

**Commissioners' Journal**  
**September 24, 2009**

*The Geauga County Board of Commissioners met in session on September 24, 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 10:06 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Samide was absent from this session.*

**APPROVE MINUTES**

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute the minutes for the meeting of September 22, 2009.*

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

**APPROVE FINANCIALS**

*Fiscal Specialist Diane Arp explained the financials as including an appropriation transfer for Soil and Water and one travel request.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Resolution 09-172 itemizing the financials for the meeting of September 24, 2009.*

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

**SHERIFF'S OFFICE – WIRELESS TOWER MODIFICATION SITES CONTRACT - ELECTRICAL DESIGN CONSULTANTS, INCORPORATED**

*Sheriff Dan McClelland thanked the County Administrator for following through on drafting the letter to the Park District regarding this site. The Sheriff stated that this is for the upgrade of the towers as the FCC structural requirements have changed such as being able to withstand a higher wind and ice load (being a safety and emergency communication system). The Sheriff added that the estimate for this project was \$190,000.00.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute a Contract Agreement with Electrical Design Consultants, Incorporated for the Wireless Tower Modification Sites: Chardon, Bainbridge, Thompson and Claridon (Prime) Project, in the amount of \$158,000.00.*

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

**ENGINEER'S OFFICE – RESOLUTION PAVEMENT MARKINGS FOR VARIOUS SECTIONS**  
*County Engineer R.L. Phillips added that each year half the roads are done.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Resolution 09-170 to Improve Various Sections of County Roads by Applying Pavement Markings for the 2010 Year.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: September 24, 2009*  
*Resolution: 09-170*

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**RESOLUTION TO IMPROVE VARIOUS SECTIONS OF COUNTY ROADS  
BY APPLYING PAVEMENT MARKINGS, YEAR 2010**

*WHEREAS, the Geauga County Board of Commissioners has determined that the public convenience and welfare require safety improvements on various county roads in accordance with Section 5555.06 of the Ohio Revised Code; and*

*WHEREAS, this Board enacted Resolution 02-171 to accept federal aid funding to provide safety improvements for highways in Geauga County; and*

*WHEREAS, this Board acknowledges that pavement markings must be maintained on county highways in Geauga County for safety reasons.*

*WHEREAS, the Geauga County Engineer has entered into an agreement with the Ohio Department of Transportation to administer this project locally under the LPA policy as adopted by the Ohio Department of Transportation.*

*NOW, THEREFORE, BE IT RESOLVED by the Geauga County Board of Commissioners that the public convenience and welfare require an improvement to improve various highways by applying pavement markings to county highways within the County as determined necessary by the Geauga County Engineer.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be apportioned as follows:*

*The preliminary engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction and inspection costs shall be paid from federal sources in the amount of approximately 100% of the total construction and inspection costs up to the federal maximum. Any unfunded construction and inspection costs will be paid from local roadway improvement funds.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to cause to be published in a newspaper with a general circulation throughout the county, once a week for two consecutive weeks, a notice that a resolution has been adopted providing for said improvement, and that copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement are on file in the office of the board for the inspection of persons interested therein. The notice shall further state the time and place for hearing objections to the improvement.*

*BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners of Geauga County is hereby instructed to transmit a certified copy of this resolution to the Geauga County Engineer.*

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

**ENGINEER'S OFFICE – RESOLUTION TO RECONSTRUCT BUTTERNUT ROAD BRIDGE**  
*Mr. Phillips added that this will be resurfaced until the problem is solved of the “wiggleness” and narrowness of the bridge.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Resolution 09-171 to Reconstruct the Butternut Road Bridge (Structure #21-7.06) in Burton Township.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: September 24, 2009*  
*Resolution: 09-171*

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**RESOLUTION TO RECONSTRUCT THE BUTTERNUT ROAD BRIDGE,  
STRUCTURE #21-7.06 IN BURTON TOWNSHIP**

*WHEREAS, the Board of County Commissioners of Geauga County has determined that the public convenience and welfare require the replacement of the bridge over Diedrich Creek, and the grading, paving, widening, and draining of a portion of Butternut Road in the immediate vicinity of the bridge in accordance with Section 5555.022 of the Ohio Revised Code.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Geauga County that the public convenience and welfare require the replacement and reconstruction of the Butternut Road Bridge, Structure #21-7.06 in the Township of Burton, County of Geauga by the removal of the existing bridge structure, installation of a new bridge structure at mile marker 7.06, and the grading, paving, widening, and draining of Butternut Road in the immediate vicinity of the bridge as required.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be apportioned as follows:*

*The engineering, right of way, construction and inspection costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants which may be secured for the project.*

*BE IT FURTHER RESOLVED that if preliminary designs for the project show the project cannot be built within the current right of way of Butternut Road, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners of Geauga County is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement with the Geauga County Engineer.*

*BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners of Geauga County is hereby instructed to transmit a certified copy of this resolution to the Burton Township Trustees and the Geauga County Engineer.*

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

**ENGINEER'S OFFICE – AERO-MARK INCORPORATED CHANGE ORDER #1 –  
POLYESTER PAVEMENT MARKINGS**

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute Change Order #1 and final increasing the contract with Aero-Mark Incorporated for the Application of Polyester Pavement Markings to Various Roads, Year 2009, Contract #PPM-09, for extra pavement marking work, in the amount of \$3,057.45.*

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

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ENGINEER'S OFFICE – ADVERTISE FOR BIDS – ASPHALT RESURFACING OF AUBURN ROAD, NEWBURY

Mr. Phillips explained that this is an ARRA job which will be done next year. It was decided the fall was a good time for the bid opening and May 3<sup>rd</sup> is the earliest they can start.

*Motion:* by Commissioner Jemison, seconded by Commissioner Young to grant permission to advertise for bids for the Asphalt Resurfacing of Auburn Road (CH 4, Sections I & J) in Newbury Township with a bid opening to be held on Wednesday, October 28, 2009 at 2:00 p.m. Notice of this bid opening will be advertised on October 8, 15, and 22, 2009 and the county's web site.

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

ENGINEER'S OFFICE – ADVERTISE FOR BIDS – CEMENT STABILIZATION AND ASPHALT REPAVING – NAUVOO ROAD, MIDDLEFIELD

Mr. Phillips explained that this project was planned for the summer, they applied for ARRA funds but got them so late. Between this project and the Auburn Road project they have received \$700,000.00 in ARRA money.

*Motion:* by Commissioner Jemison, seconded by Commissioner Young to grant permission to advertise for bids for the Cement Stabilization and Asphalt Repaving of Nauvoo Road (CH 41, Section A) in Middlefield Township with a bid opening to be held on Wednesday, October 28, 2009 at 2:05 p.m. Notice of this bid opening will be advertised on October 8, 15, and 22, 2009 and the county's web site.

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

DEPARTMENT OF WATER RESOURCES – HIRE SPECIAL PROJECT MANAGER - HELEN HAYES

Assistant Sanitary Engineer Gerald Morgan stated that Ms. Hayes will be the pre-treatment coordinator and will create rules and regulations for pre-treatment for any restaurants such as grease traps as well as any other commercial property. The current rules are established for residential waste only.

*Motion:* by Commissioner Jemison, seconded by Commissioner Young to approve hiring Helen Hayes as Special Project Manager, Part-time Intermittent (#2399) at a rate of \$19.29 per hour, to be effective September 28, 2009.

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

DEPARTMENT OF WATER RESOURCES – WATER, SEWER AND MAINTENANCE AGREEMENT – STOCK EQUIPMENT – 16490 CHILLICOTHE ROAD, BAINBRIDGE

*Motion:* by Commissioner Jemison, seconded by Commissioner Young to approve and execute the Water and Sewer and Maintenance Agreement between Geauga County Board of Commissioners for the operation, maintenance and repair of Stock Equipment sewage treatment system and private water system located at 16490 Chillicothe Road in Bainbridge Township.

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

DEPARTMENT OF JOB AND FAMILY SERVICES – GEAUGA COMMUNITY ACTION INCORPORATED REAPPOINTMENTS - SALLY BELL AND JONI STUSEK

*Motion:* by Commissioner Jemison, seconded by Commissioner Young to approve the reappointment of Sally Bell and Joni Stusek to serve on the Geauga Community

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*Action, Incorporated Board for a three year term, for the period October 1, 2009 through October 1, 2012.*

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

**DEPARTMENT OF JOB AND FAMILY SERVICES – IV-D CONTRACT MAGISTRATE SERVICES**

*Assistant Director Mr. Paul Reiman explained that this annual contract is to allow the Common Pleas Court to be paid for the work they do for the Child Support Agency on establishment cases and enforcement. JFS gets reimbursed 66% from federal funds.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute a IV-D Service Contract between Geauga County Child Support Enforcement Agency and the Geauga County Common Pleas Court for Magistrate Services for the period of July 1, 2009 through June 30, 2010 in the amount of \$101.99 per hour.*

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

**DEPARTMENT OF JOB AND FAMILY SERVICES – IV-D CONTRACT – LEGAL SERVICES**

*Mr. Reiman added that this contract is to defray some of the cost.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and execute a IV-D Service Contract between Geauga County Child Support Enforcement Agency and the Geauga County Prosecutor for legal services for the period of July 1, 2009 through June 30, 2010 in the amount of \$51.23 per hour.*

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

**DEPARTMENT OF JOB AND FAMILY SERVICES – RENEWAL AUTHORIZATION – PREVENTION, RETENTION AND CONTINGENCY PLAN**

*Director Tim Taylor stated that every two years they are required to go through a review process and they use the Geauga County Family Services Planning Committee, which is one of the methods allowed to be used. They discuss changes and utilization of the plan and by October 1 a revision or the plan in its current form must be submitted. The Commissioners must certify that the plan has been reviewed. As part of the review this year they made adjustments to the plan to reflect the needs. A number of service areas were taken out of the plan either because of guidance from the State Department that the services should no longer be provided through the PRC or there were other sources to use. There were other resources, mostly in the child welfare area. The potential of utilization in this area wasn't really used so it was removed from the plan. There have also been areas that are difficult to administer such as allowing individuals to purchase a car. Through time many counties have dropped this service from the plan. It is a good benefit but it has difficult aspects to it as some cars that are purchased are not in good shape and then they need further assistance for repairs of those vehicles. This service is to help them get to their job. This ends up being not the best use of funds. In several areas they have tightened up the eligibility. Mr. Taylor added that this plan is for the prevention of job loss, the retention of jobs and the contingency is emergency household assistance for families. It is based on income eligibility and families that have children in the house. The plan has been a good tool and they have had good experience with the plan for ten years. Mr. Taylor believes they have made some good adjustments and will continue to monitor it. PRC is not used for tuition for college class, it is for vocational training and it starts with skills assessment.*

*Motion: by Commissioner Jemison, seconded by Commissioner Young to resolve to certify that the requirements of O.R.C. 5108 pertaining to the revision of the Geauga County Prevention, Retention and Contingency Plan have been met and that the Geauga County Family Services Planning Committee has reviewed the policies and design of the Prevention, Retention and Contingency Plan and has*

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*recommended it's adoption and implementation. Be it further resolved that the Board approve and authorize the President of the Board to execute the renewal authorization.*

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

**COMMISSIONERS' OFFICE – TOURISM EXPENDITURE**

*Motion: by Commissioner Jemison, seconded by Commissioner Young to approve and authorize an expenditure to the Geauga County Tourism Board for the county share of the funding of "The Art of Living" television episode featuring the Geauga County Amish Community.*

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

**COMMISSIONERS' OFFICE – EXECUTIVE SESSION**

*Motion: by Commissioner Jemison, seconded by Commissioner Young to move into executive session for the purpose of discussing imminent litigation.*

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

*The Board returned at 11:48 a.m. No action was taken as a result of this executive session.*

**ACKNOWLEDGEMENTS**

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending September 16, 2009 as required by O.R.C. 955.12*

**MEETINGS**

- Tue., 9/29 **The Regularly scheduled Commissioners' meeting cancelled as the Board will be attending the CCAO Legislative Update.***
- Tue., 9/29 CCAO Legislative Update – Mary Yoders Restaurant in Middlefield, 8:30 a.m. to 3:00 p.m.*
- Tue., 9/29 Geauga County Airport Budget Hearing at 3:15 p.m., **at the Geauga County Airport. Note different location.***
- Tue., 9/29 Chagrin River Watershed Partners Board of Trustees Meeting at 4:00 p.m.*
- Wed., 9/30 South Franklin Circle ribbon cutting official opening at 6:00 p.m.*
- Wed., 9/30 Jayne Kracker's book launching at the Red Maple Inn at 6:00 p.m.*
- Thu., 10/1 The Commissioners will hold regular session.*
- Thu., 10/1 Records Commission meeting at 11:00 a.m. at the Records Center.*
- |                                     |                              |                  |
|-------------------------------------|------------------------------|------------------|
| <i>Thu., 10/1 Budget Hearings :</i> | <i>Auditor / ADP</i>         | <i>1:00 p.m.</i> |
|                                     | <i>Community Development</i> | <i>1:45 p.m.</i> |
|                                     | <i>MRDD</i>                  | <i>2:30 p.m.</i> |
|                                     | <i>Veterans</i>              | <i>3:15 p.m.</i> |
|                                     | <i>Municipal Court</i>       | <i>4:00 p.m.</i> |

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- Tue., 10/6    *The Commissioners will hold regular session.*
- Tue., 10/6    *4-H Volunteer Banquet at St. Mary's in Chardon at 6:30 p.m.*
- Tue., 10/6    *Budget Hearings :*
- |                            |                  |
|----------------------------|------------------|
| <i>Treasurer</i>           | <i>1:00 p.m.</i> |
| <i>Juvenile/Probate</i>    | <i>1:45 p.m.</i> |
| <i>Recorder</i>            | <i>2:30 p.m.</i> |
| <i>JFS</i>                 | <i>3:15 p.m.</i> |
| <i>Planning Commission</i> | <i>4:00 p.m.</i> |
- Wed., 10/7    *Department on Aging Elected Officials Day*
- Thu., 10/8    *The Commissioners will hold regular session.*
- Thu., 10/8    *Budget Hearings :*
- |  |                  |
|--|------------------|
| <i>Soil &amp; Water Conserv Dstrct</i> | <i>1:00 p.m.</i> |
| <i>Clerk of Courts</i>                 | <i>1:45 p.m.</i> |
| <i>Prosecutor</i>                      | <i>2:30 p.m.</i> |
| <i>Archives</i>                        | <i>3:15 p.m.</i> |
| <i>DES</i>                             | <i>4:00 p.m.</i> |
- Fri., 10/9    *Community Development Program: Free Business Resources at the County Library.*
- Fri., 10/9    *NOACA*
- Mon., 10/12    *The County Offices will be closed in observance of the Columbus Day Holiday.*
- Tue., 10/13    **The Regularly scheduled Commissioners' meeting is cancelled.**
- Tue., 10/13    *Planning Commission meeting at Building #8 at 7:30 p.m.*
- Thu., 10/15    *House Bill 9 Certified Training at Lakeland Community College 1:00 p.m.*
- Thu., 10/15    *The Commissioners will hold regular session.*
- Thu., 10/15    *Soil and Water Conservation District's 65<sup>th</sup> Annual Dinner and Election at 6:00 p.m.*

**BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 11:48 A.M.**

*Geauga County Board of Commissioners*

\_\_\_\_\_  
*Tracy A. Jemison*

*ABSENT*  
\_\_\_\_\_  
*Mary E. Samide*

\_\_\_\_\_  
*William S. Young*

\_\_\_\_\_  
*Claudine Kozenko, Commissioners' Clerk*