

Commissioners' Journal
October 30, 2008

The Geauga County Board of Commissioners met in session on October 30, 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 10:10 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve and execute the minutes for the meeting of October 28, 2008.

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

SOIL AND WATER CONSERVATION DISTRICT – NOTICE OF VIOLATION – PARKMAN INDUSTRIAL BUILDING 50 SITE

Robert A. Griesmer, District Technician reported that this property is owned by Mr. Don Hofstetter . Mr. Don Hofstetter is putting another building up with a concrete floor and Mr. Griesmer reported that Mr. Hofstetter needed to put in a stormwater pond. Mr. Griesmer stated that Mr. Hofstetter argued the point that it is not yet a building and he should not have to comply. Mr. Griesmer stated that the footprint is there and he must comply. Mr. Hofstetter's contractor contacted Soil and Water and Mr. Griesmer believes Mr. Hofstetter will comply but Soil and Water would like this process to continue.

Motion: by Commissioner Samide, seconded by Commissioner Young to acknowledge the first and second Notice of Violation issued against Parkman Industrial Building 50 site (Parcel #25-147565) in Parkman Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached "Notice of Violation" (section 7.04 and 7.06) and to forward the "Notice of Violation" to the Geauga County Prosecutor to enforce compliance with the Geauga County Water Management and Sediment Control Regulations by seeking an injunction or other further relief to secure the required compliance.

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

COUNTY ENGINEER'S OFFICE – GRADE LINE INCORPORATED CHANGE ORDER #1

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 and final increasing the contract with Grade Line Incorporated for The Replacement of the Sidley Road Bridge (Structure #58-0.79) in Thompson Township for the 2008 Year, in the net amount of \$339.46.

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

DEPARTMENT ON AGING – BID OPENING – HOME DELIVERED MEALS

Director Sally Bell explained that this contract is for home delivered meals and congregate meals. Ms. Bell added that the contract is written so the department only has to pay for meals they actually order. In responding to a question Ms. Bell added that any senior can go to any senior center and access the meal program as long as there is room for them at that particular site.

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Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise for bids for the Nutrition Program, Congregate and Home Delivered Meals for the period January 1, 2009 through December 31, 2010, with a bid opening to be held November 19th, 2008 at 2:15 p.m. Notice of this bid opening will be published October 31st and on the county web site.

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

TRANSIT DEPARTMENT – FAMILY MEDICAL LEAVE OF ABSENCE – TIMOTHY LAMOREAUX

Director Kristina Fenselon explained that Mr. LaMoreaux injured his foot (not work related) and has had to have surgery.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve a Family Medical Leave of Absence (FMLA), unpaid medical leave of absence for Timothy LaMoreaux, Full-time Driver, for the time not covered by accrued sick and vacation leave for the period October 14, 2008 through the expected return of November 24, 2008, pursuant to section 6 of the Geauga County Personnel Policy.

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

GEAUGA TRUMBULL SOLID WASTE – BURTON TOWNSHIP RECYCLING DROP-OFF PROGRAM

Director Robert Villers reported this contract is a three party contract because the recycling is on county property. Ms. Kozenko stated that this contract has been done in the past. Mr. Villers added that the December meeting with the Solid Waste Management District will be December 10, 2008. Mr. Villers reported that a settlement has been negotiated with Wolford, a waste hauler, of \$517,000.00. Mr. Villers stated that after Mahoning County fees and legal fees were taken out Geauga Trumbull Solid Waste will receive \$387,619.00 and with this money the debt on the construction of solid waste building should be paid off by next year.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute a contract between the Geauga Board of County Commissioners, the Geauga-Trumbull Solid Waste Management District and the Burton Township Trustees to operate a recycling drop-off program for the period January 1, 2009 through December 31, 2010.

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

LIQUOR LICENSE – SCALERA INCORPORATED – BAINBRIDGE TOWNSHIP

Motion: by Commissioner Samide, seconded by Commissioner Young to concur with the Bainbridge Township Trustees in not requesting a hearing on the liquor license requested by Scalera Incorporated (d.b.a. Lucianos Ristorante) located at 8561 E. Washington Street, Chagrin Falls, Bainbridge Township (C STCK 77771925).

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

OTHER

Claudine Kozenko, Commissioners' Clerk explained that she was invited to attend a meeting on November 7, 2008 for CCC/ESAO and inquired if the Board had any objections as she may be encouraged to sign up to work on committees and attend several meetings for the upcoming year. The Board stated no objection.

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Ms. Kozenko discussed an upcoming contract to clean the Commissioners office and particular cleaning needs.

Ms. Kozenko mentioned the Main Street Program she emailed to the Board for information. The Board will attend the meeting in Kent regarding the Main Street Program on November 6, 2008.

COMMISSIONERS' OFFICE – FISCAL CONSULTING SERVICES – JOHN CONNER

The Commissioners' Clerk Claudine Kozenko read the following motion: to approve and execute an Agreement to Provide Fiscal Consulting Services to Geauga County, Ohio with John C. Conner for the period of November 1, 2008 through October 31, 2009, in the amount of \$600.00 per month.

Commissioner Samide stated her objection as to Mr. Conner not having fiduciary responsibility and not operating like a business and that she is not interested in this contract. Commissioner Samide continued that she spoke with several financial people who agreed that he will be giving financial advice without insurance. In Mr. Conner previous business he was covered by insurance by the bank he was working for. Commissioner Samide stated she will not take that responsibility of hiring someone who is not willing to have insurance to cover himself and to not hold the Board harmless on advice he would be giving the Board, especially in these economic times. Commissioner Albert replied all Mr. Conner is doing is finding outlets to borrow money. Commissioner Samide explained that she felt it was similar to the current mortgage lending situation in the news. Commissioner Albert stated that Mr. Conner will be suggesting outlets for the Board to borrow money for notes. Commissioner Samide commented that Mr. Conner will be providing a professional opinion not professional advice. Mr. Lair explained that the process would be with Mr. Conner using some of his relationships with banks across the country and soliciting for bids for notes. Mr. Lair stated that Pam Hanover of Squires, Sanders and Dempsey will still be doing the same work on these notes as she normally does. Commissioner Albert said she has the fiduciary responsibility, not Mr. Conner. Commissioner Samide said if he is going to operate as an agent of the Board he needs to have coverage and she will not sign this contract as is. Commissioner Albert said we are not taking his advice, he is just suggesting potential buyers. Mr. Lair said there is no established scenario for this kind of thing and therefore insurance companies won't write insurance on this. Commissioner Samide responded that that was not correct. Mr. Lair added that the cost of the insurance would be half of what he is getting paid for this service. Commissioner Albert stated that "held harmless" does not concern this deal. Commissioner Young suggested getting a written legal opinion whether an insurance certificate is needed and perhaps that would make the Board comfortable.

Commissioner Albert made the motion to approve and execute an Agreement to Provide Fiscal Consulting Services to Geauga County, Ohio with John C. Conner for the period of November 1, 2008 through October 31, 2009, in the amount of \$600.00 per month. The motion died for a lack of a second.

ECONOMIC DEVELOPMENT MONTHLY MEETING

The Commissioners' Office conducted the economic development meeting at noon. The Commissioners regular meeting was adjourned before the start of the economic development meeting as there was not a quorum of Commissioners. The speaker was Joe W. Mayernick, executive Director of Growth Partnership for Ashtabula County, who discussed "Relationship Based Economic Development". Mr. Mayernick discussed directing efforts of an alliance of public and private sector groups in attracting investment, jobs and tax base and working in concert with utilities, industries, banks and local government organizations for long-term economic growth.

ACKNOWLEDGEMENTS

- a) *The Plan Review Notice of Compliance, Submittal #2 for DDC Clinic for Special Needs Children in Middlefield Township, filed by Geauga Soil and Water Conservation District.*
- b) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 22, 2008 as required by O.R.C. 955.12.*

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MEETINGS

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.*

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

Thu., 11/6 **The Regularly scheduled Commissioners' meeting is cancelled.**

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

Wed., 11/12 *Geauga County Township Association Quarterly Dinner Meeting*

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

Thu., 11/13 *Planning Commission*

Fri., 11/14 *NOACA*

Mon., 11/17 *Family First*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER ALBERT ADJOURNED THE MEETING AT 10:59 A.M.

Geauga County Board of Commissioners

Mary E. Samide

William S. Young

Craig S. Albert

Claudine Kozenko, Commissioners' Clerk