

Commissioners' Journal
November 29, 2011

The Geauga County Board of Commissioners met in session on November 29, 2011 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 Samide, seconded by Commissioner Young to approve and execute the minutes for the meeting of November 22, 2011.

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

APPROVE FINANCIALS

Budget Administrator Heidi Delaney explained the financials as a Revenue Certification for the 800 MHZ Permanent Improvement Fund; Appropriation transfers to correct appropriations for year-end healthcare processing; a Cash transfer into the General Fund for the JFS Building Lease payment for December 2011; a Cash transfer out of the General Fund for the 800 MHZ system upgrade contract; and Travel requests for the Common Pleas Court and the Department of Job and Family Services.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-183 itemizing the financials for the meeting of November 29, 2011.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – SATISFACTION OF MORTGAGE – ANN WAGNER HARLEY

Program Administrator Joni Stusek explained that Ms. Harley is a low income client that had an emergency of needing to have her furnace replaced. A mortgage is placed on the property to ensure they are not profiting from the loan or in case the house would sell. Ms. Stusek noted that the house is being sold and that we had therefore received all the money back.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute a Satisfaction of Mortgage for Ann Wagner Harley as the Recaptured Funds loan in the amount of \$2,880.00 has been satisfied.

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

DEPARTMENT OF WATER RESOURCES – RESOLUTION AUTHORIZING DEPARTMENT DIRECTOR TO EXECUTE ANY AND ALL INSTRUMENTS AND INDEMNIFY THE DEPARTMENT OF WATER RESOURCES PERTAINING TO BOND TO OHIO DEPARTMENT OF HEALTH, BEH PRIVATE WATER SYSTEMS

Director Doug Bowen stated that this was an annual renewal. Mr. Bowen explained that this gives us the right to work on other systems and private water systems that are not on the county system. This license allows us to help out anyone or work on the system at the Sheriff's Post 2. Commissioner Jemison stated that this is for systems other than what Water Resources directly provides water service for.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-184 authorizing Department of Water Resources Director

Commissioners' Journal
November 29, 2011

Doug Bowen to execute any and all instruments and indemnify the Department of Water Resources pertaining to the bond posted to the Ohio Department of Health, BEH Private Water Systems for the application for a Private Water Systems Installers License to cover activities of the Department's water treatments and distribution operations.

Board of County Commissioners, Geauga County, Ohio

Date: November 29, 2011
Resolution: 11-184

RESOLUTION

WHEREAS, Be it hereby resolved that Doug Bowen, Director of the Department of Water Resources, is hereby authorized to sign any and all instruments and indemnify for Geauga County Department of Water Resources in order to obtain a bond being posted to the Ohio Department of Health, BEH Private Water Systems, and that he is also authorized to use funds to pay the bond premium.

IN WITNESS THEREOF, in Geauga County, Ohio, the Geauga County Board of Commissioners, has caused this instrument to be executed this 29th day of November, 2011.

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

DEPARTMENT OF WATER RESOURCES – DELINQUENT SEWER USER FEES, WATER FEES, TAP-IN INSTALLMENTS AND SUBSEQUENT CERTIFICATION

Mr. Bowen stated that this was the Annual Certification of Delinquent sewer and water bills. This year the total is just over \$429,000.00 and is down by four to five percent from last year. Mr. Bowen stated that there are 674 accounts delinquent out of the 6100 accounts and is about eleven percent (11%) of the total. Mr. Bowen stated that through the taxes they received around ninety-five percent (95%) the following year and that includes the twelve percent (12%) penalty. Mr. Jemison stated that we do get all the money back that it is just paid in the following tax year and does include the twelve percent penalty. Mr. Bowen stated that the numbers were about the same, that in 2009 the total was about \$450,000.00 and in 2010 it was about \$450,000.00 and that this year it was down to around \$430,000.00. Mr. Bowen stated that the fees and penalty are attached to their tax duplicate and that people prefer to pay it that way.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve the attached list of delinquent sewer user fees, water fees, tap-in installments and subsequent certification to the Geauga County Auditor, in accordance with O.R.C. 6117.02 and the Geauga County Department of Water Resources Rules and Regulations (Section F.501) in the total amount of \$480,922.42 (\$429,394.38 arrearage and \$51,528.04 penalty).

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

Commissioner Young inquired if it would be to the department's advantage to get these delinquent bills paid quicker. Mr. Bowen explained that the current policy that they are working under does not include a penalty if they do not pay on a monthly basis. They are working on changing the rules and regulations to include a penalty after the 30 days deadline plus an additional twelve percent penalty in the end of the year. With taxes they can pay the fees in half but most wait and do it for the whole year. Mr. Bowen stated that if there is a Sheriff Sale or Foreclosure before certification that they lose the money. Currently bills are sent out every two months which equals six bills a year.

DEPARTMENT OF WATER RESOURCES – EXECUTIVE SESSION

Motion: by Commissioner Young, seconded by Commissioner Jemison to move into Executive Session for the purposes of discussing the discipline of a public employee.

Commissioners' Journal
November 29, 2011

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

Mr. Jemison stated that County Administrator David Lair and Director Doug Bowen would be joining the Board in executive session. The Board returned from executive session at 10:47 a.m. Mr. Jemison noted that Colleen Lockhart was also in attendance during the executive session. The following action was taken as a result of this executive session.

Motion: by Commissioner Samide, seconded by Commissioner Young to acknowledge the receipt of a waiver to the right to a disciplinary hearing and to further accept the recommendation of the hearing officer, Ron Geller, to suspend without pay Brian Cain, Operator I in the Department of Water Resources for forty (40) hours for violations of the Geauga County Personnel Policy as well as thirty (30) days suspension from driving for the County and further approve and authorize the President of the Board to execute the Order of Removal, Reduction, Suspension, Fine, Involuntary Disability Separation per O.R.C. 124.34 for the forty hours.

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

ACKNOWLEDGEMENTS

- a) Geauga County Board of Developmental Disabilities Board Minutes from their meeting of October 19, 2011.*
- b) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the prisoner transport for the month ending June 2011 as required by O.R.C. 325.07.*

OTHER

The Board reviewed upcoming events.

MEETINGS

- Thu., 12/1 The Commissioners will hold regular session.*
- Fri., 12/2 The Commissioners will attend the Community Improvement Corporation (CIC) "Take a Colleague to Lunch", 12:00 p.m. at the Welshfield Inn*
- Tues., 12/6 The Commissioners will hold regular session.*
- Tues., 12/6 Portage / Geauga Joint Detention Center Meeting, 2:00 p.m. Commissioners Chambers*
- Thu., 12/8 The Commissioners will hold regular session.*
- Thu., 12/8 Geauga Trumbull Solid Waste Luncheon, 12:00 p.m.*
- Thu., 12/8 Chagrin River Watershed Partners, Inc. Board of Trustees Meeting, 4:00 p.m.*
- 12/11 – 12/13 The Commissioners will attend the CCAO Winter Conference, Columbus, Ohio*
- Tues., 12/13 **The Regularly scheduled Commissioners' meeting is cancelled.***
- Tues., 12/13 The Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*
- Thu., 12/15 The Commissioners will hold regular session.*

Commissioners' Journal
November 29, 2011

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 10:50 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

William S. Young

Mary E. Samide

Christine Blair, Commissioners' Clerk