

Commissioners' Journal
April 3, 2008

The Geauga County Board of Commissioners met in session on April 3, 2008 at 10:30 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 10:34 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE FINANCIALS

Budget Officer Heidi Delaney reported the financials as including a Revenue Certification for the Sheriff's Department for the Law Enforcement Assistance Fund; a supplemental appropriation for the Sheriff's Department for Concealed Handgun License Fund and an appropriation transfer for the Water Resources Fund.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-045 itemizing the financials for the meeting of April 3, 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>

**COMMISSIONERS' OFFICE – IMPROVING LAUREL SCHOOL FACILITIES PROJECT-
RESOLUTION APPROVING ISSUANCE OF CLEVELAND PORT AUTHORITY BONDS AND
FEE ACKNOWLEDGEMENT**

Present for the discussion were Deborah Farquah-Jones from Laurel Schools, Jennifer Roth, Dana Weiss from Squires, Sanders and Dempsey and Laura LaChapelle Geauga County Assistant Prosecuting Attorney. Ms. LaChapelle stated a public hearing was held and there were no comments made regarding the issuance of these bonds. Commissioner Young looks forward to working with the Cleveland Cuyahoga Port Authority in the future.

Motion: by Commissioner Samide, seconded by Commissioner Young approve and execute Resolution 08-046 approving the issuance of bonds by the Cleveland Cuyahoga Port Authority pertaining to Improving Laurel School Facilities Project.

Board of County Commissioners, Geauga County, Ohio

Date: April 3, 2008
Resolution: 08-046

The Board of County Commissioners of the County of Geauga met on April 3, 2008, commencing at 10:30 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 Young

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 Young:

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RESOLUTION NO. 08-046

A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY.

WHEREAS, Laurel School ("Laurel"), an Ohio nonprofit cooperation, has facilities located at 7420 and 7440 Fairmount Road, Russell Township, County of Geauga (the "County") and at One Lyman Circle, Shaker Heights, County of Cuyahoga, Ohio (the "Shaker Campus"); and

WHEREAS, the Cleveland-Cuyahoga County Port Authority (the "Port Authority") previously issued its Variable Rate Educational Facility Revenue Bonds, Series 2004 (Laurel School Project) (the "Series 2004 Bonds") pursuant to Chapter 4582, Ohio Revised Code, to assist Laurel in financing and refinancing the costs of acquiring, constructing, equipping, furnishing and improving Laurel facilities within the County (the "Series 2004 Project");

WHEREAS, Laurel has requested that the Cleveland-Cuyahoga County Port Authority (the "Port Authority") issue educational facility revenue bonds pursuant to Chapter 4582, Ohio Revised Code, to assist it in financing and refinancing costs of (i) acquiring, constructing, equipping, furnishing and improving Laurel facilities to be located at the site of the Series 2004 Project within the County and at Laurel's Shaker Campus and (ii) refunding the outstanding Series 2004 Bonds (collectively, the "Series 2008 Project"); and

WHEREAS, in order to comply with applicable federal income tax laws, Laurel requested that the County and the Port Authority hold a combined public hearing for the purpose of accepting public comments pertaining to the Series 2008 Project and the proposed bonds, prior to approval of the proposed bonds; and

WHEREAS, notice of the combined public hearing was published in the News-Herald and the Plain Dealer fourteen days before the date of the public hearing; and

WHEREAS, the Port Authority held the combined public hearing on March 13, 2008 and delivered to the County a Report of Public Hearing detailing the proceedings of the public hearing; and

WHEREAS, Laurel has requested that the Board of County Commissioners, as the applicable elected representative of the County pursuant to Section 147(f) of the Internal Revenue Code of 1986, approve the issuance of the bonds; and

WHEREAS, this Board wishes to take action now to approve the issuance of the bonds;

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

Section 1. This Board hereby accepts the Report of Public Hearing indicating that no questions or comments were presented at the public hearing and no written comments were submitted to the Port Authority prior to the public hearing.

Section 2. This Board finds and determines that no written comments were submitted to the County prior to the public hearing.

Section 3. As a governmental unit having geographical jurisdiction over the area in which a portion of the Laurel facilities being financed with the Bonds are located, this Board hereby approves the issuance of the Bonds by the Port Authority.

Section 4. 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 5. This Resolution shall be in full force and effect from and immediately after its adoption.

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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 Albert</i>	<i>Aye</i>

Ms. LaChapelle stated that Laurel School offered to compensate the County for the one half of the fee the County believed they were entitled to. Ms. LaChapelle was able to negotiate with the school for the present value of those funds in the amount of \$34,000.00. The school was gracious enough to provide that money to the Board of Commissioners. Ms. LaChapelle added that unfortunately there was a dispute with the Cleveland Cuyahoga County Port Authority with regard to those funds but Laurel School stepped in and resolved the dispute.

Motion: by Commissioner Samide, seconded by Commissioner Young to acknowledge and accept the Laurel School offer to pay Geauga County a lump sum fee of Thirty-Four Thousand Dollars (\$34,000.00), which represents approximate present value (discounted at 6%) of annual payments of Two Thousand Five Hundred Dollars (\$2,500.00) each for thirty (30) years). This fee will be payable upon the closing of the Laurel School 2008 Bond refunding and issuance with the Cleveland Cuyahoga County Port Authority on April 10, 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>

**MAINTENANCE DEPARTMENT – RE-ADVERTISE BIDS – PROSECUTOR’S OFFICE
RENOVATION PROJECT**

Mr. Vernick stated some items were cut and others re-arranged to get a lower estimate for the project.

Motion: by Commissioner Samide, seconded by Commissioner Albert to grant permission to re-advertise for bids for the Geauga County Prosecutor’s Office Renovation Project for General Trades – Contract A, Plumbing and Fire Protection – Contract B, Heating, Ventilation and Air Conditioning – Contract C and Electrical Trades – Contract D, with a bid opening to be held on Wednesday April 23, 2008 at 2:00 p.m. and a mandatory walk-thru on Wednesday April 9, 2008 at 10:00 a.m. Notice of this bid opening will be published on April 4, 2008 and 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>

OTHER

Rick Lutzke did a brief presentation on Sheriff Arpaio of Maricopa County, Arizona – America’s Toughest Sheriff and his unique program of dressing all inmates in pink undershorts, for inventory control and the calming effect of pink. Mr. Lutzke showed the Board an authentic pair of the pink undershorts. Mr. Lutzke believed this sheriff had some very interesting programs and ideas.

COUNTY HOME – ACCEPT RESIGNATION – KIM WILLMAN

Motion: by Commissioner Samide, seconded by Commissioner Young to accept the resignation of Kim Willman as Full-time Attendant to be effective March 27, 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>

COUNTY HOME – ADVERTISE FULL-TIME ATTENDANT – SECOND SHIFT

Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise for a Full-time Attendant (#1504) for second shift, beginning March 4, 2008. This position will remain posted until the vacancy is filled.

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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 Albert</i>	<i>Aye</i>

DEPARTMENT OF WATER RESOURCES – HIRE MAINTENANCE WORKERS
WATER/WASTEWATER SYSTEMS – JOHN OSBURN AND TIMOTHY GRESSLEY

Motion: *by Commissioner Samide, seconded by Commissioner Young to hire John Osburn for the full-time Maintenance Worker Water/Wastewater Systems (#2330) to be effective Monday, April 7, 2008 at a rate of \$13.31 per hour with a 120 day probationary period.*

<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>

Motion: *by Commissioner Samide, seconded by Commissioner Young to hire Timothy Gressley for the full-time Maintenance Worker Water/Wastewater Systems (#2330) to be effective Monday, April 7, 2008 at a rate of \$13.31 per hour with a 120 day probationary period.*

<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>

BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES – LABOR AGREEMENT

Metzenbaum Center Superintendent Donald L. Rice II explained there will be no more step increases, or raises given based on the number of years worked. The goal is to have raises at 3% unless employees take on additional duties or increase their education. This agreement is keeping employees in line with the county plan and the regular tax payers of the county. The Board congratulated Mr. Rice on the success of this agreement and staying within the 3% increase. Commissioner Young added that he hoped it would make the school districts aware and perhaps set their own policy to stay within a 3% increase and to stretch the levy funds as far as they can. MRDD, like many others, will be doing more with less. Mr. Rice added they have reduced operating costs by reducing staff as well as other cuts. This was the first agreement approved by MRDD and the union since 2002. The contract agreement matches the goal of MRDD, stated Mr. Rice. Contract negotiations will start again in 2010.

Motion: *by Commissioner Samide, seconded by Commissioner Young to acknowledge the Labor Agreement agreed to by MR/DD and the Metzenbaum Employees Association, OEA/NEA, effective April 1, 2008 through August 24, 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>

Mr. Rice presented the Board with a fiscal projection work sheet. Mr. Rice stated initially, MRDD intended to make the current levy work through 2009. They are hoping to stretch the existing levy further, as a renewal, for another two years and hope not to come back to the voters for another two years. This will be a continuous levy. They will be as frugal as they can and not waste money. There are many unknowns and costs can go up that may impact the decision to go back to the voters for a levy. In 2013 the Board may have to come back to the voters for additional funding. MRDD currently receives subsidies from the state that are likely to be cut or reduced.

Motion: *by Commissioner Samide, seconded by Commissioner Albert to approve and execute Resolution 08-047 declaring it Necessary to Levy a Tax in Excess of the Ten Mill Limitation and Requesting Certification of the County Auditor of the Dollar Amount Generated at the Request of the Geauga County Board of Mental Retardation and Developmental Disabilities (Metzenbaum Center), as Authorized by O.R.C. 5705.03, .19, .191, .222, .25 and .26.*

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Board of County Commissioners, Geauga County, Ohio

Date: April 3, 2008

Resolution: 08-047

RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION AND REQUESTING CERTIFICATION OF THE COUNTY AUDITOR OF THE DOLLAR AMOUNT GENERATED AT THE REQUEST OF THE GEAUGA COUNTY BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES (METZENBAUM CENTER), AS AUTHORIZED BY O.R.C. 5705.03, .19, .191, .222, .25 AND .26

WHEREAS, the Board of County Commissioners has determined that it is necessary to levy a tax outside the ten-mill limitation for the requirements of the Geauga County Board of Mental Retardation and Developmental Disabilities (Metzenbaum Center), Geauga County, Ohio, established pursuant to Chapter 5126 of the Revised Code.

NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Mental Retardation and Developmental Disabilities (Metzenbaum Center) is collecting monies from an existing levy of three and three-tenths (3.3) mills for each one dollar (\$1.00) of valuation, which amounts to thirty-three cents (\$0.33) for each one hundred dollars (\$100.00) of valuation for the purpose of providing the Geauga County Board of Mental Retardation and Developmental Disabilities (Metzenbaum Center), with sufficient funds for the operation of mental retardation and developmental disabilities programs and services, and for the acquisition, construction, renovation, financing, maintenance and operation of mental retardation and developmental disabilities facilities, which is due to expire at the end of the tax year 2008.

BE IT FURTHER RESOLVED that the Board of County Commissioners of the County of Geauga, State of Ohio, hereby certifies to the Geauga County Auditor this resolution requesting that the County Auditor certify to the Board of County Commissioners the total current tax valuation of Geauga County and the dollar amount of revenue that would be generated by a continuing levy of three and three tenths (3.3) mills.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Geauga County, Ohio, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the Geauga County Board of Mental Retardation and Developmental Disabilities (Metzenbaum Center), for the purpose of providing the Geauga County Board of Mental Retardation and Developmental Disabilities (Metzenbaum Center), with sufficient funds for the operation of mental retardation and developmental disabilities programs and services, and for the acquisition, construction, renovation, financing, maintenance, and operation of mental retardation and developmental disabilities facilities, at a rate not exceeding three and three tenths (3.3) mills for each one dollar (\$1.00) of valuation, which amounts to thirty-three cents (\$0.33) for each one hundred dollars (\$100.00) of valuation, which levy is a renewal of an existing three and three tenths (3.3) mill levy for said purposes.

BE IT FURTHER RESOLVED that said levy shall be a continuing levy of three and three tenths (3.3) mills to be placed on the ballot as one proposition and placed upon the tax year 2009 if a majority of the electors voting thereon vote in favor thereof at the general election on November 4, 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>

BUILDING DEPARTMENT – CORRECT WAGE RATE – LISA MORIARTY

Commissioners' Clerk Claudine Kozenko reported that Human Resources stated the wrong wage rate sheet was used at the time of hiring.

Motion: by Commissioner Samide, seconded by Commissioner Albert to approve the correction to Lisa Moriarty's wage rate, a full-time Permit Coordinator in the Building Department (#1106) Grade 5, to \$10.35 during probation and \$10.90 upon successful completion of a 120-day probationary period, in accordance with

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the November 20, 2005 Wage Table and to further approve the payment of the wage difference owed.

<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>

COMMISSIONERS' OFFICE – GAPP BOARD ALTERNATE APPOINTMENT – CRAIG ALBERT

Motion: *by Commissioner Samide, seconded by Commissioner Young to appoint Craig S. Albert as the alternate for William S. Young on the Geauga, Ashtabula and Portage Partnership (GAPP) Board.*

<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>

COMMISSIONERS' OFFICE – NOACA - ALTERNATE APPOINTMENT – CLAUDINE KOZENKO

Motion: *by Commissioner Samide, seconded by Commissioner Young to appoint Claudine Kozenko as the alternate to the alternate for William S. Young on the NOACA meeting to be held Friday, April 11, 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>

EXECUTIVE SESSION – COMMISSIONERS' OFFICE

Motion: *by Commissioner Samide, seconded by Commissioner Young to move into executive session for the purpose of discussing personnel.*

<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>

The Board reconvened at 11:50 a.m. No action was taken as a result of this executive session.

<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>

ACKNOWLEDGEMENTS

- a. The Geauga County Board of Mental Health and Recovery Services (SFY) State Fiscal Year 2007 Annual Report.*

MEETINGS

Tue., 4/8 The Commissioners will hold regular session.

Tue., 4/8 Planning Commission meeting at 7:30 p.m.

Wed., 4/9 Township Association Quarterly meeting at Grandview Inn at 6:30 p.m.

Thu., 4/10 The Commissioners will hold regular session.

Thu., 4/10 United Way Services Annual Meeting at the Banquet Room at St. Mary's School at 11:15 a.m.

Fri., 4/11 NOACA meeting at 10:00 a.m.

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Mon., 4/14 Board of Revisions

Tue., 4/15 The Commissioners will hold regular session.

Tue., 4/15 CDBG Small Cities Program Public Hearing at 11:00 a.m.

Thu., 4/17 The Commissioners will hold regular session.

Fri., 4/18 TAC meeting

Fri., 4/18 Community Corrections Planning Board at 12:00 p.m., Judge Burt's jury room

Mon., 4/21 Family First meeting at 2:00 p.m.

Tue., 4/22 The Commissioners will hold regular session.

Thu., 4/24 The Commissioners will hold regular session.

Thu., 4/24 The Commissioners will hold the monthly Economic Development work session discussion at noon.

Tue., 4/29 The Commissioners will hold regular session.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER ALBERT ADJOURNED THE MEETING AT 11:50 A.M.

Geauga County Board of Commissioners

Mary E. Samide

William S. Young

Craig S. Albert

Claudine Kozenko, Commissioners' Clerk