

**Commissioners' Journal**  
**December 17, 2009**

*The Geauga County Board of Commissioners met in session on December 17, 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 10:07 a.m. by leading 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 December 10, 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>

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of December 15, 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>

**APPROVE FINANCIALS**

*Budget Specialist Heidi Delaney explained the financials as including a Revenue De-certification for the General Fund in the amount of \$650,000.00; cash transfers for the November phone and unemployment charges; and a payment into the General Fund from the Department on Aging for 2009 cost allocations in the amount of \$55,592.00.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-227 itemizing the financials for the meeting of December 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>

**SHERIFF'S OFFICE – RBC INCORPORATED AGREEMENT – COLLECTION SERVICES**

*Sheriff McClelland explained the "Pay to Stay" program as inmates being assessed a fee by the county courts to stay in the jail. Approximately \$240,000.00 is outstanding and has not been collected by the normal efforts of the Sheriff's Office, some being impossible or very difficult to collect. This is the same service used by the Clerk of Courts for their collection efforts. The rate per day to stay is \$67.50 per day, with some adjustments which follows the O.R.C. RBC Incorporated receives 30% of the collected funds. If they don't collect there is no fee.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the RBC Incorporated Agreement for Collection Services for recovery of delinquent accounts under the "Pay to Stay" program.*

<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>

**DEPARTMENT OF JOB AND FAMILY SERVICES – CHILD SUPPORT ENFORCEMENT AGENCY IV-D SERVICE CONTRACT**

*Assistant Director Paul Reiman stated that the Child Support Enforcement Agency is required to do administrative reviews for modifications for child support orders if either party requests it. A desk review is done and if either party finds fault with the review then a hearing is held. Mr.*

**Commissioners' Journal**  
**December 17, 2009**

*Orndorff then becomes the hearing officer. This contract is for the same amount per hour as last year.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Ohio Department of Job and Family Services IV-D Service Contract between Geauga County Child Support Enforcement Agency and Jeffrey T. Orndorff, Attorney-at-Law, for services for the period of October 1, 2009 through September 30, 2010, in the amount of \$95.00 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>

**DEPARTMENT ON AGING – WAIVER OF NOTICE PROBATE OF WILL FOR CONSTANCE H. THOMAS**

*Director Sally Bell stated that one of her staff members took out Ms. Thomas's windows and put them back every spring and fall so she left a portion of her will to the department. Ms. Thomas left money to several other community organizations as well. Ms. Bell added that they are very grateful and the funds will go to the home maintenance program to help other seniors.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Geauga County Probate Court of Geauga County Waiver of Notice of Probate of Will for Constance H. Thomas in recognition of the bequeath of \$5,000.00 to the Geauga County Department on Aging.*

<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>

**DEPARTMENT OF WATER RESOURCES – UNITED SURVEY INCORPORATED CONTRACT AGREEMENT – MCFARLAND CREEK SEWER SYSTEM REHABILITATION**

*Director Doug Bowen explained that this request is one of the three phases of stimulus money they are getting for this project. The money is being spent internally now as the EPA will only allow a one time grant application. Once the last contract is signed they can then apply for the grant for all three phases and then receive all their stimulus funding. They will receive \$600,000.00 through this grant.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Contract Agreement (document book) between the Geauga County Board of Commissioners and United Survey Incorporated for the McFarland Creek Sewer System Rehabilitation Project, Phase 3, in the amount of \$267,965.00.*

<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>

**DEPARTMENT OF WATER RESOURCES – RELEASE BID BOND – 2009 LAWN MAINTENANCE**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to release the Bid Bond for Steve Cardile (d.b.a. Northcoast Lawnsapes) for the 2009 Lawn Maintenance Program (Southern Locations Contract), as all specifications have been met.*

<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 – PROMOTE JOHN L. KLINGMAN – FULL TIME DRIVER #2210**

*Director Kristina Reider explained that this motion is to replace an employee who was on FMLA and will not be returning to work.*

**Commissioners' Journal**  
**December 17, 2009**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the promotion of John L. Klingman to the position of Full-time Driver (#2210) to be effective December 17, 2009, with no change in pay or probation to be met as he has been employed within the department since 2004.*

<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 – SHARON ZARACK**

*Director Kristina Reider stated that two of her four new hires have resigned.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the resignation of Sharon Zarack, Part-time Driver, to be effective December 4, 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>

**TRANSIT DEPARTMENT – ACCEPT RESIGNATION – FRANK LOMBARDO**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the resignation of Frank Lombardo, Part-time Driver, to be effective December 4, 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>

**TRANSIT DEPARTMENT – ADVERTISE THREE PART TIME DRIVERS #2210**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for the position of three (3) Part-time Drivers (#2210) in the Department of Transit.*

<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 –CORSA CLAIM AND LITIGATION – WORKERS' COMPENSATION GROUP "RETRO" RATING PROGRAM**

*The Board conducted a telephone conference with CORSA Claim and Litigation Manager Elizabeth Miller, Esquire on the County Commissioners' Association of Ohio (CCAO) 2010 Workers' Compensation Group Retrospective Rating Program. Human Resources Administrator Colleen Lockhart and Benefits Specialist Kathy Hostutler were present for the discussion. Ms. Lockhart explained that Geauga County has been invited by CCAO to join this new Group Retrospective Rating Program which is administered by CompManagement. CCAO is a Bureau of Workers Compensation (BWC) Certified Sponsor. This program focuses on controlling costs, preventing injuries and monitoring pending legislation. The program allows employers to pool/share risk, with safety being the key to a successful program. They do not share premium dollars but they are sharing risk. All the counties that join have a stake in continuing to improve their claims and having a good safety program. There are 23 counties in the state that are eligible to join, twelve said yes, eight said no and three (one being Geauga County) were undecided. Ms. Miller stated that the group will go ahead even without Geauga County as they have enough members. Ms. Lockhart explained that Geauga County was penalty rated and now we are credit rated. Ms. Lockhart credits the chargeback program as it made the elected officials and department directors aware of claims and costs. Ms. Miller stated that some counties are not doing the chargebacks but CCAO is looking to try to require it for the program next year. Geauga County successfully completed three years of PDP plus program, and received a discount each year in this program. Ms. Hostutler stated that this year they reduced the claim severity and frequency to the extent that the county received the full 20% discount, which lead to receiving a check back from BWC. Ms. Lockhart added that being in Geauga Safety Council, maintaining eligibility, excellent claims management and working closely with the departments were also contributing factors. Ms. Lockhart stated that a lot of BWC discount programs are going away. Ms. Miller added that all of those reasons mentioned are why Geauga*

**Commissioners' Journal**  
**December 17, 2009**

County is a good candidate for the Group "Retro" program. CCAO went through their own underwriting process and only invited counties with some of the previously mentioned trends just reported on including salary continuation (which reduces costs that impact an ultimate refund). They reviewed claims from 2006 to 2008, counties with declining loss ratios in evaluation period and frequency trends. Ms. Miller stated that in the 2010 plan year/payroll year the counties will pay their individual experience rated premium to BWC which is due in May of 2011. A year from the end of the plan year (December 2011) the BWC will evaluate the experience of the group as a whole. It will look if the developed losses of the group are over or under the premium paid by the group. If the developed losses are lower than the group would receive a rebate. CCAO and

CompManagement project a savings of at least 13%. There will be three evaluation periods and opportunities to measure performance: 24 months (January 2012), 36 months (January 2013) and 48 months (January 2014). However, there could also be an assessment if the losses are not lower. The group can choose a cap on the assessment; they chose a 5% cap. In May Geauga County will pay their estimated premium of \$709,419 (last year the premium was \$1,040,153.00). There is an estimated additional refund of \$80,587 minus administrative fees of \$8,870 (CCAO pays to CompManagement). Ms. Miller added that Geauga's premium is going down anyway, on its own, because of the above mentioned programs. Ms. Lockhart added that if the county is not happy with the program we simply do not sign up again next year as it is an annual enrollment to participate. Commissioner Jemison commented that this appears to be the best deal for Geauga County especially since the BWC is no longer giving out discounts. Commissioner Jemison asked if there was a penalty if Geauga County wants to pull out of this program next year. Ms. Miller replied that there was no penalty.

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the County Commissioners Association of Ohio (CCAO) Workers' Compensation Group Retrospective Rating Plan Agreement and enrollment forms (BWC Employer Statement, 2010 Group Retrospective Rating Enrollment Questionnaire) between CCAO Service Corporation and the Geauga County Board of Commissioners, pending review from legal counsel.

<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>

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – AMENDED  
SUBORDINATION AGREEMENT PROPERTY MORTGAGE – EEI ACQUISITION  
CORPORATION**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the amended Subordination Agreement Property Mortgage between the Geauga County Board of Commissioners, Ohio Commerce Bank and U.S. Small Business Administration for EEI Acquisition Corporation (d.b.a. Engineered Endeavors Incorporated) to reflect the amended total amount of the bank loan to \$2,000,000.00.

<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>

**MEETINGS**

*Fri., 12/18 Department of Water Resources luncheon.*

*Fri., 12/18 Geauga-Trumbull Solid Waste District Board of Directors meeting luncheon in Warren at noon*

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

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

*Thu., 12/24 **The Regularly scheduled Commissioners' meeting is cancelled.***

Commissioners' Journal  
December 17, 2009

Thu., 12/24 *The County Offices, under the hiring authority of the Board of Commissioners, will be closed at noon (half day).*

Fri., 12/25 *The County Offices, under the hiring authority of the Board of Commissioners, will be closed for the Christmas Holiday. Twenty-four hour operations will continue to operate as normal.*

Tue., 12/29 *The Commissioners will hold regular session.*

Thu., 12/31 *The Regularly scheduled Commissioners' meeting is cancelled.*

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

*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*