

Commissioners' Journal
May 19, 2009

The Geauga County Board of Commissioners met in session on May 19, 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 10:04 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 May 12, 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

Fiscal Specialist Heidi Delaney explained the financials as including Revenue Certifications for MRDD Operating Fund and the Mental Health Construction Fund; a supplemental appropriation for the Mental Health Board fund in the amount of \$670,000.00; a cash transfer for the April 2009 Windstream phone charges; a contract for Envirotech LLC for plant operator assistance with wastewater treatment units in the amount of \$19,900.00 and two travel requests.

Motion: by Commissioner Jemison, seconded by Samide to approve and execute Resolution 09-084 itemizing the financials for the meeting of May 19, 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>

OTHER

Senator Tim Grendell came before the Board to discuss support for the extension of the septic system revised rules moratorium for at least two years. Senator Grendell and Senator Capri Cafaro have introduced S.B. 100 in an effort to fight the reinstatement of the 2007 septic tank wastewater treatment rules. The Senator commented that the S.B. 100 says that the systems have to be pumped every five years and if you are not doing the responsible thing you will be exposed to inspections. Senator Grendell added that responsible Geauga County citizens should not be made to spend \$30,000.00 for a new septic system when their current \$13,000.00 system is getting the job done, it is unfair. There is also the issue of the new definition of public nuisance (which does not include fecal coliform count). Senator Grendell stated that there is no documentation of health problems or public health risk with our current systems. The moratorium should be extended to allow them to finish the review process and not cause chaos. In two years this issue should be able to be sorted out and not be rushed into a wrong decision. Senator Grendell explained their objection to the old rules and explained that the moratorium expires on June 30, 2009. Senator Grendell informed the Board that they believed that Geauga County Health Commissioner Bob Weisdak was blatantly intimidated by officials from the Department of Health before testifying and threatened with action against him. Senator Grendell added that they are meeting with the Inspector General of the State of Ohio to file a formal complaint. Commissioner Samide stated that Mr. Weisdak should be at the table to help create and write the rules for septic systems. Commissioner Samide added that residents should clean their systems every three years and the moratorium extended until the rules can be created solidly, in a way that actually helps Geauga County. Commissioner Young added that in South Russell they changed the law to require septic tanks to be pumped out every two years. Senator Grendell asked the Board for its support to extend the moratorium for two years. Commissioner Jemison stated that he believes new technology will be coming up in the next couple of years that may be better than any mound systems and at about half the cost of the new system. The Board asked that a resolution be drafted to express support to the extension of the moratorium to be brought to session on Thursday, May 21, 2009.

Commissioners' Journal
May 19, 2009

OTHER

County Engineer R. L. Phillips briefly discussed the pumping of Kenston Lake to get to the standpipe to get a better idea of what is actually there. Commissioner Young asked if he got direction or support from the township trustees in writing to do this. Mr. Phillips replied that last Monday night two of the trustees voted to take on this project. Commissioner Young stated that the Board has not received anything from the township. Mr. Phillips stated that they are prepared to send them a resolution of necessity and convenience for them to sign to initiate the project. If the township signs the resolution with a 3-0 vote Mr. Phillips believes they are committed to move forward with the project. In the meantime while the weather was good they are attempting to pump it out a little to see what they have to work with. Commissioners' Clerk Claudine Kozenko reported to the Board that the post card notices of the continuation of deliberation on the Kenston Lake Ditch Improvement petition hearing to be held on June 4, 2009 were mailed today.

ENGINEER'S OFFICE – REPLACE GUARDRAIL ALONG VARIOUS COUNTY ROADS BID OPENING

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for bids for The Replacement of Guardrail along Various County Roads Project with a bid opening to be held Wednesday, June 17, 2009, at 2:00 p.m. Notice of this bid opening will be advertised May 28, June 4 and 11, 2009 and posted on the county's web site.

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

ENGINEER'S OFFICE – RESURFACE WILSON MILLS ROAD BID OPENING – SECTION A-C

Mr. Phillips stated that this project is from the county line to Route 306, the western end.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for bids for The Resurfacing of Wilson Mills Road (CH 8, Sections A-C) Project with a bid opening to be held Wednesday, June 17, 2009, at 2:05 p.m. Notice of this bid opening will be advertised May 28, June 4 and 11, 2009 and posted on the county's web site.

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

ENGINEERS' OFFICE – RESURFACE WILSON MILLS ROAD BID OPENING – SECTION D-F

Mr. Phillips stated that is from Route 306 to Heath Road. Mr. Phillips added that both of these projects are stimulus projects which means instead of being 80/20 projects they are now 100%.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for bids for The Resurfacing of Wilson Mills Road (CH 8, Sections D-F) Project with a bid opening to be held Wednesday, June 17, 2009, at 2:10 p.m. Notice of this bid opening will be advertised May 28, June 4 and 11, 2009 and posted on the county's web site.

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

ENGINEERS' OFFICE – BID OPENING – RESURFACE WASHINGTON STREET

Mr. Phillips stated this is from the county line to Route 306 that includes the South Russell portion. This is a stimulus project which will go from a being 80/20 project to 100%. South Russell would have to pay their share on this but with the stimulus funds now they don't have to.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for bids for The Resurfacing of Washington Street (CH 606, Sections A&B) Project with a bid opening to be held Wednesday, June 17,

Commissioners' Journal
May 19, 2009

2009, at 2:15 p.m. Notice of this bid opening will be advertised May 28, June 4 and 11, 2009 and posted on the county's web site.

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

ENGINEER'S OFFICE – RESOLUTION AND BID OPENING - IMPROVEMENT OF BURTON WINDSOR ROAD - MIDDLEFIELD TOWNSHIP

Mr. Phillips stated this is from Route 608 to Route 528 and was previously done before the department started using polymer surfaces.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-088 Ordering the Improvement of Burton Windsor Road (CH 14, Section D&E) in Middlefield Township.

This resolution also requests the Board approve and execute the cover sheet for plans / specifications for the same.

Further, the resolution sets a bid opening on Wednesday, June 17, 2009 at 2:20 p.m. Notice of the bid opening will be advertised on May 28, June 4 and 11, 2009 and posted on the county's web site.

Board of County Commissioners, Geauga County, Ohio

Date: May 19, 2009

Resolution: 09-088

RESOLUTION TO ORDER THE IMPROVEMENT OF SECTIONS D&E OF BURTON WINDSOR ROAD (CH 14) IN MIDDLEFIELD TOWNSHIP

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution 09-076 that the public convenience and welfare require the improvement of Sections D&E of Burton Windsor Road (CH 14) from Old State Road (SR 608) to Madison Road (SR 528) in Middlefield Township by constructing and reconstructing culverts, performing drainage improvement, widening, asphalt resurfacing and improving the shoulders as necessary in accordance with Section 5555.022 of the Ohio Revised Code; and

WHEREAS, no lands are needed to be taken relative for this improvement to Burton Windsor Road; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and

WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans with the County Engineer in public session for the improvement of Sections D&E of Burton Windsor Road, is satisfied that the public convenience and welfare require that said improvement be made.

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 in accordance with Section 5555.022 of the Ohio Revised Code hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from local funding sources in accordance with Section 5555.43 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners is hereby ordered to let this project for bids in accordance with Section 5555.61 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 P.M. and opened at 2:20 P.M. on Wednesday, June 17, 2009 at which time bids shall be read aloud.

Commissioners' Journal
May 19, 2009

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 Middlefield Township Board of Trustees and the Geauga County Engineer.

<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>

OTHER

Mr. Phillips briefly updated the Board on the work on the wall by the fairgrounds grandstand (being done by the fair board).

Commissioner Young stated that Howard Bates will come before the Board on May 28 to give an update on the Agricultural Society, at 11:00 a.m. Commissioner Young also changed the date for an update from United Way on the Tax Prep program to May 28 as well, at about 10:30 a.m.

SOIL AND WATER CONSERVATION DISTRICT

Commissioners' Clerk Claudine Kozenko informed the Board that Colleen Sharp, District Urban Technician informed her that Scott Webster has been in contact with her and he is working to come into compliance so they are not moving forward with the violation at this time.

TRANSIT DEPARTMENT – RESOLUTION AUTHORIZING RURAL CAPITAL AND OPERATING PLAN

Director Kristina Reider stated they must submit this every two years as well as submitting it to NOACA to be included in their plan. ODOT uses this as a planning tool for budgeting As far as the capital portion the only thing on there for the next four years is replacement vehicles, thanks to stimulus money.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-085 Authorizing Submission of Geauga County Transit's Four Year CY 2010 through CY 2013 Rural Transit Capital and Operating Plan with the Ohio Department of Transportation for the period January 1, 2010 through December 31, 2013.

Board of County Commissioners, Geauga County, Ohio

Date: May 19, 2009
Resolution: 09-085

**RESOLUTION AUTHORIZING SUBMISSION OF GEAUGA COUNTY TRANSIT'S
FOUR-YEAR CY 2010 – CY 2013
RURAL TRANSIT CAPITAL AND OPERATING PLAN**

WHEREAS, the Geauga County Board of Commissioners will be submitting grant applications for Geauga County Transit for rural transit operating and capital assistance; and

WHEREAS, the Ohio Department of Transportation requires a 4-year Capital and Operating plan, capital justification and vehicle replacement schedule for the purposes of preparing Federal, State and Local funding estimates for these projects for CY 2010 – 2013; and

WHEREAS, Geauga County Transit is presently providing transit service and observing all federal and state rules regarding these programs; and

WHEREAS, the Geauga County Board of Commissioners has reviewed the four year Capital and Operating Plan, Capital Justification and Vehicle Replacement schedule for CY 2010 – 2013; and

NOW, BE IT FURTHER RESOLVED, that the Geauga County Board of Commissioners with Geauga County Transit is hereby authorized to file a Four Year Capital and Operating Plan for the years 2010 – 2013 for grants through U.S. DOT Federal Transit Administration under Federal Transit Laws, as codified, 49 USC Section 5311, and is responsible for submitting Amendments when changes are requested to the four year Capital and Operating Plan for CY 2010 – 2013.

Commissioners' Journal
May 19, 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>

DEPARTMENT OF WATER RESOURCES – COST RECOVERY – NEWBURY CENTER LLC – GRAVITY SEWER, PUMP STATION, FORCEMAIN

Assistant Sanitary Engineer Gerald Morgan explained that this is for the sewer along State Route 87 that will allow Mangia Mangia, the travel agency and the fire department in Newbury to tie into the sewer system.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-086 for the cost recovery by the Newbury Center LLC for the gravity sewer, pump station and forcemain constructed as part of the Newbury Center Development in the amounts as show in Exhibit A of the resolution. Said cost recovery will be an additional fee required from any of the identified properties when the property is connected to the sewer system.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-086
Date: May 19, 2009

WHEREAS, Newbury Center LLC has constructed a sanitary sewer, pump station and forcemain for the Newbury Center Development (parcel # 23-308900) (sewer system) and desires to turn ownership of said sewer system over to the Board of County Commissioners; and

WHEREAS, Newbury Center LLC desires to obtain cost recovery for the said sewer system and has provided the County with the construction costs of the sewer system; and

WHEREAS, the Board of County Commissioners is authorized under R.C.307.73 to pass a resolution for capital recovery authorizing collection of the prorated shares of the cost of the sewer system.

NOW, THEREFORE, BE IT RESOLVED that the costs of the sewer system shall be prorated among the property owners in accordance with Exhibit A, attached hereto and incorporated herein by reference, and certified to the Geauga County Auditor to be kept in the index of capital recovery resolutions; and

BE IT FURTHER RESOLVED, that no property identified in Exhibit A be permitted to tie in to the Geauga County sanitary sewer system without first paying its prorated share of the cost of the project as identified in Exhibit A.

EXHIBIT A

NEWBURY CENTER DEVELOPMENT

SEWER COST SHARING

<i>Property Number</i>	<i>Volume / Page</i>	<i>Owner</i>	<i>Address</i>	<i>Front Footage</i>	<i>Cost Sharing</i>
<i>23-308900</i>	<i>1799 / 1761</i>	<i>Newbury Center LLC</i>	<i>11110 Kinsman Rd</i>	<i>920.73</i>	<i>\$62,658.79</i>
<i>23-261500</i>	<i>1090 / 566</i>	<i>Shibley Properties</i>	<i>11081 Kinsman Rd</i>	<i>247.20</i>	<i>\$16,822.79</i>
<i>23-049100</i>	<i>758 / 493</i>	<i>Donald & Judith Cullen</i>	<i>11093 Kinsman Rd</i>	<i>80.00</i>	<i>\$5,444.27</i>
<i>23-707700</i>	<i>774 / 1059</i>	<i>Newbury Board of Trustees</i>	<i>11111 Kinsman Rd</i>	<i>212.97</i>	<i>\$14,493.33</i>
<i>23-706610</i>	<i>691 / 1395</i>	<i>Newbury Board of Trustees</i>	<i>11111 Kinsman Rd</i>	<i>286.40</i>	<i>\$19,490.49</i>
<i>23-242300</i>	<i>1376 / 1022</i>	<i>Llyod & June Ober Trustees</i>	<i>11177 Kinsman Rd</i>	<i>94.16</i>	<i>\$6,407.91</i>
		<i>Total</i>		<i>1841.46</i>	<i>\$125,317.57</i>

**Commissioners' Journal
May 19, 2009**

**EXHIBIT B
NEWBURY CENTER SEWER**

	<i>Item</i>	<i>Cost</i>
Design / Construction	<i>Surveying</i>	\$2,773.63
	<i>Engineering</i>	\$11,341.80
	<i>EPA Fees</i>	\$661.50
	<i>Project Management</i>	\$20,310.26
	<i>County Review & Inspection Fees</i>	\$7,876.88
	Sub-Total	\$42,964.07

Sewer System	<i>Gravity Sewer</i>	\$8,968.07
	<i>Manholes</i>	\$8,968.07
	<i>Pump Station</i>	\$29,893.57
	<i>Forcemain</i>	\$10,761.69
	<i>Gravel Driveway</i>	\$1,195.74
	<i>Post Bollards</i>	\$200.00
	<i>Grading and Seeding</i>	\$268.50
Sub-Total	\$60,255.64	

Electrical	<i>Power Drop</i>	\$942.29
	<i>Electrical</i>	\$4,200.00
	<i>Spare Pump</i>	\$3,326.00
	<i>Backup Generator</i>	\$12,450.00
	<i>Security System</i>	\$990.00
	<i>Additional Circuit</i>	\$189.57
Sub-Total	\$22,097.86	

Sewer System Total \$125,317.57

Total Length of Gravity Sewer 892

Newbury Center Frontage 920.73

Total Front Footage 1841.46

Price Per Front Footage \$68.05

<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 – NEWBURY BOARD OF EDUCATION COST RECOVERY – UPGRADE WASTEWATER TREATMENT PLANT

Mr. Morgan explained this is part of the overall original agreement between the county and the school board that the school board would upgrade the treatment plant to EPA and the Department of Water Resources current standards. Panzica did that as part of their overall project. This is to give them cost recovery for the plant that the county owns and operates.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-087 for the cost recovery by the Newbury Board of Education for the upgrade of the Newbury School Wastewater Treatment Plant in the amount of \$2, 881.44 per service unit as determined by the Geauga County

Commissioners' Journal
May 19, 2009

Department of Water Resources. Said cost recovery will be from the capacity fee charged by the department to any future property connection to the sewer system.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-087

Date: May 19, 2009

WHEREAS, the Geauga County Board of Commissioners (County) entered into an agreement on September 1, 2005, with the Newbury Board of Education (Board) for the upgrade and transfer of ownership of the Newbury Schools Wastewater Treatment Plant (Plant); and

WHEREAS, said agreement provides that the County will pass a resolution for capital recovery pursuant to R.C. 307.73 authorizing collection of the prorated shares of the value of the Plant.

NOW, THEREFORE, BE IT RESOLVED that the capital recovery of the wastewater treatment plant shall be prorated among the future property owners who connect to the sewer at a rate of \$2,881.44 per sewer service unit as determined by the Geauga County Department of Water Resources' rules and regulations; and

BE IT FURTHER RESOLVED, that the County will reimburse the Board the per unit share out of the County's standard tap-in fee as set at the time of connection.

EXHIBIT A

NEWBURY CENTER WWTP

	<i>Item</i>	<i>Cost</i>
<i>Design / Construction</i>	<i>Surveying</i>	\$2,773.63
	<i>Engineering</i>	\$10,534.77
	<i>EPA Fees</i>	\$709.60
	<i>Project Management</i>	\$19,934.65
	<i>County Review & Inspection Fees</i>	\$7,876.88
	<i>Sub-Total</i>	\$41,829.53
<i>Treatment Works</i>	<i>Equalization Tank</i>	\$35,375.48
	<i>Ultrasonic Flow Meter</i>	\$13,265.80
	<i>Gravity Sewer</i>	\$4,421.93
	<i>Ultraviolet Disinfection</i>	\$22,109.67
	<i>Cathodic Protection</i>	\$800.00
	<i>Fiberglass Grating</i>	\$3,210.00
	<i>Sand Blasting / Painting of Tanks</i>	\$37,070.00
	<i>School Sewer Extension</i>	\$1,282.00
	<i>Sub-Total</i>	\$117,534.89
<i>Site Work</i>	<i>Fencing</i>	\$4,421.93
	<i>Gravel Driveway</i>	\$8,843.87
	<i>Grading and Seeding</i>	\$268.50
	<i>Sub-Total</i>	\$13,534.30
<i>Electrical</i>	<i>Power Upgrade</i>	\$6,615.31
	<i>Electrical Upgrade</i>	\$14,000.00
	<i>Sub-Total</i>	\$20,615.31

**Commissioners' Journal
May 19, 2009**

<i>Building</i>	<i>Overhead Door</i>	\$2,075.00
	<i>Building Insulation</i>	\$1,775.00
	<i>Security System</i>	\$990.00
	<i>Sub-Total</i>	\$4,840.00

WWTP Total \$198,354.03

<i>Value of Plant before Upgrade (based on Insurance / replacement cost)</i>	\$342,678.00
<i>Value of Plant after Upgrade (based on Insurance / replacement cost)</i>	\$457,372.00
<i>Value of Plant (based on age, 70% of replacement cost)</i>	\$320,160.40
<i>Size of Plant (Gallons)</i>	30,000
<i>Price per gallon</i>	\$10.67
<i>Price per Service Unit (270gpd)</i>	\$2,881.44

<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 – LAND DESIGN CONSULTANTS AGREEMENT – OPALOCKA WWTP IMPROVEMENTS

Mr. Morgan reported this is for additional surveying within the project area to verify the actual locations of the corners and inlet and outlets of tanks.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute an Agreement between Geauga County Board of Commissioners and Land Design Consultants for surveying services as part of the Opalocka Waste Water Treatment Plant Improvements Project in an amount not to exceed \$2,500.00.

<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 – DEDICATION PLAT OF SANITARY SEWER LINE EASEMENT – NEWBURY CENTER LLC AND BOARD OF EDUCATION

Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept, approve and execute the Dedication Plat of Sanitary Sewer Line Easement for Newbury Center LLC and Newbury Board of Education accepting the sanitary sewers and all appurtenances thereto as constructed and the easement for said sanitary sewer system and wastewater treatment plant including all appurtenances, as all improvements have been tested, inspected and approved.

<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 – LEGAL DOCUMENTS - SECOND PHASE – SUNRISE SPRINGS WATER COMPANY INCORPORATED

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the following legal documents (for the second phase) between the Board of Commissioners and Sunrise Springs Water Company Incorporated for a loan in the amount of \$15,000.00(original loan \$75,000.00 - \$60,000.00 expended) for five years (60 months) at four percent interest (4%) for the construction phase of the project for the facility located at 10729 Kinsman Road, Newbury Township, upon the recommendation of the Local Revolving Loan Fund Committee: (Promissory Note, Participation Agreement, Loan Servicing Letter, Corporate

Commissioners' Journal
May 19, 2009

Guaranty, Security Agreement, Note and Personal Guaranty of Daryl Langford and George Lanesky.

<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 – ASSUMPTION AGREEMENT – HABITAT FOR HUMANITY – JESSIE AND JOHN OSBURN

Director Anita Stocker stated that Mrs. Osburn is assuming the loan fully.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute an Assumption Agreement with Habitat for Humanity, Jessie R. Osburn and John C. Osburn for a loan/grant from Geauga County Board of Commissioners, for property located at 14825 Hillcrest Avenue, Middlefield, under grant #B-F-06-026-1, as Mrs. Osburn will be the sole owner, in the amount of \$20,000.00.

<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>

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – CHANGE ORDER #1 – HISTORICAL SOCIETY ADA BATHROOMS

Ms. Stocker explained the change order is due to a light fixture didn't work with a dry wall ceiling that they wanted.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute Change Order #1 decreasing the contract with Petersen Construction and Contracting for the Geauga County Historical Society ADA Bathrooms Rehabilitation Project, under Grant #B-F-08-026-1, in the amount of \$900.00.

<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>

MENTAL HEALTH AND RECOVERY SERVICES – BOARD REAPPOINT – MARIEL A ROURU

Motion: by Commissioner Jemison, seconded by Commissioner Samide to reappoint Mariel A. Rouru to the Geauga County Board of Mental Health and Recovery Services for a term beginning July 1, 2009 and ending June 30, 2013.

<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>

MENTAL HEALTH AND RECOVERY SERVICES – BOARD REAPPOINT - JOSEPH A SCHELLENTRAGER

Motion: by Commissioner Jemison, seconded by Commissioner Samide to reappoint Joseph A. Schellentrager to the Geauga County Board of Mental Health and Recovery Services for a term beginning July 1, 2009 and ending June 30, 2013.

<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>

EAGLE SCOUT – JOSEPH VANGALIO

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Resolution 09-089 honoring Eagle Scout Joseph Vangalio.

Board of County Commissioners, Geauga County, Ohio

Commissioners' Journal
May 19, 2009

Resolution: 09-089
Date: May 19 2009

*A RESOLUTION HONORING JOSEPH E. VANGALIO
FOR ACHIEVING EAGLE SCOUT THE HIGHEST AWARD OF ADVANCEMENT
BESTOWED UPON A BOY SCOUT*

WHEREAS, the Boy Scouts is a nationally acclaimed organization known for training young men to build character, citizenship, and leadership; and

WHEREAS, each scout must prove to his adult leaders the basics of outdoor survival including nature study, first aid, life saving and other activities that provide leadership qualities; and

WHEREAS, the Eagle Scout Rank is an accomplishment that only four percent of all those who start Boy Scouting ever attain; and

WHEREAS, Joseph E. Vangalio is a member of Boy Scout Troop 99, Newbury, Geauga County, and has excelled in his search for knowledge, leadership, planning and community support; and

WHEREAS, Joseph E. Vangalio provided leadership at meetings and on campouts and has done an excellent job in all aspects of scouting; and

WHEREAS, Joseph's Eagle Scout project was to coordinate, build and install stairs along portions of prayer paths located on the grounds of St. Helen Church.

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Joseph E. Vangalio for service to his community and the Scouts of America;

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

GIRL SCOUT GOLD AWARDS – ANNE MAILEY, BRIANNA ZIGANTI, CAROLINE ALLEY, NICOLE GARDNER AND SARAH BRUNNER

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the following Resolutions honoring the following Girl Scouts for earning the Girl Scout Gold Award: 09-090 Anne Mailey, 09-091 Brianna Ziganti, 09-092 Caroline Alley, 09-093 Nicole Gardner and 09-094 Sarah Brunner.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-090
Date: May 19, 2009

*RESOLUTION COMMENDING ANNE MAILEY
FOR ACHIEVING THE GIRL SCOUTS OF NORTH EAST OHIO COUNCIL GOLD AWARD*

WHEREAS, the Girl Scouts are a nationally acclaimed organization known for training young women to build character, citizenship and leadership; and

WHEREAS, each Girl Scout, in order to achieve the individual Gold Award, must (1) earn four project patches in topics related to her Gold Award project, (2) earn the Career Exploration Pin, (3) complete thirty hours of service in a leadership capacity in her community,

Commissioners' Journal
May 19, 2009

school or troop (4) demonstrate her ability to bring together the skills learned in the first three activities to make a positive difference in the live of others; and

WHEREAS, Anne Mailey is a member of Girl Scout Troop 1824, Service Unit 673, Geauga County, and has excelled in leadership, demonstrating strong organizational skills and a sense of community and commitment; and

WHEREAS, Anne Mailey, for her Gold Award designed and worked with friends and elementary students to paint seasonal murals to hang in the hallways at the Jobs and Family Services building in Chardon; and

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Anne Mailey for service to her community and to the Girl Scouts of America.

BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-091

Date: May 19, 2009

**RESOLUTION COMMENDING BRIANNA ZIGANTI
FOR ACHIEVING THE GIRL SCOUTS OF NORTH EAST OHIO COUNCIL GOLD AWARD**

WHEREAS, the Girl Scouts are a nationally acclaimed organization known for training young women to build character, citizenship and leadership; and

WHEREAS, each Girl Scout, in order to achieve the individual Gold Award, must (1) earn four project patches in topics related to her Gold Award project, (2) earn the Career Exploration Pin, (3) complete thirty hours of service in a leadership capacity in her community, school or troop (4) demonstrate her ability to bring together the skills learned in the first three activities to make a positive difference in the live of others; and

WHEREAS, Brianna Ziganti is a member of Girl Scout Troop 1824, Service Unit 673, Geauga County, and has excelled in leadership, demonstrating strong organizational skills and a sense of community and commitment; and

WHEREAS, Brianna Ziganti, for her Gold Award, created a website to raise awareness of human trafficking, www.stopthesilence.net; and

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Brianna Ziganti for service to her community and to the Girl Scouts of America.

BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-092

Date: May 19, 2009

Commissioners' Journal
May 19, 2009

RESOLUTION COMMENDING CAROLINE ALLEY
FOR ACHIEVING THE GIRL SCOUTS OF NORTH EAST OHIO COUNCIL GOLD AWARD

WHEREAS, the Girl Scouts are a nationally acclaimed organization known for training young women to build character, citizenship and leadership; and

WHEREAS, each Girl Scout, in order to achieve the individual Gold Award, must (1) earn four project patches in topics related to her Gold Award project, (2) earn the Career Exploration Pin, (3) complete thirty hours of service in a leadership capacity in her community, school or troop (4) demonstrate her ability to bring together the skills learned in the first three activities to make a positive difference in the live of others; and

WHEREAS, Caroline Alley is a member of Girl Scout Troop 1824, Service Unit 673, Geauga County, and has excelled in leadership, demonstrating strong organizational skills and a sense of community and commitment; and

WHEREAS, Caroline Alley, for her Gold Award, worked with the Alzheimer's patients and their families from Sunrise Assisted Living to create scrapbooks to help them remember special events and family members; and

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Caroline Alley for service to her community and to the Girl Scouts of America.

BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-093

Date: May 19, 2009

RESOLUTION COMMENDING NICOLE GARDNER
FOR ACHIEVING THE GIRL SCOUTS OF NORTH EAST OHIO COUNCIL GOLD AWARD

WHEREAS, the Girl Scouts are a nationally acclaimed organization known for training young women to build character, citizenship and leadership; and

WHEREAS, each Girl Scout, in order to achieve the individual Gold Award, must (1) earn four project patches in topics related to her Gold Award project, (2) earn the Career Exploration Pin, (3) complete thirty hours of service in a leadership capacity in her community, school or troop (4) demonstrate her ability to bring together the skills learned in the first three activities to make a positive difference in the live of others; and

WHEREAS, Nicole Gardner is a member of Girl Scout Troop 1824, Service Unit 673, Geauga County, and has excelled in leadership, demonstrating strong organizational skills and a sense of community and commitment; and

WHEREAS, Nicole Gardner, for her Gold Award, collected and organized books for a children's library at the new Womensafe Green House; and

Commissioners' Journal
May 19, 2009

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Nicole Gardner for service to her community and to the Girl Scouts of America.

BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-094
Date: May 19, 2009

**RESOLUTION COMMENDING SARAH BRUNNER
FOR ACHIEVING THE GIRL SCOUTS OF NORTH EAST OHIO COUNCIL GOLD AWARD**

WHEREAS, the Girl Scouts are a nationally acclaimed organization known for training young women to build character, citizenship and leadership; and

WHEREAS, each Girl Scout, in order to achieve the individual Gold Award, must (1) earn four project patches in topics related to her Gold Award project, (2) earn the Career Exploration Pin, (3) complete thirty hours of service in a leadership capacity in her community, school or troop (4) demonstrate her ability to bring together the skills learned in the first three activities to make a positive difference in the live of others; and

WHEREAS, Sarah Brunner is a member of Girl Scout Troop 1824, Service Unit 673, Geauga County, and has excelled in leadership, demonstrating strong organizational skills and a sense of community and commitment; and

WHEREAS, Sarah Brunner, for her Gold Award, developed computer literacy classes and taught the classes to Senior citizens in Geauga County; and

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Sarah Brunner for service to her community and to the Girl Scouts of America.

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

COMMISSIONERS' OFFICE – AMEND MOTION – VALLEY TRUCKING BID BOND

Motion: by Commissioner Jemison, seconded by Commissioner Samide to amend the motion of May 12, 2009 to read return the bid bond for "Valley Trucking for (2) Current Model Single Axle Diesel Powered Trucks and Chassis instead of Lake Truck Sales".

<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 – AMEND MOTION – G&M TANGLEWOOD ASSOCIATES

Ms. Kozenko explained that the document was included in the packet but was not included as part of the motion request.

Commissioners' Journal
May 19, 2009

Motion: by Commissioner Jemison, seconded by Commissioner Samide to amend the motion of May 12, 2009 to include the execution of the Bill of Sale with the Satisfaction and Release of Installment Sale Agreement and Assignment between County of Geauga, G&M Tanglewood Associates and Huntington National Bank pertaining to the property located at 17625 Chillicothe Road, Bainbridge Township (Kmart Corporation-Tenant).

<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>

LIQUOR LICENSE – LEG INCORPORATED (GRAHAMS COUNTRY STORE) PARKMAN TOWNSHIP

Motion: by Commissioner Jemison, seconded by Commissioner Samide to concur with the Parkman Township Trustees in not requesting a hearing on the liquor license requested by Leg Incorporated (d.b.a. Grahams Country Store, 1st fl only) located at 16268 Main Market Road, Parkman Township (C TRFO 5086439).

<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>

PROSECUTOR'S OFFICE – APPLICATION FOR CO-COUNSEL

Bridey Methaney explained she was presenting this item on behalf of Laura LaChapelle. The application has to be filed with the Clerk of Courts. Ms. LaChapelle has signed off on this and is requesting the Board sign off on this as well. Ms. Matheney explained that James Riggiola was a deputy with the Sheriff's Department. The Sheriff's Department contracted with Social Security Administration to have some of the deputies work in federal buildings for security. Mr. Riggiola retired in 2007 and is claiming he was never paid for his lunch hour during his time he served with the Social Security Administration for the period 2002 through 2007. There may be others joining in as plaintiffs. The reason they are asking for co-counsel is because they currently do not have the apparatus to file electronically. Everything in the federal court has to be filed electronically and they do not have the software at this time. Co-counsel will assist in the defense. Ms. Matheney explained that the Commissioners are named and they are defending the Sheriff's Office. Commissioner Jemison asked what this cost will be and out of whose budget this money will come. Ms. Matheney explained this is not her case and she did not have that answer. The Board requested Ms. Matheney ask the Prosecutor and return to session as the Board will be moving into executive session for another item. Ms. Kozenko reported that Ms. LaChapelle did say that they would be doing most of the work and would use this co-counsel sparingly. Ms. Matheney added that they would probably be used for technically filing but will assist as well.

The motion "to approve and execute an application for appointment of co-counsel (Pursuant to O.R.C. 305.14 (A)), outside counsel in the federal action case of James Riggiola vs. Social Security Administration that is pending in federal court" was read but not voted on to give time for Ms. Matheney to get answers to the question regarding whose budget this would be coming out of.

JOB & FAMILY SERVICES – EXECUTIVE SESSION

Motion: by Commissioner Jemison, seconded by Commissioner Samide to move into executive session for the purpose of discussing discipline of a public employee.

<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>

The Board returned at 11:30 a.m. a.m. No action was taken as a result of this executive session.

PROSECUTOR'S OFFICE - APPLICATION FOR CO-COUNSEL (CONTINUED)

Ms. Matheney responded to the Board's previous questions. The funds will be coming from the Commissioners budget eventually and a contract will come before the Board.

Commissioners' Journal
May 19, 2009

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute an application for appointment of co-counsel (Pursuant to O.R.C. 305.14 (A)), outside counsel in the federal action case of James Riggiola vs. Social Security Administration that is pending in federal court.

<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 – AGRICULTURAL SOCIETY – LETTER OF SUPPORT

Motion: by Commissioner Jemison, seconded by Commissioner Samide to draft a letter of support to Congressman Steven C. LaTourette for the Geauga County Agricultural Society's application for the Historical Building Repair grant, in the amount of \$125,000.00. The funds would be utilized for the repair of two historic buildings on the fairgrounds, the Flower Hall and the Domestic Arts buildings

<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>

ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending May 6, 2009 as required by O.R.C. 955.12.*

MEETINGS

- Thu., 5/21 The Commissioners will hold regular session.*
- Mon., 5/25 The County Offices will be closed in honor of the Memorial Day Holiday.*
- Tue., 5/26 **The Regularly scheduled Commissioners' meeting is cancelled.***
- Thu., 5/28 The Commissioners will hold regular session.*
- Tue., 6/2 The Commissioners will hold regular session.*
- Thu., 6/4 The Commissioners will hold regular session.*
- Tue., 6/9 The Commissioners will hold regular session.*
- Tue., 6/9 Planning Commission meeting at 7:30 p.m.*
- Thu., 6/11 The Commissioners will hold regular session.*
- Fri., 6/12 NOACA 10th Annual Summit*
- Tue., 6/16 The Commissioners will hold regular session.*
- Thu., 6/18 The Commissioners will hold regular session.*
- Tue., 6/23 The Commissioners will hold regular session.*
- Thu., 6/25 The Commissioners will hold regular session.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 11:14 A.M.

Commissioners' Journal
May 19, 2009

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

William S. Young

Claudine Kozenko, Commissioners' Clerk