

Commissioners' Journal
March 26, 2013

The Geauga County Board of Commissioners met in session on March 26, 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 10:03 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute the minutes for the meeting of March 21, 2013.

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

**Commissioner Jemison was absent from this meeting.*

APPROVE FINANCIALS

Budget and Finance Administrator Heidi Delaney explained the financials for today as including Revenue Certifications for the Board of Developmental Disabilities operating, residential services and construction funds; Cash transfers out of the General Fund for the 3rd Quarter SFY 2013 Job and Family Services mandated share costs and a portion of 2013 funding for the Soil and Water Conservation District; Travel requests for the Juvenile Court and the Department of Water Resources; a payment to Pitney Bowes for the purchase of postage for the meter in the amount of \$30,000.00; and a payment to Manatron for annual support for property tax software for the Auditor's Office in the amount of \$80,466.18.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-062 itemizing the financials for the meeting of March 26, 2013.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – ADVERTISE BIDS – HUNTSBURG GYMNASIUM ADA RENOVATIONS PROJECT

Program Coordinator Kelly Belconis asked the Board to grant permission to advertise for the bid opening for the Huntsburg Gymnasium ADA Renovation project under the #B-F-12-1AZ-1 formula grant.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to grant permission to advertise for bids for the Huntsburg Gymnasium ADA Renovations project, under Grant #B-F-12-1AZ-1 to be held on Wednesday, April 17, 2013 at 2:30 p.m. Notice of this bid opening will be advertised on March 28, 2013 and on the county website.

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – TRAX CONSTRUCTION COMPANY

Director Doug Bowen explained that this was a dwindling service contract with Trax Construction for \$10,000.00 for emergency use. Mr. Bowen stated that Trax has larger equipment than what the county has to handle construction type emergencies. Mr. Bowen briefly explained that they rotate this contract between Trax and Clemson every other year due to this being a 'stand-by' type of contract that is only used for emergencies.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute a service Contract Agreement with Trax Construction Company to perform excavating services as needed for the Year 2013 in an amount not to exceed \$10,000.00.

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

DEPARTMENT OF WATER RESOURCES – PROPOSAL – HESS AND ASSOCIATES ENGINEERING, INCORPORATED – COST ESTIMATES TO BURTON LAKES DAM

Assistant Sanitary Engineer Gerry Morgan explained that the Burton Lakes Dam for the Burton Lakes Subdivision is located on the Burton Lakes Wastewater Treatment plant property and about one year ago during the cold weather while the lake was frozen we experienced a heavy rain storm that resulted in the water that would have normally stayed within the lake to overtop the dam. Mr. Morgan stated that as a result the ODNR came out in May/ June and did a site inspection. Mr. Morgan noted that when the overtopping occurred the department followed the requirements of notifying the public of the incident. Mr. Morgan explained that the dam was originally constructed over thirty years ago and during the ODNR investigation it was noted that the rules had changed, that the dam which used to be classified as a Class 1 Dam is now a Class 2 Dam and has additional requirements. Commissioner Samide inquired about the class levels to which Mr. Morgan explained that the higher the Class the more requirements. Mr. Morgan stated that they are asking the Board to allow them to hire Hess and Associates to do some preliminary studies and geo-technical work on the dam to find out what will be required to bring the dam up to current standards, adding that once they have that information the cost of the construction will be known and then can proceed with a solution. Commissioner Jemison inquired about the dam being the property of the county, to which Mr. Morgan replied that it was and had been obtained through the purchase of property to put in the treatment plant. Mr. Bowen noted that back in the 1980's there was problem with the dam and in the 1990's there was talk about removing the dam. The cost of repairs was estimated to be around \$300,000.00 and discussion had taken place with the residents who at the time wanted it but didn't want to pay for the expense of the repairs. County Administrator David Lair inquired about the purpose of the dam / lake, to which Mr. Morgan replied that it is not actually used by the county that the plant discharges downstream of the outfall of the lake.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to accept the proposal from Hess and Associates Engineering, Incorporated in the amount of \$15,000.00 to perform Preliminary Engineering to determine and estimate the cost of improvements to the Burton Lakes Dam located on the Burton Lakes Wastewater Treatment Plant site.

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

COUNTY ENGINEER / SOIL AND WATER CONSERVATION DISTRICT – GEAUGA COUNTY 2012 OHIO EPA NPDES SMALL MS4 GENERAL PERMIT ANNUAL REPORT

Soil and Water Conservation District Director / Engineer Carmella Shale, P.E. explained this was the annual report produced for the County Phase 2 permit that is held, adding that it outlines all the activities being done within the county to meet the Phase 2 requirements that are obligated to be met. Ms. Shale explained that it covers six (6) minimum control measures. Those control measures include #1 and #2 for public education, #3 for a list of discharges that as they are found they are being eliminated, #4 and #5 are construction project related measures that include sediment control and storm water control for the long term, and #6 for good housekeeping at facilities, which would include road departments containing and covering their salt piles and following protocols that are in place. Ms. Shale stated that these are required of the permit because it is an urbanized area. This Storm Water Phase 2 permit has been in effect since 2003 and this is the ninth (9th) report to be submitted. County Engineer Joe Cattell explained that as part of this, that he and Ms. Shale went to each road garage doing a walk thru went over where the garages were at, letting them know what they were doing great and what they could improve upon. Mr. Cattell added that the local government garages being impacted were nervous in the beginning but added that they found it to be beneficial instead of finding out that they were in violation. Ms. Samide asked what communities were included in the Phase 2

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permit. Mr. Cattell stated that it was Bainbridge, Russell and Chester Townships, with South Russell Village also being included, but that they are not part of the county. Mr. Cattell noted that it is possible the Phase 2 boundary will be moving. Ms. Shale added that it will not be a drastic change, but added that there is a potential that the urbanized areas could get larger, noting that a township is included if a part of it is. Ms. Shale stated that communities like the City of Chardon very likely will be pulled in and Auburn might also be pulled in. Ms. Shale explained that Auburn originally had a small portion and received a waiver because it was only one road; now it looks as Auburn Lakes may be put into it so they might be included, adding that nothing has been officially stated but in looking at the urbanized maps that is what she is seeing. Mr. Jemison inquired about how often the maps are redone, to which Ms. Shale replied it is based upon the census bureau which was done in 2010, and based upon the urbanized maps which is based upon population density and the proximity to urbanized areas. Ms. Shale commended all the forces in the county for helping make the county get in compliance the best we can with the little staff they have to work with. Ms. Shale and Mr. Jemison noted that other counties have raised fees, added taxes and put special assessments on the parcels in order to do this to be in compliance. Local resident Walter "Skip" Claypool asked who was forcing the county to be in compliance and if this enforcement was due to the taking of grant money, and what was the basis for it. Ms. Shale replied that the Ohio EPA forces the compliance and that there is no grant money involved, that its part of the Clean Water Act. Mr. Claypool noted that he was looking at the report and it shows a lot of inspections with no results, adding that it says we've identified these problems, but nothing that says we fixed them, asking is there a report for that? Mr. Claypool added that generally speaking if there is a violation there should be an outcome where it is shown that you've done something to cure the problem. Ms. Shale stated that it depended upon which type of inspection was being referred to as the report includes many types, but using construction as an example; it was explained that an inspection is done, and follow through is completed and shown on back up reports to make sure the problem is corrected, citing erosion, sediment or storm water. Mr. Claypool questioned whether that should be included in the report, that what is required should be forgotten, and that logically it should show that the problem was addressed in order to look at long term trends. Ms. Shale explained that it was not required as being part of the report, but that you must report how many inspections are done and when an audit takes place at the facility the backup information showing what was done for each inspection and the follow up must be presented. Mr. Claypool expressed his concern for looking at the results, and whether tax dollars were being effectively utilized with not seeing tracking of the results in order to help reduce violations in the future. Ms. Shale explained that follow through is completed to correct any violations and that it is shown on the report of every construction site that occurs, that they are tracked with an inspection report that cites what is seen and that the owners are spoken with right away if they find a problem so that it can be corrected. Ms. Shale added that while not every site has problems, it is often a contractor based issue that is dealt with. Ms. Shale stated that part of the permit requirement is education components, noting that they do contractor education to make them understand what is required of them to do. Ms. Shale stated that those things are in place that they are out there all the time doing the inspections and correcting and adjusting as necessary. Mr. Cattell expressed that Mr. Claypool seemed to be discerning the difference between the permit and what he and Ms. Shale actually do. Mr. Cattell stated that during construction projects Ms. Shale will contact him and ask if he is aware of certain things that are happening, and that they will then work together to get the problems remedied. Mr. Cattell added that they would work on correcting problems whether there is an Ohio EPA permit or not, that it is their job, that this report is being submitted so that the county can be in compliance with the Ohio EPA.

Mr. Claypool asked to be educated that he did not understand why Mr. Cattell was involved, adding that he has nothing to do with the residents in this report. Mr. Cattell stated that in addition to being the County Engineer he is also the Storm Water Engineer. Mr. Jemison stated that he also handles and maintains the ditches, to which Mr. Cattell added all the outfalls and that it eventually comes back to him. Mr. Claypool asked if those outfalls were being handled, to which Ms. Shale stated that there is a list and Mr. Cattell added that they were moving forward with that, but that only after several days without rain can you take samples, and then those samples are sent to the Health Department and dealt with individually. Ms. Samide inquired about construction projects that don't install fencing and if that was included in this. Ms. Shale stated that if there is a problem and they cannot get compliance they ask the Board of Commissioners to issue a violation and forward it to the Prosecutor, and typically if a letter from the Prosecutor is received the problem is corrected right away.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to review and acknowledge the Geauga County 2012 Ohio EPA NPDES Small MS4 General Permit Annual Report.

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

LAW LIBRARY – MEMORDANDUM OF UNDERSTANDING – STATEWIDE CONSORTIUM OF COUNTY LAW LIBRARY RESOURCE BOARDS (SCLLRB) – GEAUGA COUNTY LAW LIBRARY RESOURCES BOARD – ONE TIME GRANT AWARD FOR COMPUTER EQUIPMENT

It was noted that this was for a one time grant award amount of \$2,319.62 for the purchase of new computer equipment. Mr. Jemison noted that it included three (3) Dell Computers for \$1,712.19, two (2) Acer monitors for \$294.81, three (3) Microsoft licenses for \$204.00 and two (2) Wireless routers for \$108.62.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Memorandum of Understanding between the Statewide Consortium of County Law Library Resource Boards (SCLLRB) and Board of Geauga County Commissioners on behalf of the Geauga County Law Library Resources Board for the period April 1, 2013 through December 31, 2013 for the allocation of a onetime grant award for the purchase of new computer equipment for the Law Library in the amount of \$2,319.62.

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

OTHER

The Board reviewed upcoming events.

MEETINGS

- Tues., 3/26 Investment Advisory Board meeting, following session in Chambers*
- Thu., 3/28 The Commissioners will hold regular session in Building #8, with a “State of Geauga” Presentation by the County Auditor*
- Tues., 4/2 The Commissioners will hold regular session.*
- Tues., 4/2 The Commissioners’ will hold a Public Hearing at 10:30 a.m. on the proposed vacation of the non-maintained portion of Norton Street (TR 476) in Parkman Township*
- Thu., 4/4 The Commissioners’ will hold regular session.*
- Mon., 4/8 Board of Revision, 9:00 a.m. Auditor’s Office*
- Tues., 4/9 The Commissioners’ will hold regular session.*
- Tues., 4/9 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*
- Wed., 4/10 Geauga County Township Association Dinner, 6:30 p.m. Munson Town Hall*
- Thu., 4/11 The Commissioners’ will hold regular session.*
- Fri., 4/12 NOACA meeting, 10:00 a.m. Cleveland*

Mr. Jemison stated that the Board of Revision had been cancelled due to a lack of filings.

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BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SPIDALIERI ADJOURNED THE MEETING AT 10:24 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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