

Commissioners' Journal
December 4, 2012

The Geauga County Board of Commissioners met in session on December 4, 2012 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 10:01 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of November 29, 2012.

<i>Roll Call Vote:</i>	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Jemison</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 Supplemental Appropriations for the Airport Construction fund for FAA funding expected to be received in December and for the Hotel / Motel Excise Tax fund for 3rd quarter bed tax distributions; an Appropriation transfer from the Contingency account to return appropriations to the Prosecutor's office for criminal investigation salary reimbursements paid into the General Fund; Cash transfers out of the General Fund for the 2nd quarter SFY 2013 JFS mandated share costs, 2012 funding for the Storm Water Management fund, and the local matches for the Sheriff's Office VOCA and VAWA grants; a Contract for Excavation Works, Incorporated for a septic tank replacement for the Office of Community & Economic Development; and a payment to Gillmore Security Systems for the purchase of a replacement security system for the Department of Job & Family Services in the amount of \$18,533.00.

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and execute Resolution #12-198 itemizing the financials for the meeting of December 4, 2012.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – STATE OF OHIO SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FORMULA ALLOCATION PROGRAM GRANT AGREEMENT EXTENSION

Program Coordinator Kelly Belconis explained that this was to extend the grant due to the possibility of delivery delays caused by the unavailability of generators from the widespread power outages caused by Hurricane Sandy.

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the State of Ohio Small Cities Community Development Block Grant (CDBG) Program Formula Allocation Program Grant Agreement Extension (#B-F-11-1AZ-1) extending the grant through March 31, 2013.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – THREE-PARTY CONTRACT – MAPLE LEAF COMMUNITY RESIDENCES AND BUCKEYE POWER SALES

Ms. Belconis explained that this was the contract for the generators, for a total of sixteen, with an in-kind contribution from Maple Leaf Community Residences. They currently have a total of 19 homes and are getting ready to purchase two more next year, for a total of 21.

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Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and execute a Three-party Contract between the Geauga County Board of Commissioners, Maple Leaf Community Residences, and Buckeye Power Sales for the Maple Leaf Community Residences Generator Project, under Grant #B-F-11-1AZ-1 in the amount of \$69,278.00.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – NOTICE TO PROCEED – BUCKEYE POWER SALES

Ms. Belconis stated that this was just a notice to proceed allowing Buckeye Power Sales to get started on the project.

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute a Notice to Proceed for Buckeye Power Sales for the Maple Leaf Community Residences Generator Project, under Grant #B-F-11-1AZ-1.

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

PLANNING COMMISSION – PURCHASE AGREEMENT – STREAM MITIGATION CREDITS GEAUGA COUNTY, OHIO UPPER CUYAHOGA WATERSHED STREAM MITIGATION BANK, “POPE HOME SITE” - KERTES ENTERPRISES, INCORPORATED

Planning Director David Dietrich explained that this was to a developer to purchase stream credits from the Pope Home site. Mr. Dietrich noted that this program was under the auspices of the Army Corps of Engineers; Commissioner Jemison clarified that this was for the sale of credits on land already protected on the Pope Home property. Mr. Dietrich noted that the developer wishes to develop land for residential purposes in Solon that currently has wetlands on it. Commissioner Claypool asked for confirmation that this program enables the developer to destroy a wetland by purchasing credits on wetlands that already exists, located on county property. Mr. Dietrich clarified that these were not wetlands credits, but are actually stream credits being purchased based on Army Corps of Engineer guidelines, adding that the developer is first to try to mitigate on the property being developed; if that is not possible then they can purchase stream credits. Mr. Claypool stated that he would support this action so that the developer wasn't harmed, but the audience should understand that this is “nonsense” under current federal law and that congress should be contacted by anyone opposing these programs. Commissioner Samide stated that revenue from this program of selling credits on county property has been used for both economic development and farmland preservation. Mr. Claypool stated that while the county benefits financially, it accomplishes nothing in the end. Mr. Dietrich added that the registration of these credits as accounted for by this purchase will be monitored by the Geauga County Soil and Water Conservation District.

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and execute a Purchase Agreement for Stream Mitigation Credits Geauga County, Ohio Upper Cuyahoga Watershed Stream Mitigation Bank, “Pope Home Site” between the Geauga County Board of Commissioners and Kertes Enterprises, Incorporated for 135 stream preservation credits in the amount of \$10,125.00.

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

GEAUGA-TRUMBULL SOLID WASTE MANAGEMENT DISTRICT – RESOLUTION APPROVING THE UPDATED SOLID WASTE MANAGEMENT PLAN

Executive Director Bob Villers stated that he was requesting the support of the board for approval on the Updated Solid Waste Management Plan. Mr. Villers explained that approval is required by the City of Chardon, the City of Warren, and both Trumbull and Geauga counties. Mr. Villers stated that the Trumbull County Commissioners and the City of Warren had already

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given their approval, and that Chardon City is holding a meeting next week. Mr. Villers also stated that there is a requirement that 75% of the population of these jurisdictions be in favor of this action, adding that they have met 64% of this requirement already. Mr. Jemison clarified that waste haulers operating in Geauga and Trumbull counties are charged a tipping fee for each load of waste they dump into an authorized landfill, with no increase in this fee for the next 15 years under this updated plan. These tipping fees, plus any fines assessed against waste haulers for violations of their agreement with the solid waste district are what provides the funding to operate this department. Recycling is handled at the Warren headquarters location, plus periodic collections are held at the Geauga County highway garage. Mr. Claypool remarked that he has read the plan, said that there are few governmental activities that he will endorse, but he does endorse this particular activity.

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and execute Resolution #12-199 Approving the Updated Solid Waste Management Plan for the Geauga-Trumbull Solid Waste Management District. This is for the planning period of 2013 through 2028.

Board of County Commissioners, Geauga County, Ohio

Resolution: 12-199

Date: December 4, 2012

*Approving the Updated Solid Waste Management Plan for the
Gauga-Trumbull Solid Waste Management District*

WHEREAS, H.B. 592, enacted by the 117th General Assembly of the State of Ohio and effective June 24, 1988, required that the Board of County Commissioners of each county within the state established and maintain its own "county solid waste management district" or, with the Boards of County Commissioners of one or more other counties, establish by agreement and maintain a "joint solid waste management district" pursuant to Section 343.01 of the Revised Code, for the purposes of solid waste management planning and providing for, or causing to be provided for, the safe and sanitary management of solid wastes within all of the incorporated and unincorporated territory of such a county district or joint solid waste management district; and

WHEREAS, the respective Boards of County Commissioners of the Counties of Geauga and Trumbull determined to, and did enter into an agreement entitled "Agreement Establishing the Geauga-Trumbull Solid Waste Management District" dated January, 1994 which established the Geauga-Trumbull Solid Waste Management District; and

WHEREAS, the Policy Committee is required by the Ohio Revised Code to prepare, adopt and submit to the Director of the Ohio Environmental Protection Agency for review and approval "a solid waste management plan" for the Geauga-Trumbull Solid Waste Management District; and

WHEREAS, a public comment period of (30) thirty days for comment concerning the draft plan was established from September 17, 2012 through October 17, 2012 and a public hearing concerning the updated plan was held October 18, 2012 in Warren at the District office. All in accordance with published notice and procedures set forth in Section 3734.55 of the Revised Code; and

WHEREAS, the Policy Committee, after consideration of comments and recommendations received concerning the updated plan, made certain modifications to the updated plan and has adopted and submitted to this legislative authority a copy of the updated plan for the District as so modified; and

WHEREAS, this legislative authority is required by Division (B) of Section 3734.55 of the Revised Code to approve or disapprove the final updated plan within 90 days after receiving a copy of the final updated plan and has been requested to approve the updated plan;

NOW, therefore be it resolved, by the Board of County Commissioners of the County of Geauga, State of Ohio, that:

Section 1. The final updated plan is hereby approved in the form submitted to this legislative authority and presently on file with the Fiscal Officer of this legislative authority.

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- Section 2. *The Clerk of this legislative authority is hereby authorized and directed to mail or otherwise deliver promptly a certified copy of this Resolution to the Policy Committee.*
- Section 3. *This Board finds and determines that all formal actions of this Board concerning and related to the adoption of this Resolution were taken in an open meeting of this Board that was open to the public in compliance with the law.*
- Section 4. *This Resolution shall be in full force and effect from and immediately upon its adoption.*

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

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – CUMMINS BRIDGEWAY, LLC

Assistant Sanitary Engineer Gerard Morgan explained that this service contract was to perform maintenance on generators located at the McFarland and Parkman sewage treatment plants. It was noted that these generators are powered by natural gas.

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to approve and execute a service Contract Agreement with Cummins Bridgeway, LLC to perform planned maintenance for generators located at the McFarland Creek Wastewater Treatment Plant, Bainbridge Township, the Parkman pump station, and the Parkman Wastewater Treatment Plant in Parkman Township for the period of one year and in an amount not to exceed \$5,562.04.

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

COMMISSIONERS' OFFICE – ESTABLISH GAS MILEAGE REIMBURSEMENT – EFFECTIVE JANUARY 1, 2013 AT THE CURRENT INTERNAL REVENUE SERVICE (IRS) RATE

Motion: by Commissioner Claypool, seconded by Commissioner Jemison to establish the gas mileage reimbursement at the current Internal Revenue Service (IRS) rate of \$0.565, to be effective January 1, 2013 for the departments under the direction of the Geauga County Board of Commissioners.

<i>Roll Call Vote:</i>	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</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 November 21, 2012 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

MEETINGS

Tues., 12/4 Joint Juvenile Detention Center Board Meeting, 1:30 p.m., Portage County

Thu., 12/6 The Commissioners will hold regular session.

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Thu., 12/6 *The Commissioners will hold a Public Hearing beginning at 10:30 a.m. regarding the Issuance of Revenue Bonds for South Franklin Circle*

Thu., 12/6 *Chagrin River Watershed Partners Board of Trustees meeting, 4:00 – 6:00 p.m. at Willoughby Hills Community Center*

12/9 – 12/11 *The Commissioners will attend the CCAO Winter Conference, Columbus, Ohio*

Tues., 12/11 **The Regularly scheduled Commissioners' meeting is cancelled.**

Tues., 12/11 *The Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*

Thu., 12/13 *The Commissioners will hold regular session*

Thu., 12/13 *Geauga Trumbull Solid Waste Board of Directors Meeting, 12:00 p.m. at Alberini's Restaurant*

Fri., 12/14 *NOACA meeting, 10:00 a.m. in Cleveland, Ohio*

Ms. Samide stated that she would like to thank Commissioner Claypool for his service and effort, acknowledging that he took a lot of time to become familiar with the duties of a Geauga County Commissioner. Mr. Claypool expressed his thanks for the efforts of the staff in support of his time of service, and that everyone has been very helpful and the experience was very eye-opening. Mr. Claypool added that it was a good experience and he appreciated the opportunity to serve with both Commissioner Samide and Commissioner Jemison.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER CLAYPOOL ADJOURNED THE MEETING AT 10:31 A.M.

Geauga County Board of Commissioners

Mary E. Samide

Tracy A. Jemison

Expired Appointment

Walter M. Claypool

Christine Blair, Commissioners' Clerk