

Commissioners' Journal
October 21, 2008

The Geauga County Board of Commissioners met in session on October 21, 2008 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, Craig S. Albert opened the meeting at 10:06 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Young was absent from this session.

Commissioners' Clerk note: The minutes for previous meetings (September 25, 2008, October 7, 2008 and October 21, 2008) could not be approved as the correct combination of quorum of Commissioners was not present for approval.

BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES – EASTON LEASING CONTRACT AGREEMENT – TRANSPORTATION DRIVE AT BESSIE BENNER METZENBAUM CENTER PROJECT

There was a brief discussion regarding the issues with funding on the part of Kenston Schools for the bus garage which is partially what this drive is for. Mr. Rice commented that Kenston Schools funds are apparently tied up in capital improvements.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute a Contract Agreement with Easton Leasing Incorporated for the Transportation Drive at the Bessie Benner Metzenbaum Center Project in the amount of \$97,405.14.

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

APPROVE FINANCIALS

Budget Officer Heidi Delaney reported the financials as a Revenue Certification Request for Job and Family Services Public Assistance Fund; supplemental and appropriation transfers to redistribute appropriations where necessary; an appropriation transfer from the Contingency account in the amount of \$12,000.00 to increase appropriates to the Coroner's service contract account for the increase to 2008 autopsy caseload; a contract for Easton Leasing Incorporated to excavate and install the Transportation Drive Project at the Metzenbaum Center in the amount of \$97,405.14 and three travel requests for various departments. The Coroner sent a letter stating they may need another \$12,000.00 this year as there has been more activity. If the funds are not needed they will be returned.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-149 itemizing the financials for the meeting of October 9, 2008.

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

Heidi Delaney explained the financials to the Board that were approved by the County Administrator on October 9, 2008, pursuant to a motion (lack of quorum) approved by the Board on October 7, 2008. Commissioners' Clerk Claudine Kozenko presented the packet of the financials from October 9, 2008 for the Board's review. The financials included a Revenue Decertification request for the Youth Center Fund; supplemental appropriations to redistribute appropriations where necessary; appropriation transfer to correct hospitalization appropriation in the general fund for the balance of the year; cash transfer for medical, life and dental payments for the 2008 year; two payments to the Agricultural Society totaling \$20,747.20 for

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reimbursement for capital improvements projects on the fairgrounds; payment to Woodworth Bus Sales in the amount of \$180,387.00 for the purchase of three state bid 2008 Ford LTD's for the Transit Department and two travel requests.

PROBATE / JUVENILE COURT – VICTIM OF CRIME ACT AND STATE VICTIM ASSISTANCE ACT FOR CASA FOR KIDS

Beth Frey, CASA Administrator stated that there has been a 10% cut state wide and VOCA is freezing funds for any new grants, while some programs received a 20% cut. Commissioner Albert commented that if this program is cutback more that means the courts will appoint more attorneys and we, at the local level, will be responsible for more money.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and authorize the President of the Board to execute the Geauga County's Victim of Crime Act (VOCA) and State Victim Assistance Act (SVAA) for CASA for Kids, in the amount of \$32,266.00. This grant will receive \$30,015.00 from the Office of the Attorney General including \$7,504.00 local match from the County General Fund and includes \$2,251.00 in SVAA funds. This grant (#2009VADSCE480) is for the period October 1, 2008 through September 30, 2009.

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

COUNTY ENGINEER'S OFFICE – RONYAK PAVING CHANGE ORDER – FRANKLIN STREET – BAINBRIDGE TOWNSHIP

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Change Order #1 and final increasing the contract with Ronyak Paving Incorporated (Contract # MIRS-35-08) for The Asphalt Resurfacing of Franklin Street (CH 35) in Bainbridge Township, in the total amount of \$91,289.36.

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

COUNTY ENGINEER'S OFFICE – PHILLIP MILLER CHANGE ORDER – AUBURN ROAD BRIDGE REPLACEMENT – AUBURN TOWNSHIP

Ms. Kozenko reported the amounts of these two change orders is a net amount after additions and deletions from the original contract.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Change Order #1 and final decreasing the contract with Phillip Miller Construction (Contract # BR-4-5.36-08) for The Replacement of the Auburn Road Bridge (Structure #4-5.36) in Auburn Township, in the total amount of \$315.99.

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

DEPARTMENT OF WATER RESOURCES – FINAL SETTLEMENT STATEMENT – DIBACCO PROPERTY – PARKMAN TOWNSHIP

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and authorize the President of the Board to execute the U.S. Department of Housing and Urban Development "Final" Settlement Statement pertaining to the purchase of the Ronald and Cheryl DiBacco property located at 16125 Main Market Road in Parkman Township (Parcel #25-188961).

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

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DEPARTMENT OF WATER RESOURCES – HIRE MCFARLAND SUPERVISOR – ROBERT JANUSKA

Director Gus Saikaly added that this motion would be independent to any adjustments to the rate scale, if that should happen.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve the recommendation to hire Robert Januska for the position of Supervisor, McFarland (#2301) to be effective October 27, 2008 at the rate of \$25.40 per hour. The rate will increase to \$26.04 per hour after the completion of a 120 day probationary period.

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

COUNTY HOME – RESCIND MOTION TO HIRE – SANTANA HILL

Motion: by Commissioner Samide, seconded by Commissioner Albert to Board rescind the following motion of October 7, 2008:

“to approve hiring Santana Hill for the position of Substitute Attendant (#1504-2) in the County Home, to be effective October 16, 2008, at the rate of \$8.35 per hour. After the successful completion of a 120-day probationary period (or 700 hours), the rate will increase to \$8.80 per hour.”

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

COUNTY HOME – CLOSE POSTING – SUBSTITUTE ATTENDANT

Motion: by Commissioner Samide, seconded by Commissioner Albert to close the posting for Substitute Attendant (#1504-2).

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – MILLENNIUM ADHESIVES HOLDINGS LLC – SATISFACTION OF MORTGAGE

Commissioner Samide commented that she was given some good words about Ms. Stocker at the CIC meeting the night before.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute a Satisfaction of Mortgage for Millennium Adhesives Holdings LLC for property located at 17340 Munn Road in Auburn Township in the amount of \$300,000.00, under the Revolving Loan Fund, as the loan has been paid in full.

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

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute a Satisfaction of Mortgage for Millennium Adhesives Holdings LLC for property located at 17340 Munn Road in Auburn Township in the amount of \$210,000.00, under the Revolving Loan Fund, as the loan has been paid in full.

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

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OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – SATISFACTION OF MORTGAGE

Ms. Stocker explained that this is a young company that makes an item that controls power spikes for companies that use large amounts of electricity which also saves money.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute a Satisfaction of Mortgage for Utility Relay Service LLC / Zephyr Group LLC as the outstanding principal, current interest due and fees have been paid in full.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – AGREEMENT FOR CONSULTING SERVICES AND NOTICE TO PROCEED – LINES AND ASSOCIATES

Ms. Stocker explained that this is money that has come back to the county from previous clients that have sold their homes that had CHIP mortgages. The only way it can be spent is on the same program and there are a couple of reserve candidates they qualify for this program. This is for a house in Middlefield Village valued at \$140,000.00 to which an offer of \$79,000.00 was made and accepted.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute an Agreement between the Geauga County Board of Commissioners and Lines and Associates for Professional Services for consulting services for the Recaptured Funds line of the CHIP Program for the period ending April 1, 2009, in the amount of \$2,465.00.

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

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and authorize the President of the Board to execute the Notice to Proceed for Lines and Associates for Professional Services for consulting services for the Recaptured Funds line of the CHIP Program, in the amount of \$2,465.00.

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

COMMISSIONERS' OFFICE – RESOLUTIONS – CHARDON HERITAGE HOUSE AND GEAUGA LYRIC THEATER GUILD

Those in attendance for the presentation were Mr. John Elzroth of Chardon Heritage House Committee, Greg Pribulsky, Vice President and Chris Cipriani, Executive Director of the Geauga Lyric Theater Guild. Mr. Pribulsky commented that part of the City of Chardon's plan is to try to jump start and revitalize the square. The Guild fits in nicely with the plan and the arts have a positive effect on a community. Many areas that have an arts and culture scene are perceived as eclectic and are prosperous, especially in the square areas. Mr. Elzroth hopes to attract more people and activity on the square through better facilities on the square and the current log cabin does not suffice. The Chardon Heritage House Committee has been working for several years and have finalized the design to be extremely flexible. The committee is now focusing on how to utilize the facility and attract businesses to it. The committee will be meeting with the Tourism Council to work with them to create a plan to bring more people to the square.

Ms. Kozenko commented that that is more collaboration, which is wonderful. Mr. Pribulsky stated they want to make the arts accommodating to the youngest and oldest and all levels of talent and available for everyone. Mr. Pribulsky introduced Ms. Cipriani who is the newly appointed Executive Director of the Geauga Lyric Theater Guild. Commissioner Samide commented on the Main Street Program and would like to encourage the City of Chardon to get involved in this program. There will be a meeting on November 6, 2008 to discuss the Main Street Program. Commissioner Samide suggested the Board cancel session to attend this

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meeting. Commissioner Samide added that she believed the little theater is the best thing in a town like Chardon. Commissioner Albert stated these plans will revitalize the town. Commissioner Samide stated she is on the Board of the Cleveland Arts Council and suggested both organization contact the Cleveland Arts Council as they do give money to the arts for planning.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-154 Acknowledging the Geauga Lyric Theater Guild's Vision to create a Performing Arts Center and to revitalize the Historic Chardon Square through the use of the Arts.

Board of County Commissioners, Geauga County, Ohio

Date: October 21, 2008

Resolution: 08-154

ACKNOWLEDGING THE VISION OF THE GEAUGA LYRIC THEATER GUILD

WHEREAS, The Geauga Lyric Theater Guild has entertained hundreds of thousands of live theater enthusiast for more than 55 years; and

WHEREAS, The Geauga Lyric Theater Guild plans to convert the building it leased two years ago into a Performing Arts Center for Geauga County and surrounding areas with their vision to revitalize the Historic Chardon Square through the use of the Arts; and

WHEREAS, as part of the vision the Geauga Lyric Theater Guild plans to utilize the Performing Arts Center to bring Arts Education to the area with many kinds of instruction and a curriculum focusing on dance, music, theater, film/television and the visual arts; and

WHEREAS, The Geauga Lyric Theater Guild's vision hopes to attract community members to the facilities which will help attract potential customers to the Historic Chardon Square; and

WHEREAS, The Geauga Lyric Theater Guild is working collaboratively with the Geauga Heritage Committee and the Geauga County Arts Council to revitalize Chardon and enhance Geauga County; and

BE IT RESOLVED, that the Geauga County Commissioners acknowledge and support The Geauga Lyric Theater Guild's vision and collaborative efforts with the Geauga Heritage Committee and the Geauga County Arts Council to revitalize the Chardon Square; and

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

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

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-155 Acknowledging the Chardon City Council Chardon Heritage House Committee's vision and plan to replace the old log cabin for an enhanced community meeting house.

Board of County Commissioners, Geauga County, Ohio

Date: October 21, 2008

Resolution: 08-155

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**ACKNOWLEDGING THE CHARDON CITY COUNCIL
CHARDON HERITAGE HOUSE COMMITTEE'S VISION**

WHEREAS, The Chardon Heritage House Committee is an ad-hoc committee of Chardon City Council that has developed a vision and plan for replacing the old log cabin on the Chardon Square to increase functionality, bolster community pride and create potential for positive economic growth by increasing consumer presence in the historic business district; and

WHEREAS, The Chardon Heritage House Committee, after almost two years, has received public input and established partnerships with the Geauga County Maple Festival, Chardon Kiwanis and the Chardon Chamber of Commerce; and

WHEREAS, The Chardon Heritage House Committee state that "the heart of where people live, work and play should also provide resources that enhance quality of life by offering a compelling place to meet and celebrate community"; and

WHEREAS, the maple syrup production is part of the history and future and is incorporated into this project; and

WHEREAS, The Chardon Heritage House Committee is collaborating with the Geauga Lyric Theater Guild to enhance Geauga County and looks forward to planning their futures together; and

BE IT RESOLVED, the Geauga County Board of Commissioners acknowledge that our heritage is one of many assets in Geauga County and further recognize and support the collaborative efforts of The Chardon Heritage House Committee; and

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

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

COMMISSIONERS' OFFICE – RESOLUTION AUTHORIZING PAYMENTS BY CREDIT CARD

Ms. Kozenko explained that David Lubecky, Common Pleas Court Administrator / Magistrate originally made this request. Ms. Kozenko added that she tried to get this resolution for all departments under the hiring authority of the Board but each had their own difficulties so if the departments want to proceed it will be done individually.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-150 Authorizing the Acceptance of Payments by Financial Transaction Devices (Credit Card) for Expenses of the Juvenile and Probate Division of the Geauga County Court of Common Pleas.

Board of County Commissioners, Geauga County, Ohio

Date: October 21, 2008

Resolution: 08-150

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF PAYMENTS BY FINANCIAL
TRANSACTION DEVICES (CREDIT CARDS) FOR EXPENSES OF THE JUVENILE AND
PROBATE DIVISION OF THE GEAUGA COUNTY COURT OF COMMON PLEAS**

The Board of Commissioners of Geauga County, Ohio met on the 21st day of October, 2008, in regular session with the following members present:

Commissioner Samide Commissioner Albert

WHEREAS, Ohio Revised Code Section 301.28 authorizes the Board of County Commissioners to allow payment of expenses owed to county officials to be made by financial transaction devices; and

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WHEREAS, the terms and use of financial transaction devices for the payment of county expenses owed to the Juvenile and Probate Division of the Geauga County Court of Common Pleas shall be authorized as follows:

- 1. Financial Transaction Device means: a major bank credit card, debit card or charge card.*
- 2. County Expenses means: any fees, costs, fines, penalties, payments, or any other expense a person owes.*
- 3. County official authorized to accept payment by financial transaction device: The Juvenile and Probate Division of the Geauga County Court of Common Pleas.*
- 4. Surcharge or convenience fee to be imposed upon the person making payment by financial transaction device shall be: a minimum of \$ 3.00 per transaction to a maximum of 3% of the total due*
- 5. Payment of penalty if a payment by means of a financial transaction device is returned or dishonored shall be: the amount necessary to reimburse the county for banking charges, legal fees or other expenses incurred by the county in collecting the returned or dishonored payment;*
and

WHEREAS, Christopher Hitchcock, Geauga County Treasurer, is hereby designated as an administrative agent of the County to solicit proposals, within the guidelines established above, and in compliance with Ohio Revised Code Section 301.28(C), from financial institutions, issuers of financial transaction devices, and processors of financial transaction devices; and to make recommendations about those proposals to this Board; and now

THEREFORE, BE IT RESOLVED, that the County Treasurer shall solicit proposals as outlined above and make a recommendation to the Board on which proposals to accept, whereupon the Board will consider said recommendation, review the proposals, choose to contract with any or all of the entities submitting proposals, as appropriate, and enter into a contract with such entities; now

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby ordered to forward a certified copy of this resolution to the County Treasurer for his action thereon and to Juvenile and Probate Board of County Commissioners, Geauga County, Ohio Division of the Geauga County Court of Common Pleas as outlined above for its consideration; now

BE IT FURTHER RESOLVED, after receiving this resolution and before accepting payments by financial transaction devices, the Juvenile and Probate Division of the Geauga County Court of Common Pleas shall provide written notification to the Board of County Commissioners of its intent to implement the resolution within its Department.

Exhibit A-Fee Schedule

- A. Geauga County Juvenile Court fees include but are not limited to: court costs and fines, bonds, Xerox and photo sales, custody, visitation and support, personal service, postage and certified, warrant, subpoena, credit card user fee.*
- B. Geauga County Probate Court fees include but are not limited to: court costs and fines, bonds, Xerox and photo sales, adoption, estate, trust guardianship, conservatorship, marriage license, application for citation to next of kin, sale of structured settlement, application for disinterment, certificate of judgment, correction of birth, deposit of will, doctor's certificate, exemplified copies, indigent application, minor settlement, motion to show cause, name change, notice of appeal, petition of interested parties resignation of birth, transfer of jurisdiction, credit card user fee.*

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

COMMISSIONERS' OFFICE – HUMAN SERVICES BUILDING IMPROVEMENT NOTES
SERIES 2008- FISCAL OFFICER CERTIFICATE & RESOLUTION PROVIDING FOR THE
ISSUANCE AND SALE & SIGNATURE OF NO-LITIGATION CERTIFICATE

There was a brief discussion on the pay down of this note and how aggressive they should be on debt payment on this note. Mr. Lair expressed his concern that the reimbursement money will not be paid if JFS pays so far ahead on this debt. The Auditor's thought process is that the smaller the note is the harder it is to issue this debt. Commissioner Samide said they should continue to pay down this debt and get it paid off as they will be better off with no debt.

Motion: by Commissioner Samide, seconded by Commissioner Albert to acknowledge receipt of the Fiscal Officer's Certificate in regards to the County Human Services Building Improvement Notes, Series 2008.

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

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-151 providing for the issuance and sale of notes of the County of Geauga, in the aggregate principal amount of \$690,000.00, in anticipation of the issuance of bonds for the purpose of paying a portion of the costs of renovating, adding to, furnishing, equipping and otherwise improving the County's Human Services Building and improving its site.

Board of County Commissioners, Geauga County, Ohio

Date: October 21, 2008
Resolution: 08-151

The Board of County Commissioners of the County of Geauga, met on October 21, 2008, commencing at 10:00 o'clock, a.m., in regular session in the Commissioners' Chambers at 470 Center Street, Building No. 4, Chardon, Ohio, with the following members present:

Commissioner Samide Commissioner Albert

The Clerk advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Commissioner Samide presented the following preambles and resolution and moved their adoption, which motion was duly seconded by Commissioner Albert:

RESOLUTION NO. 08-151
A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES OF
THE COUNTY OF GEAUGA, IN THE AGGREGATE PRINCIPAL AMOUNT OF
\$690,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE
PURPOSE OF PAYING A PORTION OF THE COSTS OF RENOVATING,
ADDING TO, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING THE
COUNTY'S HUMAN SERVICES BUILDING AND IMPROVING ITS SITE.

WHEREAS, pursuant to Resolution No. 07-192, adopted November 15, 2007, notes in the aggregate principal amount of \$945,000, dated December 5, 2007, were issued in anticipation of the issuance of bonds to pay costs of the improvement described in Section 1, which notes will mature on December 4, 2008; and

WHEREAS, the County has determined to issue new notes to provide the funds necessary, together with other funds available to the County, to retire the principal of the outstanding notes at maturity; and

WHEREAS, the County Auditor, as the fiscal officer, has certified to this Board that the estimated life of the improvements hereinafter described is at least five years, that the maximum

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maturity of the bonds hereinafter referred to is at least 13 years, and that the maximum maturity of the notes to be issued in anticipation of those bonds is December 17, 2018;

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

Section 1. It is necessary to issue bonds of this County in the aggregate principal amount of \$690,000 for the purpose of paying a portion of the costs of renovating, adding to, furnishing, equipping and otherwise improving the County's Human Services Building and improving its site (the Bonds).

Section 2. The Bonds shall be dated approximately December 1, 2009; shall bear interest at the estimated rate of 6.0% per annum, payable semi-annually, until the principal sum is paid, and are estimated to mature in 13 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2010.

Section 3. It is necessary to issue and this Board determines that notes in the aggregate principal amount of \$690,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to provide the funds necessary to retire, together with other funds available to the County, the outstanding notes at their maturity. The Notes shall be designated "Human Services Building Improvement Notes, Series 2008"; shall bear interest at a rate to be established by the County Auditor pursuant to Section 6 hereof which shall not exceed 5.5% per annum, payable at maturity, and, if the County does not provide for payment at maturity, thereafter until the principal sum is paid or provided for. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance, provided that the County Auditor may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is up to 14 days less than one year from the date of issuance by setting forth that maturity date in the Certificate of Award referred to below.

Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America, without deduction for services of the County's paying agent, at the main office of The Huntington National Bank, Columbus, Ohio.

Section 5. The Notes shall be signed by at least two members of the Board of County Commissioners and by the County Auditor, in the name of the County and in their official capacities, provided that all but one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the original purchaser and approved by the County Auditor, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached; shall be numbered as determined by the County Auditor; and shall express upon their faces the purpose, which may be in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 and Section 307.02 of the Revised Code and this Resolution.

Notwithstanding any other provisions of this Resolution, if it is determined by the County Auditor to be advantageous to the County, the Notes may be issued in book entry form for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Notes may be issued in the form of a single, fully registered typewritten Note and registered in the name of a depository or its nominee, as registered owner, and immobilized in the custody of a depository; (ii) the beneficial owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the depository and its participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the depository and its participants subject to the terms of this Resolution; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

The County Auditor is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with a book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the County.

Section 6. The Notes shall be sold at not less than par at private sale by the County Auditor in accordance with law and the provisions of this Resolution. The County Auditor shall, in accordance with his determination of the best interests of and financial advantages to the County and its taxpayers and conditions then existing in the financial markets, make the designations herein authorized in a Certificate of Award, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. In connection with the issuance of the Notes herein authorized, the legal services of the law firm of Squire, Sanders & Dempsey L.L.P. are hereby retained to act as bond counsel to this County. The County Auditor, the County Administrator and any other appropriate County officials, are each authorized and directed to

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sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof; provided, however, to the extent occupancy payments are received by the County for the facility financed with the proceeds of the Notes and are available and appropriated for payment of debt service on the Notes, the amount of the tax shall be reduced by the amount of those payments so available and appropriated. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

Section 10. The County of Geauga covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Notes will not be treated as an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The City hereby represents that the Outstanding Notes were designated or treated as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code. The County hereby covenants that it will redeem the Refunded Obligations from proceeds of, and within 90 days after issuance of, the Notes, and represents that all other conditions are met for treating the Notes as "qualified tax-exempt obligations" and as not to be taken into account under subparagraph (D) of Section 2985(b)(3) of the Code, without necessity for further designation, by reason of subparagraph (D)(ii) of Section 2985(b)(3) of the Code. Further, the County represents and covenants that, during any time or in any manner as might affect the treatment of the Notes as "qualified tax-exempt obligations", it has not formed or participated in the formation of, or benefited from or availed itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 2985(b)(3) of the Code, and will not form, participate in the formation of, or benefit from or avail itself of, any such entity. The County further represents that the Notes are not being issued as part of a direct or indirect composite issue that combines issues or lots of tax-exempt obligations of different issuers.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Notes as the County is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Notes,

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setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this Section with respect to the Notes is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Notes.

Section 11. The Clerk of this Board is directed to deliver a certified copy of this Resolution to the County Auditor.

Section 12. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the County of Geauga have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. This Resolution shall be in full force and effect from and immediately after its adoption.

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

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute the Signature and No-Litigation Certificate in connection with the \$690,000.00 Human Services Building Improvement Notes, Series 2008.

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

COMMISSIONERS' OFFICE – RED RIBBON WEEK

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-152 Proclaiming October 25 through October 31, 2008 as Red Ribbon Celebration Week.

Board of County Commissioners, Geauga County, Ohio

Date: October 21, 2008

Resolution: 08-152

**A RESOLUTION PROCLAIMING OCTOBER 25 THROUGH OCTOBER 31, 2008
AS RED RIBBON CELEBRATION WEEK IN GEAUGA COUNTY**

WHEREAS, Alcohol, tobacco and drug abuse cost Ohioans \$2.7 billion each year in lost work, health problems, public safety, treatment and criminal justice costs; (Source: Pacific Institute for Research and Evaluation (PIRE), October 2006.); and

WHEREAS, in the latest survey of U. S. youth, nearly three out of four 12th graders, five out of eight 10th graders, and two out of five 8th graders have used alcohol in their short lives, (Source: 2007 Monitoring the Future survey); and

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WHEREAS, Underage drinking is unhealthy, unsafe and unacceptable; and

WHEREAS, Preventing substance abuse within communities requires cooperation from workplaces, families, schools, and faith communities; and

WHEREAS, This year's Ohio Red Ribbon Celebration theme is "Vote Yes for a Drug-Free Future. The Only Choice.", and complements the year round message of being alcohol, tobacco, and other drug-free; and

WHEREAS, Drug-Free Action Alliance urges all Ohioans to wear a Red Ribbon, sign up for a drug-free Ohio, and make a commitment to a substance free lifestyle; and

WHEREAS, Business, media, social services, governments, schools, service organizations, religious institutions, safety forces, and individuals will demonstrate their commitment to a drug-free lifestyle by wearing and displaying Red Ribbons during this week long celebration; and

NOW, THEREFORE, BE IT RESOLVED, that The Board of County Commissioners, Geauga County, Ohio does hereby declare October 25th through October 31st, 2008 as Red Ribbon Celebration Week and hereby invite citizens to participate in alcohol, tobacco and other drug education and all related prevention activities, thus making a visible statement that we are strongly committed to a drug-free lifestyle; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners, Geauga County, Ohio encourages all individuals to support safe and drug free communities for all Ohioans.

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

COMMISSIONERS' OFFICE – RESOLUTION ACKNOWLEDGING CHAGRIN FALLS PARK – KEEPING THE LIGHTS ON AFTERSCHOOL PROGRAM

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-153 Acknowledging the Chagrin Falls Park Community Center "Keeping the Lights on After School" Program.

Board of County Commissioners, Geauga County, Ohio

Date: October 21, 2008

Resolution: 08-153

**RESOLUTION ACKNOWLEDGING THE CHAGRIN FALLS PARK COMMUNITY CENTER
"KEEPING THE LIGHTS ON AFTER SCHOOL"**

WHEREAS, the citizens of Geauga County stand firmly committed to quality afterschool programs and opportunities because they:

- *provide safe, challenging, engaging and fun learning experience to help children and youth develop their social, emotional, physical, cultural and academic skills*
- *support working families by ensuring their children are safe and productive after the regular school day ends*
- *build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults*
- *engage families, schools and diverse community partners in advancing the welfare of our children*

WHEREAS, Chagrin Falls Park Community Center has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and

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WHEREAS, "Lights on Afterschool", a national celebration of afterschool programs on October 18 promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities; and

WHEREAS, more than 28 million children in the United States have parent who work outside the home, and 14.3 million children have no place to go after school; and

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights; and

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby proclaim October 16, 2008, as "Lights On Afterschool Day" and enthusiastically supports this program; and that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

COMMISSIONERS' OFFICE – GAPP WORKFORCE INVESTMENT BOARD – APPOINT CYNTHIA GRIER

Motion: by Commissioner Samide, seconded by Commissioner Albert to appoint Cynthia Grier as a Senior Community Service Employment Program representative of GAPP Area 19 Workforce Investment Board.

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

COMMISSIONERS' OFFICE – RESOLUTION APPOINTING KEITH EVENS - NEOCAP

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-156 appointing Chief Probation Officer Keith Evans to the Northeast Ohio Community Alternative Program (NEOCAP) Facility Governing Board (FGB).

Board of County Commissioners, Geauga County, Ohio

Resolution: 08-156
Date: October 21, 2008

RESOLUTION REAPPOINTING KEITH EVANS TO THE NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM (NEOCAP) FACILITY GOVERNING BOARD

WHEREAS, the Northeast Ohio Community Alternative Program (NEOCAP) was established by the Common Pleas Judges of Portage, Geauga, Lake, Ashtabula and Trumbull counties in 1997 and serves as the Community Based Corrections Facility (CBCF); and

WHEREAS, Ohio Revised Code Section 2301.51(E) provides that the CBCF be governed by a Facility Governing Board to which the judicial advisory board of the CBCF shall appoint two-thirds of the members and the boards of county commissioners of the member counties of the CBCF shall appoint the remaining one-third of the members; and

WHEREAS, it is within the discretion of and has been mutually determined by the CBCF's member counties that the Facility Governing Board should be comprised of nine members which requires that boards of county commissions of the member counties of the CBCF shall appoint three of the members; and

WHEREAS, while the initial appointment for this seat was for one year, the law requires that appointments and reappointments are now three year terms; and

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NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners, in agreement with all members of the CBCF, reappoints Keith Evans to serve on the Facility Governing Board for a term to expire November 9, 2011; and

BE IT FURTHER RESOLVED, that the Commissioners' Clerk forward a copy of this resolution to County Commissioners of Ashtabula, Lake, Portage and Trumbull counties and that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

COMMISSIONERS' OFFICE – CANCEL SESSION

Motion: by Commissioner Samide, seconded by Commissioner Albert to cancel session for Thursday, November 6, 2008.

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

ACKNOWLEDGEMENTS

- a) The Plan Review Submittal #1 for Parkside Church Sanitary & Water Main Lines in Bainbridge Township, filed by Geauga Soil and Water Conservation District.*
- b) The County Auditor's 2008 Third Quarter Report on the Economic State of Geauga County.*
- c) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the prisoner transport for the month ending September 2008 as required by O.R.C. 325.07.*
- d) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 8, 2008 as required by O.R.C. 955.12.*

MEETINGS

- Tue., 10/21 Budget Hearings: 1:00 p.m. Engineer's 1:45 p.m. Transit
2:30 p.m. Public Defender 3:15 p.m. Veterans*
- Thu., 10/23 The Commissioners will hold regular session.*
- Thu., 10/23 Budget Hearings: 1:00 p.m. Soil and Water 1:45 p.m. Clerk of Courts
2:30 p.m. Prosecutor 3:15 p.m. Job and Family*
- Tue., 10/28 The Commissioners will hold regular session.*
- Tue., 10/28 Budget Hearings: 1:00 p.m. Muni Court 1:45 p.m. Probate/Juvenile
2:30 p.m. Mental Health 3:30 p.m. Common Pleas
4:00 p.m. Coroner*
- Thu., 10/30 The Commissioners will hold regular session.*
- Thu., 10/30 The monthly economic development work session will be held at noon.*
- Thu., 10/30 Community Corrections Planning Board at 12:00 p.m.*

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Tue., 11/4 The Commissioners will hold regular session.

Thu., 11/6 The Commissioners will hold regular session.

*Tue., 11/11 **County offices will be closed for general business in honor of Veterans Day.***

Thu., 11/13 The Commissioners will hold regular session.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER ALBERT ADJOURNED THE MEETING AT 11:30 A.M.

Geauga County Board of Commissioners

Mary E. Samide

ABSENT
William S. Young

Craig S. Albert

Claudine Kozenko, Commissioners' Clerk