

Commissioners' Journal
November 19, 2013

The Geauga County Board of Commissioners met in session on November 19, 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, Mary E. Samide opened the meeting at 10:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Acting Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of November 14, 2013.

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

APPROVE FINANCIALS

Budget and Finance Administrator Heidi Delaney explained the financials for today as including a Revenue de-certification for the Mental Health Construction fund; an Appropriation transfer to return appropriations to the Auditor's Office for class cancellation reimbursement deposited into the General Fund; Supplemental Appropriations for the Department of Job and Family Services and Water Resources to correct appropriations for year end; Cash transfers out of the General Fund for a portion of 2013 funding for the Youth Center and the 2nd Quarter SFY14 mandated share for Job and Family Services; a Contract with Envirotec, LLC for membrane cleaning at the McFarland Wastewater Treatment Plant for the Department of Water Resources in the amount of \$22,000.00; and a payment to the City of Chardon for 3rd and 4th Quarter 2013 police prosecutor services in the amount of \$17,500.00.

Motion: by Acting Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #13-205 itemizing the financials for the meeting of November 19, 2013.

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

CITY OF CHARDON – MAPLE HIGHLANDS TRAIL CONNECTION

Commissioner Samide introduced Mayor Phil King, City Manager Randy Sharpe, Planning and Zoning Manager Steve Yaney as being present to discuss the County's parcel for easements in connection with the Maple Highlands Trail. Mr. Sharpe explained that they are trying to connect the two trail heads of the Maple Highlands Trail; phase I is from Fifth Avenue to Water Street, Phase II is from Water Street to South Street and picks up the trail head down there, as a connector. Mr. Sharpe introduced Michelle Johnson from Environmental Design Group.

Senior Planner / Project Manager Michelle Johnson with Environmental Design Group gave the following presentation:

Maple Highlands Trail Connection – Project Status and Future Connections

*Overview:
Status of Current Project
Current Alignment
Future Trail Connection*

*Current Project Status:
Right of Way Acquisition
Communication is in process with property owners
Donation letters have been sent*

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CE Document (Categorical Exclusion Process)

*CE Document was approved by ODOT earlier this summer
(Environmental was cleared)*

Ms. Johnson stated that this is a Federal project, funded 80% by NOACA with a local match.

Alignment

Alignment is set

Current Phase – Alignment



The map above shows the black line as being the alignment. Ms. Johnson noted that this is only a .47 mile section of the trail. The County property was noted as being land locked and that the area of the trail that would be part of the easement is not buildable.

Current Project Status

Trailheads / Nodes

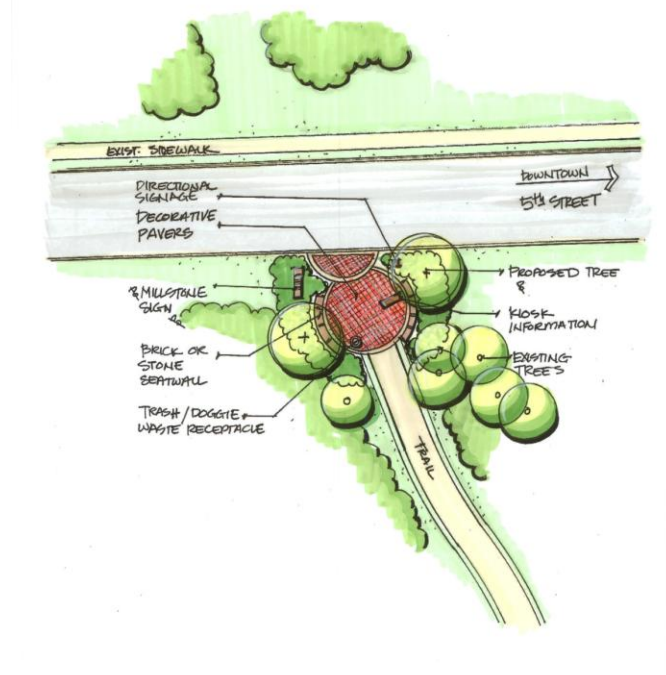
Design/site plan is complete

Design will be incorporated into final construction documents

Full planting and materials plan will be included

Ms. Johnson explained that the trail heads and signs will denote how close the users will be to retail shops and to downtown. Ms. Johnson stated that they wanted to make it look like there was activity going on and be inviting for people to come and check out if not that day at another time.

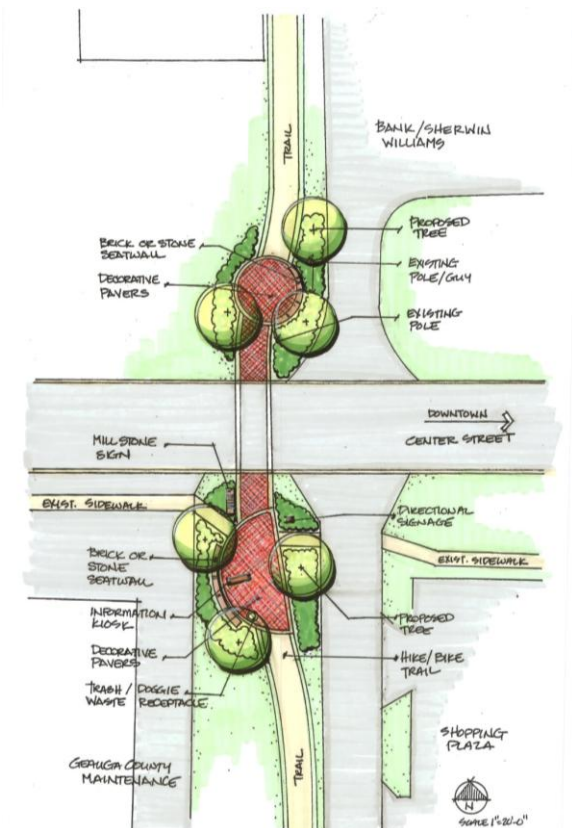
Fifth Avenue Trailhead



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Center Street Trailhead

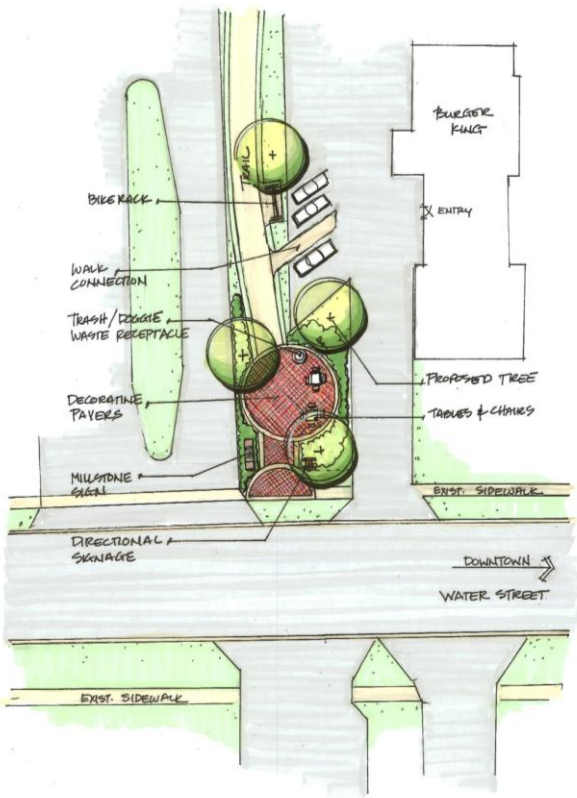


Ms. Johnson stated that the trail is ten feet wide with a two foot buffer on each side which is required to use Federal dollars. The landscaping will be low maintenance with business owners having the option to improve upon that.

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Water Street Trailhead



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Ms. Johnson explained that there will be a little cut off to allow users to stop and grab a bite to eat. There will be kiosk and signage, adding that benches and trash receptacles will be very nice but will be a pre-fab material.

Maple Highlands Trail – Next Phase

Future Connection

Connects Water Street (Current Phase) to Existing Maple Highlands Trail on State Route 44



Ms. Johnson explained that the above map shows phase II that will connect to the existing portion of the Maple Highlands Trail.

Local resident Diane Jones inquired if this will be a multi-use trail or limited to bicycles. Ms. Johnson stated that it will be a multi-use trail as it is required by the Federal Government. Ms. Jones asked if there would be an area where she would be able to park her horse trailer to be able to use the trail. Ms. Johnson stated that on phase 1 there would not be, however on phase II there is an area that they are looking at for a parking area that would accommodate that. Ms. Jones inquired on the time frame of phase II. Ms. Johnson stated that the conceptual design and cost estimate phase is just getting started and that they would be going back to NOACA for another 80% of match money and will probably be another few years before we get started, so most likely calendar year 2018-2019 and that is if the Federal process happens quickly. Ms. Samide noted that currently there is a parking area near Mel Harder field that she could park her trailer at and go towards Middlefield. Mr. Sharpe asked if horses were allowed on the trail. Ms. Johnson stated that per Federal regulations that it is a multi-use walking and for various types of transportation as long as they are non-motorized, adding that it is a paved trail.

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Local resident Walter "Skip" Claypool stated that originally the project was sold as a 1.2 mile project for \$600,000.00 and that he heard her say .47 mile and asked what the cost of the .47 section of the project and then what the total cost of the project is going to be. Ms. Johnson explained that the 1.2 was for both phase 1 and phase 2, the only application that went through was for the .47 mile section for \$542,000.00 80% with a local match for a total of \$621,000.00. There was some discussion about the application being submitted for the total 1.2 mile section, but it was noted that the total cost of the project was \$1.2 million and that there was a cap on the funding to which only phase 1 was applied for. Additional discussion continued about traffic counts for the number of bikes that are projected to use the trail. It was noted that once this trail is completed that NOACA will be performing counts. There were some comments about the Tow-Path in the Cuyahoga Valley and the amount of use that varies at each trail head.

Mr. Sharpe asked Ms. Johnson to discuss the possibilities for crossing both Center and Water Streets, to which Ms. Johnson explained that as part of phase II a "hawk" signal will put into place that will be a signal that will need to push a button that will make a stop signal only when someone wishes to cross, that it will only be used when actuated.

Mr. Sharpe pointed out on the map showing the phase II section that the Park District is also working on completing a section on the opposite of Fifth Street and will be finished next spring. Ms. Johnson stated that phase I is the second to last piece and then phase II will be the last section to connect the trail.

Mr. King stated that was why they were asking the County to consider the easement, that it is a very important part of the connector of the bike trail. Ms. Samide inquired as to how much the length of the County's portion of the trail. Commissioner Spidalieri confirmed what the length of phase I, to which Ms. Johnson stated that it was .47 miles from Fifth Street to Water Street. Ms. Johnson noted again that the portion that the easement would be on is an un-buildable portion of the property. Mr. King inquired of Ms. Johnson if the entire premise of the design was to be as least obtrusive as possible to which Ms. Johnson agreed.

During the discussion taking place between Board members and those present from the City of Chardon, it was noted that the linear feet of the County's property was about 452 feet. Mr. Spidalieri inquired if the City of Chardon would have value in purchasing the property for use as a parking area. Ms. Johnson expressed that it may be a redundancy due to a parking area being looked at on phase II. Mr. King noted that the other area is the property where the old garage had burned down. Mr. Yaney commented that realistically the City of Chardon would like to see that County parcel being discussed to be developed commercially, noting that the other two parcels adjacent to that are also for sale. Mr. King agreed that the parcel is in a good position to be developed commercially. Mr. King stated that the Park Avenue property has been purchased from Mr. Petersen that runs from Park Avenue down to the Greens for the bike path and a sewer that runs through the right of way that will be upgraded in the future.

Mr. Spidalieri brought up the concern over the 24 houses in the Wintergreen subdivision in Chardon Township adjacent to the City that are in need of upgrading to the sewer plant and inquired if the County would be able to work with the City to get them put onto the City sewer plant. Mr. King stated that from the City's perspective the bike path stands alone and he will not be put in a position of trading the easements for the bike path for the sewers. Mr. King stated that if the County wants to share in a feasibility study, he could bring the issue to City Council noting that there is a serious long term impact to the system with taking on the 24 homes. The County can come and present to the City Council, noting that while they sympathize and understand the cost to the County will be around \$600,000.00, they would have to make a change to the ordinance to allow outside homes into the planned capacity of the system. Mr. Spidalieri inquired if there was an urgency in getting the easements done today, stating that he would like to wait until the cost for the feasibility study is learned. Mr. King stated that he would not go to the City Council about the water or sewer issue until the easements are done, noting that he is not going to trade one for the other. Ms. Johnson stated that there is a Federal deadline involved. Mr. Spidalieri asked if the Board voted no today, what the next step for the City would be. Mr. Sharpe stated that they would have Ms. Johnson find an alternate alignment. Mr. King stated that the City of Chardon is committed to getting this project done, adding that this will benefit all of the County residents and not just the City of Chardon. Mr. King stated that the Board could ask for funds, that the County can be compensated for the easements.

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Mr. Spidalieri expressed that the City needs help but that the County also needs help, adding that over time the City if convinced that the property would increase in value and asked again if the City would be interested in purchasing it. Ms. Johnson explained that it's different because of the Federal system and would need to go through ODOT right of way process, noting that they are using set back area and the fair market value of unusable land is very different from the fair market value of the rest of the property adding that while the County can be compensated but that the number is insignificant from the actual buildable area of the property. Mr. King expressed concern over the environmental study that would need to be done on the property due to what it has been used for over the course of the years, adding that the property does not fit into the property acquisition radar for the City. Mr. Spidalieri noted that funding is already in place for the demolition and environmental review on the property. Mr. Spidalieri inquired about where the alternate route would go to which Ms. Johnson added that there may be a complication with the Federal stipulation due to the requirement of needing to be off-road.

Ms. Samide inquired about the City's sewer plant and if they are sure if they have enough capacity for the entire City, to which Mr. King stated that they are not. Ms. Samide expressed that if the County moves ahead and builds the new plant and builds it with extra capacity, and if the City doesn't have enough capacity are you going to come and ask for help from us. Ms. Samide noted that we just want to help each other and this is a clear possibility. Ms. Johnson noted that you would have to be sure you are in the same facility planning area, if not you would have to go to NOACA and get permission.

Director Doug Bowen stated that currently the permit for the Wintergreen treatment plant will be up for renewal in 2015 and every five years when we go for EPA renewal they express to us that we need to talk with the City of Chardon. Mr. Bowen stated that this next time he feels that they will not allow us to get an additional permit without doing something, whether building a new treatment plant or going with the City. Assistant Sanitary Engineer Gerry Morgan stated that it might almost be less expensive to return them to septic systems and get rid of the plant. Mr. King stated that it has to make sense for the City of Chardon's long term plan for their water treatment plant, taking on additional responsibilities and then in ten years face not being able to extend service. Mr. King noted some additional areas that are being extended to include Water Street, Parker Court and a new trunk sewer line on Park Avenue. Mr. King cannot commit the City to trading this for that, it has to be viewed separately because the City has to be very careful about allowing the County to tie in as there are many others who would also like to be included.

Mr. Spidalieri inquired about the timeline, to which Ms. Johnson stated that it was within in a couple of weeks. Mr. Spidalieri expressed that he would like to do additional research before making a decision. Acting Commissioner Rear expressed that he doesn't own the building and property, that about 95,000 people do and that the County is supposed to give something away for nothing in return on a promise that the County may get something in return and he has found deals like that not to be good business. There was discussion about what Mr. Spidalieri wants to look into further. Mr. King wanted to know why the County wanted to be left out of this. Mr. Rear expressed that there will be five reasonably heavy trafficked roads with traffic signals that could provide an opportunity for a kid to sit and push a button adding that it often takes ten minutes or so to get from Pizza Hut to the square on a Friday afternoon and that this will not help. It was noted that safety and traffic congestion is a concern to the Board and it was asked if this is a sensible position for the County to be in with concern of accidents involving pedestrians. Mr. King expressed that this path will have to cross Center Street at some point and trusts the Environmental Design Group has looked into all of this, to which Ms. Johnson stated that the traffic volume is what is more of a concern than the accidents, noting that the volume is less than 10,000 cars a day. There was a brief discussion about using mid-block traffic points versus crossing at signals. Mr. King mentioned a study that was done and that it is much safer to not put bikes on the streets, that this alignment is the safest you can get. Mr. Rear at this point suggested to continue moving forward with the meeting, adding that the Board isn't going to be involved in where they are going to move this if we don't give them access.

The following motions were placed on the agenda for discussion and a vote and following the presentation and discussion with the city of Chardon, Mr. Spidalieri proposed the following motion to table these two items to allow further time for review and bring them up again in two weeks for a vote.

The City of Chardon is requesting the Board approve and authorize the President of the Board to execute the Temporary Right-Of-Way Agreement (Parcel No. 3, Auditor's Parcel No. 10-

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709568), for the Construction of a Multi-purpose Trail through the City of Chardon from Water Street to Fifth Avenue in Geauga County, Ohio.

The City of Chardon is requesting the Board approve and authorize the President of the Board to execute the Easement for Multi-Purpose Trail (Parcel No. 3, Auditor's Parcel No. 10-709568), for the Construction of a Multi-purpose Trail through the City of Chardon from Water Street to Fifth Avenue in Geauga County, Ohio.

As a result the following action was taken:

Motion: by Commissioner Spidalieri, seconded by Acting Commissioner Rear to table the two proposed motions regarding the Temporary Right-of-Way Agreement and the Easement for Multi-purpose Trail for further review and in two weeks at the December 3, 2013 meeting bring them up again for a vote.

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

Ms. Samide expressed that discussion should be entertained regarding the sewer and that is a big issue down the road with hope that the City and the County could work together. Mr. King asked if the Board would share in the cost of the feasibility study. Mr. King expressed that if the County was willing to share in the cost that he would go to the City and ask Council if they are interested in opening a discussion. Ms. Johnson stated that a ball park range of the feasibility study would be more than \$50,000.00. Mr. King stated that the Board needs to act along on the easements, that he was not going to be put in a position of tit for tat. Mr. Rear asked Mr. King if he would like the Board to rescind the motion and vote no at this time. Mr. King stated that it was the Boards choice and that they were shooting themselves in the foot and that the City was not going to be pressured into taking on the 24 homes. Mr. Rear stated that the easement is something that they have to answer to the whole county for. Mr. Spidalieri inquired about the funding and asked if this was pushed back to next year if they could obtain the funding to do the whole project at once. Ms. Samide stated that the funding would go away as it was earmarked for this project, so if the City does not take it, it would then go to someone else. Mr. King added that he would commit to discussing the option with Council in December.

**LIQUOR LICENSE – NIYA AND MAHI, INCORPORATED D.B.A. MUNSON SUNMART –
MUNSON TOWNSHIP**

Motion: by Acting Commissioner Rear, seconded by Commissioner Spidalieri to concur with Munson Township Trustees in not requesting a hearing on the liquor license requested by Niya and Mahi, Incorporated, d.b.a. Munson Sunmart located at 12388 Mayfield Road, Chardon (C TRFO 6430464).

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

**LIQUOR LICENSE – SYCAMORE LAKE, INCORPORATED D.B.A. ALPINE VALLEY LODGE
– MUNSON TOWNSHIP**

Motion: by Acting Commissioner Rear, seconded by Commissioner Spidalieri to concur with Munson Township Trustees in not requesting a hearing on the liquor license requested by Sycamore Lake, Incorporated, d.b.a. Alpine Valley Lodge, first and second floors and patios, located at 10620 Mayfield Road, Chesterland (C N 8748401).

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

**COMMISSIONERS' OFFICE – CANCELLATION REQUEST / POLICY RELEASE – PUBLIC
OFFICIAL BOND – TRACY A. JEMISON**

Motion: by Acting Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Cancellation Request/Policy Release for Tracy A. Jemison's Public Official Bond.

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Roll Call Vote:	Acting Commissioner Rear	Aye
	Commissioner Spidalieri	Aye
	Commissioner Samide	Aye

COMMISSIONERS' OFFICE – APPOINT JANET CARSON - PORTAGE GEAUGA
DETENTION CENTER JOINT BOARD OF TRUSTEES

Ms. Samide stated that Judge Grendell has sent a nomination for the Joint Board of Trustees to appoint Janet Carson. Mr. Rear expressed that he doesn't have a problem making decisions, but that he doesn't make uninformed decisions and doesn't feel he knows about this to make an affirmative decision.

Motion: by Acting Commissioner Rear, seconded by Commissioner Spidalieri to appoint Janet Carson to the Portage Geauga Detention Center Joint Board of Trustees to fill the unexpired term of Carolyn Paschke through May 31, 2014 at the recommendation of Judge Timothy Grendell and pursuant to O.R.C. 2152.44.

Roll Call Vote:	Acting Commissioner Rear	No
	Commissioner Spidalieri	Aye
	Commissioner Samide	Aye

ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending November 6, 2013 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

MEETINGS

Thu., 11/21 The Commissioners will hold regular session.

Tue., 11/26 The Commissioners will hold regular session.

*Thu., 11/28 **The Regularly scheduled Commissioners' meeting is cancelled.***

*Thu., 11/28 **County Offices will be closed for general business in observance of Thanksgiving. Twenty-four hour operations will continue to operate as usual.***

*Fri., 11/29 **County offices under the hiring authority of the Board of Commissioners will be closed for general business.***

Tue., 12/3 The Commissioners will hold regular session.

Thu., 12/5 The Commissioners will hold regular session.

Thu., 12/5 Portage Geauga Juvenile Detention Center Joint Board meeting, 2:00 p.m. in Portage County

Thu., 12/5 Chagrin River Watershed Partners, Incorporated Board of Trustees meeting, 4:00 p.m. in Willoughby Hills.

Fri., 12/6 Community Improvement Corporation (CIC) meeting, 12:00 p.m. at St. Denis Party Center

Sun 12/8 to Tue 12/10 The Commissioners will attend the CCAO Winter Conference, Columbus, Ohio

*Tue., 12/10 **The Regularly scheduled Commissioners' meeting is cancelled.***

Tue., 12/10 The Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

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Mr. Rear inquired if the Board had any conflicts that they would be not able to be present for the meeting scheduled for Thursday, December 12, 2013 as he had prior commitments and might not be able to be here. Mr. Spidalieri and Ms. Samide confirmed that they would both be attendance and saw no problems with holding a meeting.

OTHER – HUNTING ON COUNTY PROPERTY

Mr. Claypool mentioned to the Board that he had previously attempted to get in contact with Mr. Vernick regarding being able to hunt on county property and as of yet been unable to meet with him. Mr. Spidalieri noted that last week he had met with Mr. Vernick at the County Home regarding the possibility of allowing hunting and that Mr. Claypool should hear something very soon from him. Mr. Claypool attempted to have the Board give him permission to hunt deer and the Board made no attempt at any action.

**BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, ACTING
COMMISSIONER REAR ADJOURNED THE MEETING AT 11:13 A.M.**

Geauga County Board of Commissioners

Mary E. Samide

Ralph Spidalieri

Blake A. Rear, Acting

Christine Blair, Commissioners' Clerk

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