

Commissioners' Journal
December 30, 2010

The Geauga County Board of Commissioners met in session on December 30, 2010 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 Commissioner Young, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of December 23, 2010.

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

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of December 28, 2010.

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

APPROVE FINANCIALS

Budget Administrator Heidi Delaney explained the financials as including supplemental de-appropriations for various funds necessary for year end processing.

Motion: by Commissioner Young, seconded by Commissioner Samide to approve and execute Resolution #10-236 itemizing the financials for the meeting of December 30, 2010.

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

COMMON PLEAS COURT – FIRST FLOOR COURTHOUSE IMPROVEMENTS

The Court of Common Pleas presented for discussion the preliminary design and project budget for the First Floor Courthouse improvements as prepared by Fogle/Stenzel Architects, Incorporated.

Judge Forrest W. Burt and Joanne Monaco explained that they had previously met with the Sheriff and their people and that at some point in the distant future they want to revamp the entry into the Courthouse. The goal is that as people come in they would swing around to the right and go through security on into the Courthouse. People who have to wait for hearings right now sit in the hallway and most often have to walk past the accused or convicted felons sitting on the bench waiting for hearings. This new entry would put them off to the side giving deputies better control over them and not have people walk past them as they enter. You would pretty much exit the same way now, except people wouldn't have to go through electronics or be wanded as they are leaving. Judge Burt explained that in the distant future they may look at an x-ray device from the federal government that would allow briefcases, purses and things to be run through. Currently we don't have room for it but if the entry is changed then we could have the room for a small conveyor. Commissioner Samide asked if they would be adding a parcel onto the front of the courthouse. Judge Burt replied that they would not be adding on, but using a hearing room that is right up front on the right of the entrance. Currently that room is being used by a mediator and that they were not quite sure what would happen to them, but the time on this project is such that it will not be happening this year or the year after. Judge Burt stated they were currently asking for the approval to have Fogle/Stenzel come up with the preliminary design drawings. Commissioner Young stated that Fogle / Stenzel seemed to have done well in

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the past with plans that have been accepted. Judge Burt commented that they were very pleased with what they have done for them in the past and what they did for the law library. Judge Burt stated that the only good thing about the economy is the timing for the law library; that it worked out perfect in terms of getting a low bid price. Judge Burt stated they were not looking to do the project until next year and the money situation hopefully improves. Judge Burt stated that Judge Fuhry at various times in the past has talked about getting grants and if in fact something becomes available, having a plan would allow give them an advantage. The \$8,000.00 for the preliminary drawings will come out of the Cypray money. Judge Burt explained that the Cypray money came from a class action involving Grange Insurance. Part of the settlement between the Plaintiffs and Grange was that Grange agreed that a percentage of that money from those people in the class who did not return their cards, would go to charitable organizations instead of going back to Grange. Judge Burt said at the time he wanted no say in the charities. When all was said and done that Grange needed to tell him how much money was going to those charities but not to whom it was going. During the process of their renovations and only being able to get so much done as they were limited on funding, Ms. Monaco had conversations with the attorneys involved and unknown to them at the time, Grange had included Court Renovations as one of the charitable organizations for funds. Judge Burt stated that they had received \$445,000.00 which was wonderful. Commissioner Jemison stated that there was a lot of worthy organizations that were greatly helped by that in Northeast Ohio. Mr. Jemison asked if there would be enough money to pay for the improvements. Judge Burt commented that it was good to have dreams. Ms. Monaco stated that about \$18,000.00 of that money had been spent on Judge Burt's bench and courtroom. Ms. Samide stated that it was a good idea to get plans ready especially involving security, it just makes sense.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the letter to approve the preliminary design services prepared by Fogle/Stenzel Architects, Incorporated for the first floor Courthouse improvements in the amount of \$8,000.00.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – OHIO WATER POLLUTION CONTROL LOAN FUND, PROGRAM YEAR 2011

Director Anita Stocker stated that this was the same grant that they worked with the Environmental Protection Agency (EPA) on last year including a few modifications to at least have 100% forgiveness to people of a certain income category, and a stepped up income category to make it 85% within 100% poverty, and 200% poverty making it much more realistic. Ms. Stocker also stated that if they still have trouble with the remaining percent that they would use their own funding to offset it as a loan that would be stretched and be affordable. Ms. Stocker stated they were going to try and do twenty-five (25) this year and if you extrapolate the cost out, it comes to the \$363,000.00. Ms. Stocker explained that they were working with the Health Department on it and they were very interested in proceeding as it makes things a lot easier for them.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Ohio Water Pollution Control Loan Fund, Program Year 2011 HSTS Project Nomination / Application Grant request form in the amount of \$363,000.00.

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

DEPARTMENT ON AGING – COOPERATIVE CONTRACT AGREEMENT FOR OLDER AMERICANS ACT FUNDS – WESTERN RESERVE AREA AGENCY ON AGING

Director Sally Bell explained that this was new money for them. Ms. Bell stated that she had been concerned originally that the money would be taken off the top of the Older Americans Act Fund and they would see a loss of funding. Ms. Bell stated the money had indeed been taken off but it was taken off the bulk amount that had come to the Western Reserve Area Agency on Aging. Ms. Bell explained that when they allocated the funds that were left, Geauga received a higher percentage based on the number of elderly now living in the county. This was based on

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the new formula giving us not only the previous funding but an additional \$127,500.00 of new funding. The new program will be absorbed into the responsibilities of the existing staff and actually pay for about two of the employee's salaries who will do information and referrals, answer the phone calls and help identify community resources for individuals between the ages of eighteen and fifty-nine. Ms. Samide asked if this funding was above and beyond what they used to receive and Ms. Bell responded that yes it was new funding for them. Ms. Bell stated that they were excited because many of the resources that they have identified for providing services for senior citizens are similar to the services that people who are physically disabled and between the ages of eighteen and fifty-nine need. Often part of the physical disabilities could be visual impairment, loss of hearing or orthopedic needs and the Department on Aging has established great relationships with the Cleveland Sight Center, with Audiologists, along with providers of walkers, wheelchairs and other services in the community, so when they updated their records to make sure their resource guides were correct, it was simply a matter of asking if they also serve those people under the age of sixty. This ensures that they have a good reference point for anybody in the county who may be physically disabled and in need of information. Ms. Samide stated that she felt it was interesting that for those that weren't seniors it wasn't put under Job and Family Services. Mr. Jemison asked Ms. Bell why they had the information for people who weren't seniors. Ms. Bell stated that your ear doesn't know that it's sixty-five years old, your ear just knows that it can't hear anymore. When your ear needs that hearing aid they are going to do the best job they can to find the right equipment to help you reach your maximum potential, that Age is just a line in the sand. Ms Bell stated that all they could do is answer questions and cut out some of the running around and help people down the right path. Some organizations out there provide services for this population and they are hoping to strengthen their relationships with them to link Geauga residents to who are in need to the right service organization. Mr. Jemison stated that this was just for information and referrals.

Ms. Bell stated that she was adamant when they first started talking about this that unlike Cuyahoga County who has a Health and Human Service Levy our levy is very specific to the needs of senior citizens and that we cannot direct any of our resources toward this program and that they must fund it in its entirety. Ms. Bell stated that the bottom line is to look at the end result, that the Federal Government is trying to figure out a way to cap Medicaid expenses. Ms. Bell explained that if we can intervene early enough and get people the assistance they need early enough in their lives that they will cut off the massive amount of money going into Medicaid. Ms. Bell stated that they looked at what the aging network across the county had been able to do, and they said that these people had been able to do pretty well with their money they had and picked a small segment of the disabled population – that this was not for people with mental health issues or developmental disabilities. Ms. Bell stated that the 211 database is much more regional than theirs and if someone has a specific disorder they would have much better connections. Ms. Bell explained that this is a trial program being attempted in other communities called Aging and Disability Resource Centers. Ms. Bell stated that there is one physically in every county in the state.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Cooperative Contract Agreement for Older Americans Act Funds between the Geauga County Board of Commissioners and the Western Reserve Area Agency on Aging to provide funding for information and referral services for senior and disabled residents, ages eighteen (18) – fifty-nine (59) throughout Geauga County for the period of January 1, 2011 through December 31, 2011 in the amount of \$127,500.00.

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

**DEPARTMENT ON AGING – CONTRACT AGREEMENT – VALLEY FOODS
INCORPORATED – ACCEPT PERFORMANCE BOND AND RELEASE BID BOND**

Ms. Bell stated that this was the food contract for the next two years. Valley Food came in with the lowest and best bid. Ms. Bell explained that it went up \$0.13 per meal this year and it will go up another \$0.13 next year. Ms. Bell stated that there is an increase in the shelf stable food because they went with an upgraded emergency shelf stable meal at \$4.21 for the first year and \$4.29 the second year.

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Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute a Contract Agreement with Valley Foods Incorporated for the Elderly Nutrition Program for Congregate and Home Delivered Meals (according to state and federal guidelines) Project, for a two year period January 1, 2011 through December 31, 2012 in the amount of \$3.75 per meal for the first year and will increase to \$3.87 in the second year. The emergency shelf stable meals will be \$4.21 for the first year and \$4.29 in the second year.

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

Motion: by Commissioner Young, seconded by Commissioner Jemison to accept the Performance Bond from Valley Foods, Incorporated for the Elderly Nutrition Program for Congregate and Home Delivered Meals, and to further release the bid bond.

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

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

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

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

The Board reconvened at 11:18 am. No action was taken as a result of this executive session.

DEPARTMENT OF WATER RESOURCES – EXECUTIVE SESSION

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

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

The Board reconvened at 12:06 pm. The following action was taken as a result of this executive session.

Motion: by Commissioner Young, seconded by Commissioner Jemison to suspend Brandon Willman, Waste Water Treatment Plant (WWTP) Operator 1 with the Geauga County Department of Water Resources for five days without pay. The days will be determined by the Director.

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

DEPARTMENT OF WATER RESOURCES – CONTRACT AGREEMENT – BILL CONTI PLUMBING LLC

Director Doug Bowen explained that with the new waterlines on Bainbridge and Chagrin River Roads that they have to make pressure adjustments and changes to the system, by closing a valve and opening up another. Mr. Bowen stated that Hawksmore Street, which is down in the valley is going to have an extremely high pressure this summer when they get the tower on the top. Mr. Bowen stated that new homeowners building will be required to put a pressure valve in, but due to the changes that are being made, Water Resources is required to put the pressure valves in those houses already in place.

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Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute a service Contract Agreement with Bill Conti Plumbing, LLC to perform services to install pressure reducing valves for sixteen (16) homes located in the Canyon Lakes subdivision and expansion tanks as needed, for the period of six months in an amount not to exceed \$7,000.00.

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

COMMISSIONERS' OFFICE – RESOLUTION APPROVING THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) CODE OF REGULATIONS REVISIONS – CUYAHOGA COUNTY STRUCTURE

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution #10-237 approving the Northeast Ohio Areawide Coordinating Agency (NOACA) Code of Regulations Revisions for Cuyahoga County structure as adopted by the Governing Board of the Northeast Ohio Areawide Coordinating Agency on December 10, 2010.

Board of County Commissioners, Geauga County, Ohio

Resolution: 10-237
Date: December 30, 2010

RESOLUTION APPROVING THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY CODE OF REGULATIONS REVISIONS – CUYAHOGA COUNTY STRUCTURE

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the designated Metropolitan Planning Organization for Cuyahoga, Geauga, Lake, Lorain and Medina Counties; and

WHEREAS, various articles of the Code of Regulations of the NOACA Governing Board provide for five boards of County Commissioners; and

WHEREAS, Cuyahoga County has voted to change the commissioner form of government to a County Executive and County Council, which necessitates changes to various Articles of the Code; and

WHEREAS, staff recommends that references to five Boards of County Commissioners be deleted where possible and other language changes be made to accommodate the new structure for Cuyahoga County.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-four principal elected and other officials of general purpose local government throughout and within the Counties of Cuyahoga, Geauga, Lake, Lorain and Medina, that:

Section 1. The following amendments to the NOACA Code of Regulations are hereby adopted, as shown in Attachment A.

BE IT FURTHER RESOLVED that the Board of County Commissioners, Geauga County, Ohio accept and approve the revisions as adopted by the Governing Board of the Northeast Ohio Areawide Coordinating Agency (NOACA) on December 10, 2010.

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

OTHER

The Board reviewed upcoming events.

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ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending December 22, 2010 as required by O.R.C. 955.12.

MEETINGS

- Fri., 12/31 **County offices will be closed for general business due to the New Year's holiday. Twenty-four hour operations will continue to operate as usual.**
- Tues., 1/4 The Commissioners will hold regular session.
- Thu., 1/6 The Commissioners will hold regular session.
- Fri – Sun. 1/7-1/9 The Commissioners will be attending the Fair Board Convention in Columbus, Ohio.
- Mon., 1/10 **The Commissioners will hold the Re-organizational meeting at 10:00 a.m.**
- Tues., 1/11 **The Regularly scheduled Commissioners' meeting is cancelled.**
- Thu., 1/13 The Commissioners will hold regular session.
- Mon., 1/17 **County offices will be closed for general business due to the Martin Luther King Jr. holiday. Twenty-four hour operations will continue to operate as usual.**
- Tues., 1/18 **The Regularly scheduled Commissioners' meeting is cancelled.**
- Thu., 1/20 The Commissioners will hold regular session.
- Tues., 1/25 The Commissioners will hold regular session.
- Thu., 1/27 The Commissioners will hold regular session.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 12:13 P.M.

Geauga County Board of Commissioners

William S. Young

Tracy A. Jemison

Mary E. Samide

Christine Blair, Acting Commissioners' Clerk