

Commissioners' Journal
January 29, 2013

The Geauga County Board of Commissioners met in session on January 29, 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 January 24, 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 Supplemental Appropriations for the Community Development Revolving Loan Fund and the Job and Family Services Children's Services Fund to appropriate carryover balances; a Cash transfer out of the General Fund for 2013 funding for the Building Improvement Fund; a purchase order for Safety Company d.b.a. Mtech Company for the state term bid purchase of a GapVax MC Series Combination Jet/Vacuum vehicle for the Department of Water Resources in the amount of \$377,585.00; Travel requests for the Common Pleas and Juvenile Courts and the Department of Job and Family Services, and a payment to McPhillips Plumbing & Heating for the purchase of two (2) HVAC units at the Thompson and Chardon tower sites in the amount of \$17,770.00.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-012 itemizing the financials for the meeting of January 29, 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>

SHERIFF'S OFFICE – EQUITABLE SHARING AGREEMENT AND CERTIFICATION AFFIDAVIT – JOINT INTERDICTION TASK FORCE

Sheriff Dan McClelland explained that this was a federal law enforcement trust report that is required to be submitted on an annual basis regarding the county's participation in the joint interdiction task force; to help stem the flow of narcotics into northeast Ohio. Sheriff McClelland stated that this program results in oftentimes intervening to help stop criminal acts, with the county sometimes receiving a portion of money or property seized from convicted individuals. This trust report shows amounts received under the grant provided for participation in the task force, as well as how those grant monies are spent. Sheriff McClelland noted that this funding cannot be used for employee salaries, except if overtime is used on a case. Sheriff McClelland explained that oftentimes these investigations can take a lot of time, up to 2 years in some cases. Sheriff McClelland stated that one Geauga deputy is assigned to work on this task force, which sees a lot of drug transactions involving couriers coming through airports and bus terminals. Commissioner Jemison stated that the county still gains in terms of revenues versus expenses by participating in this program; Sheriff McClelland added that in the process, law enforcement is doing what it is supposed to do, and he concluded that it never ceases to amaze him how much activity comes through the airport.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Equitable Sharing Agreement and Certification Affidavit for Existing Participation allowing continued participation in the Joint Interdiction Task Force based at Cleveland Hopkins International Airport.

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

TRANSIT – CONTRACT AMENDMENT – REDUCE 2009 ARRA GRANT

Director Kristina Reider expressed that this was good news, that this was a reduction to a grant. Ms. Reider explained that this amendment is to the original grant total for technology upgrades. Ms. Reider noted that this amendment to the contract allows Ohio Department of Transportation (ODOT) to clean up the paperwork on their end. Ms. Reider stated that the swipe card fare box project is the only thing left to implement in this technology upgrade and the funds for that project are set aside in this amount.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to execute a Contract Amendment (Project Number RPTS-0028-001-093) to the 2009 ARRA grant, reducing the contract \$103,747.00 based on actual contract award amounts and expenses for technology projects done under this grant. (Original grant amount was \$834,078.00 reduced to \$730,331.00).

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

TRANSIT – V.I.P. MAINTENANCE PROTECTION AGREEMENT – MT BUSINESS TECHNOLOGIES, INCORPORATED

Ms. Reider stated that this was the end of a long process which started with the intent to lease a copier but resulted in the purchase of the copier at a substantial savings. Ms. Reider stated that she was asking for approval on the maintenance contract for the new copier. County Administrator David Lair added that he had reviewed the quotes received from three vendors, and the quote from MT Business was substantially less on the purchase price for the copier, with maintenance costs per copy comparable to the other vendors' quoted pricing.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to initial and execute the MT Business Technologies, Incorporated V.I.P. Maintenance Protection Agreement for a Ricoh MP C3200 Copy machine for a five year period at a cost per month of \$19.95 for Black /White, (first 2,500 pages then any additional pages at a cost of \$0.0082) and a per page cost of \$0.055 for Color, then the cost per copy may see a maximum increase in year four (4) of seven percent (7%) and year five (5) of ten percent (10%).

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – AYERS WELL DRILLING

Director Doug Bowen explained this service contract was being put into place for emergency work that may be needed on any of Water Resources well pumps and related equipment.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute a service Contract Agreement with Ayers Well Drilling to perform well and well pump services as needed at various water facilities within the department for the Year 2013 in an amount not to exceed \$15,000.00.

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

DOG WARDEN – OPEN DOG SHELTER – OPPORTUNITY TO PURCHASE DOG LICENSE

Dog Warden Matt Granito explained that normally the dog shelter is closed on Thursday, but would like to be open in the evening on the last day that tags are available at the \$10.00 fee. Starting February 1st, license fees increase to \$20.00 each. Mr. Granito stated that so far the

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dog license sales are down about 500 tags as compared to previous years. Mr. Granito stated that he is working with the media and had been distributing door tags as reminders to some areas of the county. Mr. Granito added that he was looking next year to possibly add doing a phone campaign as well, to remind dog owners of the January 31st deadline. Mr. Granito added that one of the benefits of getting a dog license is a "get out of jail free" card, whereas the fee to retrieve a dog starts at \$70.00 without a license and increases from there.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to grant permission for the Dog Shelter located at 12513 Merritt Road, Chardon be open on January 31, 2013 from 6:00 p.m. to 9:00 p.m. to give citizens a last chance opportunity to purchase dog licenses at the price of \$10.00, as effective February 1, 2013 the price increases to \$20.00.

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

DOG WARDEN – ADVERTISE PART-TIME TEMPORARY KENNEL ATTENDANT

Mr. Granito explained that his kennel attendant had resigned in December and he is currently running the department with one less staff employee; normally having two deputies and an attendant to cover operations during the 25 hours per week the dog shelter is open to the public. Mr. Granito noted that he had recently found out that one of his deputies will be having knee surgery and will be out for several months. Instead of hiring a permanent attendant, Mr. Granito stated that he wanted to go with a temporary employee until they determine what they are going to do regarding revenues.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to grant permission to advertise for the position of Part-time Temporary Kennel Attendant (#1604). This position will remain posted until filled.

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

COMMISSIONERS' OFFICE – RELEASE FORM – DOG WARDEN'S BOND

Mr. Granito stated that per the ORC he is required to hold a bond at \$2,000.00 each for himself and his deputies that has been processed annually through Pease-Kerr-Canfield. Recently he had been advised by Human Resources that our property/casualty insurer CORSA that our coverage with them covers the provision of the Dog Warden bond, so the outside bond can be released. Commissioners' Clerk Christine Blair noted that this current bond has been in place since 1997 and has rolled over annually with a renewal.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to execute a Release Form for a Public Official's Bond for the Dog Warden to be effective January 1, 2013.

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

COUNTY ENGINEER'S OFFICE – REDUCE LOAD LIMIT 33% ON COUNTY AND TOWNSHIP ROADS

County Engineer Joe Cattell explained that he was asking the Board to approve the 33% load limit reduction. Ms. Cattell added that they would only be implementing this reduction on the roads for which they feel it is necessary based on the subgrade construction and whether the road had been cement stabilized. Mr. Cattell stated that the former state routes such as Ravenna Road north of Chardon Square (old Route 44) and East Washington Street in Bainbridge and Auburn (formerly part of Route 422) were constructed to state standards and would not need the 33% reduction. Mr. Cattell added that his department will watch the freeze thaw cycle, as they want to protect those roads during this time, added that signs will be posted for those roads affected by this weight reduction, so no one will be guessing.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve the reduction by 33% to the maximum load limit permitted on all County and Township roads effective February 12, 2013 in accordance with Section 5577.07 of the Ohio Revised Code. This reduction is necessary to minimize damage to the roads during periods of freeze and thaw and excessive moisture.

<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 THE IMPROVEMENT OF AUBURN ROAD (CH 4, SECTIONS Q & R) CHARDON TOWNSHIP

Mr. Cattell explained that the public hearing for this improvement was held at a previous commissioners' meeting with no issues raised, and that he anticipates traffic will be maintained during this project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-013 to Order the Improvement of Auburn Road (CH 4, Sections Q & R) in Chardon Township.

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

Board of County Commissioners, Geauga County, Ohio

Date: January 29, 2013

Resolution: 13-013

RESOLUTION TO ORDER THE IMPROVEMENT OF SECTIONS Q&R OF AUBURN ROAD (CH 4) IN CHARDON TOWNSHIP

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution #11-149 that the public convenience and welfare requires the improvement of Auburn Road from Thwing Road (CH 27) to Mentor Road (CH 5n) in Chardon Township by grading, paving, draining, widening, constructing and reconstructing the bridges and culverts as necessary or otherwise improving the same in accordance with Section 5555.06 of the Ohio Revised Code; and

WHEREAS, no lands are needed to be taken relative to the improvement of Sections Q&R of Auburn Road; and

WHEREAS, the Geauga County Board of Commissioners after holding a hearing for objections for the improvement of Auburn Road is satisfied that the public convenience and welfare require that said improvement be made; and

WHEREAS, plans and specifications for this project have been reviewed and approved by the Ohio Department of Transportation; and

WHEREAS, federal aid funding has been secured for this project and the cost of such improvement will not be excessive in view of the public utility thereof.

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 hereby adopts the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from federal aid and local funding sources in accordance with Section 5555.43 of the Ohio Revised Code.

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 Chardon Township Board of Trustees and the Geauga County Engineer.

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Roll Call Vote: *Commissioner Spidalieri* *Aye*
 Commissioner Samide *Aye*
 Commissioner Jemison *Aye*

**COMMISSIONERS' OFFICE – RESCIND MOTION JANUARY 14, 2013 SET
COMPENSATION DRAINAGE ENGINEER**

Mr. Jemison explained that because there had been some confusion on the setting of the drainage engineer's compensation that he had met with Mr. Cattell and they both agreed that the general agreement in place for the past several years had been 10% of the Engineer's salary. Some confusion had occurred due to the amounts approved by the Commissioners for a number of years being changed due to the number of weeks of pay and corrections of copy and paste. Mr. Jemison stated that the Memorandum of Understanding being presented for approval today pretty much codifies it at the 10% figure and expressed his appreciation for Mr. Cattell and his cooperation.

Motion: *by Commissioner Spidalieri, seconded by Commissioner Samide to rescind the motion from January 14, 2013 that read: set the compensation for the Drainage Engineer, Joe Cattell at a bi-weekly rate of \$417.61 effective with Pay #2.*

Roll Call Vote: *Commissioner Spidalieri* *Aye*
 Commissioner Samide *Aye*
 Commissioner Jemison *Aye*

**COMMISSIONERS' OFFICE – MEMORANDUM OF UNDERSTANDING – DRAINAGE
ENGINEER**

Motion: *by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute a Memorandum of Understanding regarding the Appointment and Compensation of the Drainage Engineer between the Geauga County Board of Commissioners and the Geauga County Engineer.*

Roll Call Vote: *Commissioner Spidalieri* *Aye*
 Commissioner Samide *Aye*
 Commissioner Jemison *Aye*

COMMISSIONERS' OFFICE – SET COMPENSATION – DRAINAGE ENGINEER

Motion: *by Commissioner Spidalieri, seconded by Commissioner Samide to set the compensation for the Drainage Engineer, Joe Cattell, for the Year 2013 at a bi-weekly rate for pay #2 at \$417.61 and beginning with pay #3 at \$343.87.*

Roll Call Vote: *Commissioner Spidalieri* *Aye*
 Commissioner Samide *Aye*
 Commissioner Jemison *Aye*

**COMMISSIONERS' OFFICE – DECLARATION OF RESTRICTIVE COVENANTS FOR
INSPECTION AND MAINTENANCE**

Motion: *by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute a Declaration of Restrictive Covenants for Inspection and Maintenance by the Board of Developmental Disabilities for storm water pond maintenance on property located in Chester Township (Parcel #11-714406) for the benefit of the Geauga Soil and Water Conservation District.*

Mr. Lair explained that this documentation is required by the Geauga County Soil and Water Conservation District for Phase II storm water compliance that the Board of Developmental Disabilities will be responsible for providing any and all needed maintenance on the storm water pond located on the county-owned properties on Cedar Road in Chesterland which serves as the Metzenbaum campus.

Roll Call Vote: *Commissioner Spidalieri* *Aye*
 Commissioner Samide *Aye*
 Commissioner Jemison *Aye*

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COMMISSIONERS' OFFICE – CANCEL SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to cancel session on Tuesday, February 19, 2013 due to President's Day.

<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>

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending January 16, 2013 as required by O.R.C. 955.12.*
- b) Board of Developmental Disabilities Board Minutes from December 19, 2012.*
- c) The Annual Statement of Unpaid Fees for the calendar year 2011 filed by the Sheriff's Office of an accurate account of all fees, costs, penalties, percentages, allowances and prerequisites that have remained unpaid for more than one year pursuant to ORC 325.31.*

OTHER

The Board reviewed upcoming events.

MEETINGS

- Wed., 1/30 Geauga County Tourism Annual Members meeting, 6:30 p.m. at Middlefield Community Room*
- Thu., 1/31 The Commissioners will hold regular session.*
- Thu., 1/31 The Commissioners will hold a Public Hearing at 7:00 p.m. at the Russell Township Hall to hear public objections or endorsements for the Proposed Russell Township Center Sewer Project.*
- Mon., 2/4 Board of Revision, Auditor's office*
- Tues., 2/5 The Commissioners will hold regular session.*
- Thu., 2/7 Community Improvement Corporation (CIC) breakfast with Dr. Ken Mayland, 7:30 a.m. at Grandview Inn*
- Thu., 2/7 The Commissioners will hold regular session.*
- Thu., 2/7 Family Services Planning Committee meeting, 3:30 p.m. at Job and Family Services*
- Fri., 2/8 NOACA, 10:00 a.m. in Cleveland*

OTHER

Ms. Samide mentioned that Louise Alexander, owner of Legend Lake had passed away recently.

In response to a question from local resident Walter "Skip" Claypool regarding the NOACA meeting, Ms. Samide responded that she was of the understanding that this meeting would be a work session at the Cleveland Public Auditorium from 11:00 a.m. to 4:30 p.m. Mr. Jemison and Ms. Samide responded to a question from Mr. Claypool regarding the structure demolition program that was discussed at a recent Auburn Township Trustees' meeting that Mr. Claypool attended, stating that this demolition program had been initiated by Attorney General Mike DeWine and funded from predatory lending fines which his office had assessed against financial institutions found to be in violation of lending laws. Ms. Samide noted that because of citizen concerns raised that property owners possessing the means to pay for their own demolition were receiving an unjust benefit through participation in previous county demolition programs, the

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commissioners made the decision last year to not participate in the Attorney General's program. As Bainbridge Township had some interest in seeing problem structures torn down in their township, they offered to assume responsibility for the administration of the program as the county's specified grant recipient, and in turn offered other townships in the area the opportunity to apply for some of the available grant dollars. It was emphasized that this program did not receive any Federal funding.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SPIDALIERI ADJOURNED THE MEETING AT 10:30 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

Ralph Spidalieri

Christine Blair, Commissioners' Clerk