

Commissioners' Journal
May 21, 2009

The Geauga County Board of Commissioners met in session on May 21, 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 Vice President of the Board, Mary E. Samide opened the meeting at 10:10 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Young was absent from this session.

APPROVE MINUTES

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of May 19, 2009.

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

ENGINEER'S OFFICE – TEMPORARY RIGHT OF WAY EASEMENT – BENSEN PARCEL - DINES ROAD BRIDGE – RUSSELL TOWNSHIP

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a temporary Right-of-Way Easement for Dwaine A. Bensen (Parcel T-1) (part of Parcel #26-010655) for the Dines Road Bridge in Russell Township, in the amount of \$300.00.

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

ENGINEER'S OFFICE – TEMPORARY RIGHT OF WAY EASEMENT – GARBO PARCEL – DINES ROAD BRIDGE – RUSSELL TOWNSHIP

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a temporary Right-of-Way Easement for Patricia A. Garbo (Parcel T-2) (part of Parcel #26-028770) for the Dines Road Bridge in Russell Township, in the amount of \$380.00.

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

ENGINEERS' OFFICE – TEMPORARY RIGHT OF WAY EASEMENT – RUSSELL TOWNSHIP PARK – DINES ROAD BRIDGE

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a temporary Right-of-Way Easement for Russell Township Park Commission (Parcel T-3) (part of Parcel #26-707006) for the Dines Road Bridge in Russell Township, in the amount of \$300.00.

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

DEPARTMENT OF WATER RESOURCES – UNPAID LEAVE – TRAVIS NEELY

Sanitary Engineer Doug Bowen reported that Mr. Neely is a new hire and the plans were in place before his hiring.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the unpaid leave of absence request for Travis Neely, Maintenance Worker in the Department of Water Resources, for a twenty-four hour leave during the period May 28, May 29, and June 1, 2009.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – ADVERTISE PUBLIC HEARING #2 – CDBG FORMULA GRANT PROGRAM IN CONJUNCTION WITH PUBLIC HEARING #2 FOR MICROENTERPRISE PROGRAM

Director Anita Stocker explained the applicants will have five minutes to present their project to the Board. The Board will select six projects for a total project amount \$193,400.00.

Commissioner Jemison asked if other funding is available for these applicants. Ms. Stocker replied that a lot the applicants are already seeking other funding as well.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise to hold Public Hearing #2 to discuss Geauga County's application to the Ohio Department of Development, Office of Housing and Community Partnerships for funding under the Fiscal Year 2009 Small Cities Community Development Block Grant (CDBG) Formula Program grant #B-F-09-026-1 to be held in conjunction with public hearing #2 for CDBG Microenterprise Program to be held on June 9, 2009 at 11:00 a.m. Notice of this hearing will be advertised on May 28, 2009.

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

DEPARTMENT ON AGING – DECLARE NECESSARY TO LEVY A TAX – REQUEST CERTIFICATION OF DOLLAR AMOUNT GENERATED

Director Sally Bell introduced Dick Doer, Levy Chairman and Don Blake, President of the Executive Board for the Advisory Board, Bill O'Donnell from Habitat for Humanity and Julie Desiderio who have been working very hard on the levy. This is for a one mill replacement which will collect more money as it is a replacement. Ms. Bell informed the Board of the latest event of the Department on Aging which was a trip on the Good Time III. The captain of the ship commented favorably on the Department on Aging staff for helping to serve the 400 senior citizens on the boat.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-096 declaring it necessary to levy a tax in excess of the ten mill limitation and requesting certification of the County Auditor of the dollar amount generated as authorized by O.R.C. 5705.03, .19, .191, .25 and .26.

Board of County Commissioners, Geauga County, Ohio

Date: May 21, 2009

Resolution: 09-096

A RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION AND REQUESTING CERTIFICATION OF THE COUNTY AUDITOR OF THE DOLLAR AMOUNT GENERATED, AS AUTHORIZED BY O.R.C. 5705.03, .19, .191, .25 AND .26

The Board of County Commissioners of the County of Geauga, State of Ohio, met in regular session on the 21st Day of May 2009, commencing at 10:00 o'clock a.m. at the Chambers of the Geauga County Board of Commissioners, 470 Center St. Bldg 4, Chardon, Ohio, with the following members present:

Tracy A. Jemison

Mary E. Samide

The Clerk advised the Board of County Commissioners that the notice requirements of R.C. 121.22 and the implementing rules adopted by the Board thereto were complied with for the meeting.

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Commissioner Jemison moved the adoption of the following resolution:

WHEREAS, the Board of County Commissioners has determined that it is necessary to levy a tax outside the ten-mill limitation for the requirements of the Geauga County Department on Aging, Geauga County, Ohio.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of the County of Geauga, State of Ohio, hereby certifies to the Geauga County Auditor this resolution requesting that the County Auditor certify to the Board of County Commissioners the total current tax valuation of Geauga County and the dollar amount of revenue that would be generated by a replacement levy of 1 mill.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Geauga County, Ohio, two thirds of all members elected thereto concurring, that it necessary to levy a tax in excess of the ten-mill limitation for the benefit of the Geauga County Department on Aging for the purpose of providing and maintaining senior citizens and facilities as authorized by Section 307.694, 307.85, 505.70, 505.706 or division (EE) of Section 717.01 of the Revised Code at a rate not exceeding 1 mill for each One Dollar (\$1) of valuation, which amounts to ten cents (\$0.10) for each One Hundred Dollars (\$100) of valuation, for a period of five (5) years and which levy is a replacement of an existing one mill levy.

BE IT FURTHER RESOLVED that said levy shall be for a period of five (5) years and this levy is a replacement of one (1) mill to be placed upon the tax year 2010 if a majority of the electors voting thereon vote in favor thereof.

Commissioner Samide seconded the motion.

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

**BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES – 2009
PAVEMENT RENOVATION PROJECT – BID AWARD - CARRON ASPHALT PAVING
INCORPORATED**

Supervisor of Business Affairs, Cheryl Moster stated that the original amount was \$235,000.00. Last year the estimate to do the entire facility was \$648,000.00. Commissioner Jemison inquired if the funding is in the budget to which Ms. Moster replied it was.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid for the 2009 Pavement Renovation Project at the Metzenbaum Center (8200 Cedar Road) to Carron Asphalt Paving Incorporated in the amount of \$162,563.10 as they represented the lowest and best bid.

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

MENTAL HEALTH AND RECOVERY SERVICES – BOARD REAPPOINT – ROGER MORRIS

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

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

MENTAL HEALTH AND RECOVERY SERVICES – PROCLAIM MAY AS MENTAL HEALTH MONTH

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-095 Proclaiming the Month of May as Mental Health Month for Geauga County.

Board of County Commissioners, Geauga County, Ohio

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Resolution: 09-095
Date: May 21, 2009

**A RESOLUTION PROCLAIMING THE MONTH OF MAY
AS MENTAL HEALTH MONTH FOR GEAUGA COUNTY**

WHEREAS, mental health disorders collectively make mental illness the most prevalent health problem in America today – more common than cancer, lung, and heart diseases combined; and

WHEREAS, severe emotional disorders will strike one in four Americans every year regardless of age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, mental health problems affect all ages including children, adults, and senior adults; and

WHEREAS, one in five children suffer from a diagnosable mental health disorder and one in ten have a serious disorder which, if left untreated, can lead to school failure, juvenile delinquency, substance abuse, and even suicide; and

WHEREAS, senior adult males are the most likely age group to commit suicide and are one of the least likely population groups to seek treatment for depression; and

WHEREAS, the guiding principles of community-based mental health care have always been comprehensive, cost-effective, well managed, high quality consumer responsive services, and those principals are now being adopted by private and public health care providers and payers; and

WHEREAS, the National Mental Health Association, the National Council for Community Behavioral Healthcare, the Geauga County Board of Mental Health and Recovery Services, and their partners, celebrate Mental Health Month each year in May to raise awareness of mental health, mental illnesses, and the stigma that still exists pertaining to persons with emotional disabilities; and

WHEREAS, every year one in seven Geauga County residents receive services from the Geauga County Board of Mental Health and Recovery Services and its contract agencies, in the areas of prevention, intervention, support, and treatment services.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners hereby proclaims May 2009 as MENTAL HEALTH MONTH in Geauga County and desires all residents of the County to become educated about the benefits and importance of good mental health care and to seek services for emotional problems early from mental health professionals.

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

**COMMISSIONERS' OFFICE - ACCEPT CREDIT CARD PROPOSAL - HUNTINGTON
NATIONAL BANK MERCHANT SERVICES LLC**

Commissioners' Clerk reported that three proposals were received and the Treasurer recommended Huntington Bank. The next step is that contract will come before the Board.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the Proposal from Huntington National Bank (Merchant Services, LLC) for the Acceptance of Payments by Financial Transaction Devices (Credit Card Services) for Expenses of the Juvenile and Probate Division of the Geauga County Court of Common Pleas, per the recommendation of the County Treasurer.

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

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OTHER

Ms. Kozenko reported to the Board on the NACo membership dues and invoice. Ms. Kozenko asked for a prorated invoice as the Board would be joining in June and the fee is rated for January 1. The membership dues are \$1,057.00 for the period June 1, 2009 through December 31, 2009. Action will come before the Board when Commissioner Young is present as he initiated the interest in NACo.

COMMISSIONERS' OFFICE – RESOLUTION ON MORATORIUM ON ADOPTION OF NEW HOUSEHOLD WASTE STANDARDS

After a short discussion the Board agreed on a moratorium as the Board does not want to put the residents in a situation of having to overspend on a new system to solve a problem that is not there. A moratorium would hopefully allow for all the facts to be discovered and worked through.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-097 Resolution for a Moratorium on Adoption of New Household Waste Standards.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-097

Date: May 21, 2009

RESOLUTION FOR A MORATORIUM ON ADOPTION OF NEW HOUSEHOLD WASTE STANDARDS

WHEREAS a moratorium on adoption of new household waste standards by the Ohio legislature would keep in place current objective-based standards for household septic system approval and the determination as to what constitutes a public health nuisance, while still protecting public health;

WHEREAS a moratorium on adoption of new household waste standards by the Ohio legislature continues to provide local county health authorities with the power to approve household septic systems designed for optimal performance on the basis of local soil conditions, thus ensuring solutions that protect public health in a cost-effective manner;

WHEREAS a moratorium on adoption of new household waste standards by the Ohio legislature continues to maintain the balance between public health safety and private property ownership rights; and

WHEREAS a moratorium on adoption of new household waste standards by the Ohio legislature will continue to effectively protect our citizens from documented environmental threats in a manner that does not severely threaten the finances of individual households or burden our fragile state economy with the cumulative effects of mandating wholesale conversion by millions of Ohio households away from proven, easily-maintained technologies toward highly expensive, complex septic systems with many potential points of failure; and

WHEREAS a moratorium on adoption of new household waste standards by the Ohio legislature will allow additional time for the advanced technologies favored by some to achieve greater levels of reliability and affordability, further protecting the economic well-being of Ohio residents served by individual septic systems; and

THEREFORE, BE IT RESOLVED that the Geauga County Board of Commissioners has unanimously voted to support a moratorium on adoption of new household waste standards by the Ohio legislature; and

BE IT FINALLY RESOLVED that this document become a part of official Geauga County record and that duly authenticated versions be sent to Ohio Senate President Bill Harris, Ohio Speaker of the House Armond Budish, and Ohio Governor Ted Strickland.

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

OTHER

County Engineer R. L. Phillips briefly reported on the pumping out of the Kenston Lake Dam. Mr. Phillips stated they have stopped pumping after three days when they hit 6 feet below the shelf. Today survey work will be done to get the face of the slope. Mr. Phillips added that there

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was a piece of metal that is stuck outside the liner between the liner and the outlet pipe. Mr. Phillips believes it might be a part of the old original outlet pipe that fell down. The pipe is basically impossible to remove as it is in a small confined space and is jammed in. This is still a culvert project. Mr. Phillips added that the outlet pipe is still smaller than the liner.

ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending May 13, 2009 as required by O.R.C. 955.12.*

MEETINGS

*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.

Thu., 6/4 Public Hearing continuance of deliberations for the Petition on the Ditch Improvement proposed for Culvert # 299-0.20 located under Kenston Lake Drive in Bainbridge Township Town Hall at 6:30 p.m.

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 SAMIDE ADJOURNED THE MEETING AT 10:43 A.M.

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Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

ABSENT
William S. Young

Claudine Kozenko, Commissioners' Clerk