette Gliha, Adam Van Boxel, Liz Slattery, Dave Craig, Karen Fueger, Beth Perko, Chris Anspach, Karen Stone, Becky Samardge, and Sally Bell.

<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>

DEPARTMENT OF EMERGENCY SERVICES – USE OF COUNTY CREDIT CARDS

Motion: by Commissioner Samide, seconded by Commissioner Young to approve the use of credit cards for the 2011 year for a BP Oil card in an amount not to exceed \$1,000.00 a month, a PNC Giant Eagle card in an amount not to exceed \$1,000.00 a month and a Home Depot Card in an amount not to exceed \$1,000.00 a month.

<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 Application for Authorization to Permit the Use of County Credit Cards form (Personnel Policy 7.11 form – ORC 301.27) per month for Dale B. Wedge, Judith A. Oberstar, Brian M. Laney and Kenneth L. Folsom.

<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>

LIQUOR LICENSE – MAC'S CONVENIENCE STORES, LLC (D.B.A. CIRCLE K #5377)
RUSSELL TOWNSHIP

Motion: by Commissioner Samide, seconded by Commissioner Young to concur with Russell Township Trustees in not requesting a hearing on the liquor license requested by Mac's Convenience Stores, LLC (d.b.a. Circle K #5277) located at 14857 Chillicothe Rd. Russell Township (C NEW 5405419-5277).

<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 – AUDITOR TO DISTRIBUTE BALANCE OF FUNDS TO WOMENSAFE

Motion: by Commissioner Samide, seconded by Commissioner Young to request the County Auditor to distribute the balance in the Domestic Violence Fund (WW) to WomenSafe, the local agency designated by the Commissioners to receive such monies. This allocation is to be paid pursuant to Section 311.22 of the O.R.C. for the 2010 year, in the amount of \$16,318.00.

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Board of County Commissioners, Geauga County, Ohio

Resolution: 11-006
Date: January 13, 2011

A RESOLUTION HONORING GENEVIEVE JANNAZO
ON CELEBRATING HER 100TH BIRTHDAY

WHEREAS, Genevieve Jannazo was born on January 14, 1911 as the second of twelve children, and celebrates her 100th birthday as one of the seven remaining family members; and

WHEREAS, Genevieve Jannazo moved to the Cleveland area when she was eighteen and spent most of her working life at the Department of the Navy preparing payroll for sailors; and

WHEREAS, Genevieve Jannazo has a love for traveling abroad to Europe, Venezuela, and many other places of pilgrimage of faith, a love of music, as she sang in her church choir for thirty years, loved going to the Opera and performing. Genevieve loves photography, painting landscapes and stills, and now loves to watch and play along with her favorite show Jeopardy; and

WHEREAS, Genevieve Jannazo has devoted most of her life to working for other people by fundraising and bake sales for foreign missions for the church, through the many charities and organizations that she belonged to, taking care of her family by being the "fun babysitter" to her many nieces and nephews or by taking care of her sister for six months in California; and

WHEREAS, Genevieve Jannazo still attends Mass every Sunday and sometimes during the week, has finally passed on the talent of weaving the palms for church services and processions, still cooks for herself and does her own laundry, is an independent women with a very big heart; and

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby celebrate and honor Genevieve Jannazo on her 100th Birthday surrounded by her loving family and friends,

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>
	<i>Commissioner Young</i>	<i>Aye</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>

MEETINGS

Thu., 1/13 Microfilming Board Meeting, Archives and Records Center at 1:30 p.m.

Fri., 1/14 NOACA Meeting at 10:00 a.m.

*Mon., 1/17 **County offices will be closed for general business due to the Martin Luther King Jr. holiday. Twenty-four hour operations will continue to operate as usual.***

*Tues., 1/18 **The Regularly scheduled Commissioners' meeting is cancelled.***

Thu., 1/20 The Commissioners will hold regular session.

Thu., 1/20 Investment Advisory Committee Meeting (following session in Chambers)

Tues., 1/25 The Commissioners will hold regular session.

Thu., 1/27 The Commissioners will hold regular session.

OTHER

Mr. Jemison stated that he had received information and wanted to make sure that the other Commissioners were invited to a meeting being held Thursday, January 20, 2011 at 6:30

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p.m. at the Hambden Town Hall regarding injection wells. Mr. Jemison explained that there had been a story run on Channel 3 about old abandoned gas wells that they are injecting chemicals into. There will be zoning inspectors and the Environmental Protection Agency (EPA) present as well. Ms. Samide noted that they also have a visit that day at 2:30 p.m. to EEI. The Commissioners discussed the request by the Auditor to give a presentation on the Economic State of Geauga the week of March 15th.

COMMISSIONERS' OFFICE – CHANGE THE LOCATION OF MEETING – MOVE TO BUILDING 8 MEETING ROOM

Motion: by Commissioner Samide, seconded by Commissioner Young to approve changing the location of the meeting on March 15th to the Building Eight (8) meeting room.

<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 – PUBLIC HEARING – ANNEXATION OF ST. LUCY'S CHURCH INTO MIDDLEFIELD VILLAGE

Commissioner Jemison asked for a motion to waive the reading of the legal notice.

Motion: by Commissioner Samide, seconded by Commissioner Young to waive the reading of the legal notice for the public hearing.

<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>

Commissioner Jemison opened the public hearing at 10:30 a.m. and after swearing in Maryellen Staab, Director of Housing Development for Catholic Charities Housing Corporation, Mr. Jemison asked Ms. Staab to explain the reason for the request. Ms. Staab explained that she was there to discuss the annexation of the property on the St. Lucy's Church parcel. Ms. Staab explained that their desire was to petition the Commissioners to annex the parcel from the Township of Middlefield to the Village for the purpose of utility services to move forward with the development of the senior housing proposal. The proposed project received funding through the state of Ohio in 2010. In order for them to move forward with the plans, construction review they are requesting to be annexed into the Village. Ms. Samide commented that they wanted to be annexed for better sewer and water.

Mr. Jemison opened the hearing to anyone for questions or comments and he or she please state their name and allow if needed, be sworn in. Mr. Jemison stated they the Commissioners had received letters from both Middlefield Township and Village stating that neither are objecting and that they both were in agreement with this request.

David M. Ondrey, solicitor for the Village of Middlefield stated that they were not objecting and that they had entered into an agreement to permit this annexation to go forward once it's given approval by the Commissioners. The Village understands that the process requires the Village be notified and that they then cannot do anything for a sixty-day period. Mr. Ondrey stated that they already were in active discussions as to the layout of the facility once it's built. Mr. Ondrey stated that council member Scott Klein and village administrator Dan Weir were present if there were any questions, but that from the perspective of the Village it was a desirable event.

Mr. Jemison stated that in order to satisfy all the requirements for the O.R.C., those present should explain the benefits to the territory proposed to be annexed and the surrounding area and if the benefits will outweigh the detriments. Ms. Staab stated that she would defer to their agent Carolyn Schuemann or their attorney Randy Shorr.

Mr. Jemison swore in Ms. Schuemann. Ms. Schuemann stated that they certainly looked at that section and felt very confident that if the annexation is approved that the senior development would be moved forward and that both areas would benefit from it and that it would not be detrimental to the Township that it would be annexed from. As mentioned by Ms. Staab, utility services are necessary to move forward with development and that need outweighs any detrimental effects of the movement from the Township to the Village.

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Ms. Samide noted that on a map of the area in question, there is a little area in the middle of the Village that is part of the Township, and that this appears very unusual. The Village surrounds the Church, so as for placement goes, the church property is surrounded by the Village.

Attorney Randy Shorr commented that one condition for annexation is that the territory is not unreasonably large and in this case everyone is aware this is a single parcel that is essentially surrounded by the Village as it now stands. This is a single parcel with a single owner and that they are not moving a large swap of territory and that they satisfy that one condition of the annexation.

Ms. Samide stated that they have sidewalks that go down to the Church. Commissioner Young stated that about 2-3 years ago those were put in for around \$70,000.00 using a Block Grant. Ms. Samide asked if there was anyone not happy about the annexation. Ms. Staab responded none that they were aware of, that they had not received any feedback from any of the notifications. Mr. Young commented that this has no impact, and asked what was on the south side of Kinsman Rd (Route 87). County Administrator David Lair responded that single-family homes were located there. Mr. Jemison commented that it was nice to get the sidewalks down and even if this project wouldn't have gone through just reaching the Glen Valley development was important.

Mr. Jemison posed the question that no street or highway would be divided or segmented by a boundary line due to this annexation. Ms. Schuemann responded that it was not an issue.

Mr. Ondrey from Middlefield Village stated that for the record for the good of the territory that the Township would not be losing any real estate taxes due to the nature of the current use. Mr. Jemison stated that the Township had alluded to that fact in a letter to the Commissioners as a reason why they were not objecting.

Being no further comments or questions from the public Commissioner Jemison closed the public hearing at 10:37 a.m.

Mr. Jemison stated that as part of the public hearing the Commissioners have thirty (30) days to make a decision and that they were waiting to receive a finding of facts from the Assistant Prosecutor. Once that is received the Commissioners will make a decision on the request for annexation and understand that there are some deadlines and will try and do this as soon as possible.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Samide, seconded by Commissioner Young to move into executive session for the purpose of discussing the R.C. 121.22(G)(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

<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>

The Board returned from executive session at 11:25 a.m. Mr. Jemison stated that for the record Laura LaChapelle, David Lair, and Scott Hildenbrand were present in executive session. No action was taken as a result of this executive session.

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending January 5, 2011 as required by O.R.C. 955.12.*
- b) The Monthly Inventory Report, Consolidated Investment Portfolio and Obligations and Securities monthly reports filed by the Treasurer's Office for Geauga County for the Month of December 2010, pursuant to ORC 135.35(L).*

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- c) *The 2010 Annual Inventory of all materials, machinery, tools and other county supplies pursuant to ORC 305.18 for the following: Aging, Archives/Records Center, Board of Developmental Disabilities, CASA, Clerk of Courts, Legal and Title, Common Pleas Court – Judge Fuhry, Community Development, Commissioners, Department of Emergency Services, Engineer, Intensive Supervision Probation, Maintenance, Mental Health, Planning, Probate/Juvenile Court, Recorder, Soil and Water, Transit and Water Resources*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 11:25 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

William S. Young

Mary E. Samide

Christine Blair, Commissioners' Clerk