

**Commissioners' Journal**  
**September 10, 2013**

*The Geauga County Board of Commissioners met in session on September 10, 2013 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, Tracy A. Jemison opened the meeting at 10:00 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*\*Commissioner Spidalieri was absent from today's meeting.*

**APPROVE MINUTES**

*Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of September 5, 2013.*

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

**APPROVE FINANCIALS**

*Budget and Finance Administrator Heidi Delaney explained the financials for today as including Revenue Certification for the Sheriff's Law Enforcement Block Grant for the Technology Block Grant; a Cash transfer out of the General Fund for the 1<sup>st</sup> Quarter SFY 2014 Job and Family Services mandated share costs; a Cash transfer into the General Fund for the Job and Family Services building lease payment for September; Travel requests for the Department of Job and Family Services and the Juvenile Court; the 2<sup>nd</sup> Quarter 2013 Bed Tax disbursement to the Geauga Tourism Council; and a payment to Maximus, Incorporated for the 2012 cost allocation plan in the amount of \$11,000.00.*

*Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute Resolution #13-170 itemizing the financials for the meeting of September 10, 2013.*

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

**ARCHIVES / RECORDS CENTER – POLICY AND PROCEDURE MANUAL**

*Director Linda Burhenne stated that when she took over the Archives and Records Center there had not been a Director there for several months and there was no one to help her learn the job and she realized that a book outlining the policies and procedures would have been helpful. Ms. Burhenne explained that is what they have done, starting with the mission statement which is focused on government records management and customer service, generally accepted record keeping principles, the law, actual procedures of what they do and how to do it, followed by a glossary of records management terminology, copies of all the forms used, and the continuity of operations plan at the end. Ms. Burhenne added that this is a simple, straight forward plan of "here is what we do and how to do it", so if something ever happens to her, someone else will be able to read the book and have something to go off of. Ms. Burhenne stated that it had been reviewed by the Prosecutor and does not conflict with the Commissioners Policy and Procedure Manual. County Administrator David Lair stated that Ms. Burhenne has done an outstanding job, doing an excellent job for the county and taken a lead at the State level with record keeping procedures and the county is very lucky to have her.*

*Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve the Geauga County Archives and Records Center Policy and Procedure Manual as it pertains specifically to the activities of the department.*

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

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COUNTY ENGINEER'S OFFICE – RESOLUTION TO COOPERATE WITH OHIO  
DEPARTMENT OF TRANSPORTATION TO IMPROVE INTERSECTION OF KINSMAN ROAD  
AND AUBURN ROAD

County Engineer Joe Cattell explained that they have been working on this for several years with ODOT, Newbury Township and Mr. Panzica, who has developed the northeast corner of this intersection. Mr. Cattell stated that prior to that development, State Route 87 traffic and congestion at Auburn Road warranted turn lanes and the State stated they didn't have money and were not going to do the installation. Mr. Cattell stated that since that time there has been several Directors at ODOT and he was able to sit down with the current Director who agreed to cover the bulk of the funding needed for the turning lanes into a resurfacing project coming up for next year, that is about a \$180,000.00 improvement to add the turn lanes and widen the area out. Mr. Cattell stated that the Director of ODOT agreed to cover all the cost but \$50,000.00. Mr. Cattell then spoke with Newbury Township and Mr. Panzica, had already paid \$10,000.00 for Engineering Services, so it was agreed upon to split the cost 3 ways, the County Engineer paying \$20,000.00, Newbury Township paying \$20,000.00 and Mr. Panzica paying \$10,000.00 to the County Engineer and \$10,000.00 to the Engineering Service, equaling the \$20,000.00 of his share; the State will then cover the remaining \$130,000.00 for the project. Mr. Cattell stated that this looks like it is coming together and since the State didn't want an agreement with multiple people, the agreement is between the County and the State, showing that the County will pay the State for the \$50,000.00, with \$20,000.00 coming from Newbury Township and \$10,000.00 from Mr. Panzica. There was a brief discussion about Mr. Panzica being out of compliance with his construction driveway and if this project does not get completed, then his driveway on Kinsman Road will be removed. Mr. Lair noted a drawing given to the Board by Assistant Sanitary Engineer Gerry Morgan showing the waterlines at the intersection and that this project should not affect them.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute Resolution #13-171 to Cooperate with the Ohio Department of Transportation to Improve the Intersection of Kinsman Road (SR 87) and Auburn Road (CH 4).

Board of County Commissioners, Geauga County, Ohio

Date: September 10, 2013

Resolution: 13-171

**RESOLUTION TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION  
TO IMPROVE THE INTERSECTION OF KINSMAN ROAD (SR 87)  
AND AUBURN ROAD (CH 4)**

Commissioner Samide moved the adoption of the following resolution, which was duly seconded by Commissioner Jemison.

**RECITALS**

WHEREAS, the Board of County Commissioners of Geauga County is interested in the improvement of the intersection of Kinsman Road (SR 87) and Auburn Road (CH 4) located in the Township of Newbury; and

WHEREAS, the Board of County Commissioners of Geauga County, acting under Section 5521.02, may cooperate with the Director of the Ohio Department of Transportation in the preparation of comprehensive transportation and land use studies and major thoroughfare reports and in establishing, constructing, reconstructing, resurfacing, or widening a state highway; and

WHEREAS, the Board of Township Trustees of Newbury Township has enacted a resolution supporting the Board of County Commissioners of Geauga County and is interested in funding a portion of an improvement to the intersection of Kinsman Road (SR 87) and Auburn Road (CH 4) located in the Township of Newbury; and

WHEREAS, the Board of County Commissioners of Geauga County in accordance with Section 5521.11, in cooperation with a board of township trustees, is not prohibited from constructing an improvement to a state highway; and

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*WHEREAS, the Director of the Ohio Department of Transportation, acting under Section 5521.04, may approve a proposal of a board of county commissioners to cooperate with the Director; and*

*WHEREAS, the Director of the Ohio Department of Transportation desires to allow Geauga County and Newbury Township to participate in the design and construction of the improvement to include a portion of a state highway; and*

*WHEREAS, the public interest demands the improvement hereinafter described and is best served with the cooperation of the Ohio Department of Transportation, hereafter referred to as ODOT; the Board of Newbury Township Trustees, hereinafter referred to as the Township; and the Geauga County Board of Commissioners, hereinafter referred to as the County.*

*NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Geauga County, Ohio, that:*

*SECTION I. TERMS OF AGREEMENT – This Cooperative Resolution when attested by the Director of the Ohio Department of Transportation shall serve as an official agreement between ODOT and the County.*

*SECTION II. SCOPE OF WORK – The public interest demands the improvement of Kinsman Road (SR 87), situated in the Township of Newbury, County of Geauga, State of Ohio, and described as follows:*

*2.1 - Add turning lanes and resurface the legs of Kinsman Road approaching the Auburn Road intersection in Newbury Township. Work will include excavation and drainage work to widen the pavement and shoulders.*

*SECTION III. OBLIGATIONS OF THE COUNTY – The County does hereby propose to cooperate with ODOT for the above described improvement as follows:*

*3.1 - The County agrees to provide funding from funds available to the Office of the County Engineer in the amount not to exceed \$50,000.00 for construction costs related to this project and furnish the funding when required by ODOT.*

*3.2 - The County agrees to assume and contribute one hundred percent (100%) of the cost of any work included in the construction contract made at the request of the County and which is determined by ODOT not to be part of or made necessary by the improvement.*

*3.3 - The County agrees to work with Newbury Township to acquire any right-of-way needed for the project on the behalf of the State of Ohio.*

*SECTION IV. OBLIGATIONS OF THE STATE – ODOT does hereby propose to cooperate with the County for the above described improvement as follows:*

*4.1 - ODOT will prepare all studies, plans and specifications to improve the intersection of Kinsman Road (S.R. 87) and Auburn Road (C.H. 4).*

*4.2 - ODOT will coordinate and provide all the construction engineering related to the improvement of the intersection of Kinsman Road (S.R. 87) and Auburn Road (C.H. 4).*

*SECTION V. MAINTENANCE OBLIGATIONS – Upon completion of said improvement, ODOT will make arrangement to keep said highway open to traffic at all times and will arrange for:*

*5. 1 - Maintenance of the improvement and making ample financial and other provisions for such maintenance; and*

*5. 2 - Maintenance of the right-of-way and keeping it free of obstructions, and holding said right-of-way inviolate for public highway purposes, and permitting no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and*

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5. 3 - *The placing and maintaining of all traffic control devices in conformance with the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and*

5. 4 - *Regulate parking in the following manner: Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.*

**SECTION VI. NOTICE** - *Notice under this Agreement shall be directed as follows:*

*Joe Cattell, P.E., P.S.  
Geauga County Engineer  
470 Center Street, Building 5  
Chardon, OH 44024*

*Myron S. Pakush, Deputy Director  
Ohio Department of Transportation, District 12  
5500 Transportation Blvd.  
Garfield Heights, OH 44125*

**SECTION VII. MODIFICATION; TERMINATION; ASSIGNMENT**

7.1 – *Modification: ODOT and the County agrees that each party is free to request modifications to the terms and conditions set forth in this Resolution at any time while this Agreement is in effect, however, such modification may only be made by written amendment, signed by both parties and upon the mutual agreement by both parties.*

7.2     *Termination: This Agreement shall be binding upon and inure to the benefit of the parties, their respective successors and assigns. Unless otherwise noted herein, this Agreement shall remain in full force and effect between the parties in perpetuity.*

7.3     *Assignment: The County may assign its duties and obligations under this Agreement to its successor in interest with the approval of the ODOT.*

**SECTION VIII. GENERAL PROVISIONS**

8.1 - *The enactment of this Resolution does not in any way abridge the right of the Director of Transportation in his jurisdiction over the state highway system.*

8.2 - *Except for the terms and conditions contained in the deeds, this attested Resolution constitutes the entire Agreement between the parties. All prior discussions and understandings between the parties are superseded by this Agreement.*

8.3 - *This Agreement shall be construed and interpreted and the rights of the parties determined in accordance with the laws of the State of Ohio.*

8.4 - *The enacting of this Resolution attested by the Director of Transportation or the doing of any work hereunder shall constitute an Agreement by the County to comply with all of the conditions and restrictions printed or written herein.*

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

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

**MAINTENANCE DEPARTMENT – CONTRACT AGREEMENT – HERSHBERGER ROOFING AND SIDING – REPLACE ROOF - DEPARTMENT OF EMERGENCY SERVICES (DES)**

*Director Glen Vernick stated this is to replace the roof at the Department of Emergency Services to include ridge vents and ice guard. Mr. Vernick noted that over the last several years they*

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have been doing repairs and have had trouble with snow in the wintertime. Mr. Vernick stated that the actual price of the project is \$24,200.00 but he has prepared this as a not to exceed amount of \$25,000.00 in case any plywood would need to be replaced. Commissioner Jemison inquired about the pricing on the other quotes that were received, to which Mr. Vernick noted that one was for around \$30,000.00 and one for \$25,500.00.

**Motion:** by Commissioner Samide, seconded by Commissioner Jemison to approve and execute the Contract Agreement with Hershberger Roofing and Siding to perform Department of Emergency Services (DES) Replacement Roof for the Year 2013 in an amount not to exceed \$25,000.00.

<b>Roll Call Vote:</b>	Commissioner Spidalieri	Absent
	Commissioner Samide	Aye
	Commissioner Jemison	Aye

**RECORDER'S OFFICE – EXERCISE OPTION TO EXTEND TERM OF AGREEMENT – FIVE YEAR PERIOD – ACS ENTERPRISE SOLUTIONS, LLC**

Recorder Sharon Gingerich explained that every five years the agreement is up with ACS and she is here asking to renew that agreement. Ms. Gingerich noted that there had not been any change in pricing, that the cost is a per document fee and that all the equipment, server and terminals are the property of ACS. Mr. Jemison inquired about the fees, to which Ms. Gingerich noted that the fees are by document type. Mr. Jemison stated that for ACS Imaging, Indexing, Cashiering and Public Inquiry, the cost is \$2.97 per document, UCC's are \$1.35 per UCC, Digital Plat Recording is \$10.00 per plat, Original and Diazo duplicate of archival microfilm is included, Additional microfilm is \$20.00 per roll, with optional services for Landaccess.com web delivery services at \$500.00 per month and Real-time back up at a one-time charge of \$1,500.00 or \$350.00 a month. Ms. Gingerich stated that if it is decided to offer indexes online it would be \$350.00 a month for indexes only and \$500.00 a month for indexes and images. Ms. Gingerich noted that at this time she has other projects she is working on, but that the pricing is there if she decides to go ahead with placing the indexes online.

**Motion:** by Commissioner Samide, seconded by Commissioner Jemison to exercise the option set forth in Section 3.0, Term to extend the term of the Agreement for an additional five (5) year period up to and including October 9, 2018, authorizing the County Recorder to enter into a contract with ACS Enterprise Solutions, LLC for a cash receipting, indexing and imaging/microfilming system for the Recorder's Office.

<b>Roll Call Vote:</b>	Commissioner Spidalieri	Absent
	Commissioner Samide	Aye
	Commissioner Jemison	Aye

**COMMISSIONERS' OFFICE – REVISED 2013 BUDGET HEARING SCHEDULE**

There was a brief discussion about the revisions to the budget hearing schedule, noting that the dates have not changed, just that the Coroner has yet to be determined due to scheduling conflicts, and that the Commissioners' Office has been changed and that the OSU Cooperative Extension had confirmed their time.

**Motion:** by Commissioner Samide, seconded by Commissioner Jemison to approve the revised 2013 Budget Hearing Schedule:

<b>September</b>	<b>12<sup>th</sup></b>	<b>24<sup>th</sup></b>	<b>26<sup>th</sup></b>	
1:00 p.m.	Sheriff	Board of DD	Soil & Water	
1:45 p.m.	Engineer	Mental Health	Community Development	
2:30 p.m.	Commissioners	Treasurer	Public Defender	
3:15 p.m.	Clerk of Courts	Prosecutor	Building	
<b>October</b>	<b>17<sup>th</sup></b>	<b>22<sup>nd</sup></b>	<b>24<sup>th</sup></b>	<b>29<sup>th</sup></b>
1:00 p.m.	Auditor/ADP	Juv/Prob Court	Planning	Aging
1:45 p.m.	Municipal Ct	Transit	Job & Family	Archives/Records
2:30 p.m.	DES	Co Home	OSU Coop Ext	Water Resources
3:15 p.m.	Dog Warden	Maintenance	Bd of Elections	Common Pleas

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*\*Coroner's Office has yet to be determined.*

*Note: The changes above include the Commissioners being moved from September 26<sup>th</sup> at 4:00 p.m. to the 12<sup>th</sup> at 2:30 p.m., the confirmation of the OSU Coop Ext and the Coroner's Office to be determined.*

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

**ACKNOWLEDGEMENTS**

- a) *The Monthly Financial Report from the County Building Department for the month of August, 2013.*

**OTHER**

*The Board reviewed upcoming events.*

**MEETINGS**

*Tue., 9/10 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*

*Wed., 9/11 Patriot Day – Remember 9-11-2001*

*Please remember those that lost their lives twelve years ago.*

*Thu., 9/12 The Commissioners will hold regular session beginning at 10:00 a.m. in Chambers. The Board will recess from that meeting and reconvene at 7:00 p.m. in Building #8 for a presentation by Habitat for Humanity.*

*Thu., 9/12 Budget Hearings, beginning at 1:00 p.m.*

*Fri., 9/13 NOACA Annual Meeting, 11:00 a.m. – 2:00 p.m. at Global Center for Health Innovation, Cleveland*

*Mon., 9/16 Family First Council, 2:00 p.m. at Job and Family Services*

*Tues., 9/17 The Commissioners will hold regular session.*

*Tues., 9/17 Chagrin River Watershed Partners, Incorporate Board of Trustees meeting, 4:00 p.m. at Gates Mills Community House*

*Wed., 9/18 Some of the Commissioners will attend the Department on Aging Annual Luncheon Meeting, 12:00 p.m. at the Chardon Senior Center*

*Thu., 9/19 The Commissioners will hold regular session.*

*Thu., 9/19 Geauga-Trumbull Solid Waste District, Board of Directors meeting, 1:30 p.m. Warren*

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***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER  
SAMIDE ADJOURNED THE MEETING AT 10:23 A.M.***

*Geauga County Board of Commissioners*

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*Tracy A. Jemison*

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*Mary E. Samide*

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*Ralph Spidalieri*

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*Christine Blair, Commissioners' Clerk*

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