

**Commissioners' Journal**  
**October 7, 2010**

*The Geauga County Board of Commissioners met in session on October 7, 2010 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, Mary E. Samide opened the meeting at 10:04 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**APPROVE MINUTES**

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of October 5, 2010.*

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – AGREEMENT FOR HOUSING DEMOLITION / CLEARANCE – AUBURN BAINBRIDGE EXCAVATING**

*Program Administrator, Joni Stusek stated that this was the second of the three demolitions that would be done without placing a mortgage. There had been several demolitions already lined up to be done before the change of placing a mortgage on the property. The last one to be done is on Rockhaven and the report had just come back on that and it has asbestos issues. Ms. Stusek explained that they may have to put a lien on the property since it's going to be a lot more expensive to take down. The cost is going to be about three times as much, that they are looking at around \$25 – \$30,000. It was discussed that this is a large property, and that it used to be a hotel or nursing home facility on almost ten acres of land. After this demolition they will have about three or four thousand dollars left. Commissioner Samide asked if the Munson Township trustees had contacted them regarding the Klatka property that they had just purchased. Ms. Stusek stated that they had and they were in negotiation with Bert Mechenbier from Lake County regarding asbestos remediation. Ms. Stusek stated that Munson had called asking for asbestos removal companies in the area.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the Agreement for Housing Demolition / Clearance between the Geauga County Board of Commissioners and Auburn Bainbridge Excavating, and Joseph A. Arcadi for the demolition of property at 12831 Bass Lake Road, Chardon in the amount of \$6,200.00 utilizing Program Income Funds.*

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

**APPROVE FINANCIALS**

*Budget Administrator Heidi Delaney explained the financials as including encumbrances for a contract with Auburn Bainbridge Excavating for demolition work at 12831 Bass Lake in the amount of \$6,200.00, a contract for Saunders Excavating Ltd for demolition work at 8838 Washington Street in the amount of \$4,700.00 and vouchers for a payment to Hummel Construction Company in the amount of \$297,437.38 for the transportation facility and several for Common Pleas Court.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-190 itemizing the financials for the meeting of October 7, 2010.*

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

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**COUNTY TREASURER AND COUNTY AUDITOR – MONTHLY STATEMENT OF COUNTY FINANCES**

*Motion:* by Commissioner Young, seconded by Commissioner Jemison to accept, execute and file the monthly Statement of County Finances filed by the County Treasurer for the month of September, 2010 pursuant to O.R.C. 319.15.

*Motion:* by Commissioner Young, seconded by Commissioner Jemison to accept, execute and file the monthly Statement of County Finances filed by the County Auditor for the month of September, 2010 pursuant to O.R.C. 319.15.

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

**ENGINEER'S OFFICE – MORTGAGE DEED FOR SUB LOT #26 EDWARDS LANDING IN CANYON LAKES COLONY SUBDIVISION PHASE 13 A – BAINBRIDGE TOWNSHIP**

Assistant Sanitary Engineer Gerald Morgan stated that this was the Engineer's motion, but he was here to answer any questions. Mr. Morgan explained that this was for the Canyon Lakes Colony Subdivision Phase 13A, what he refers to as the other side of the stream, off of Chagrin Road on Northview. This is for the performance, for remaining work to be completed and the maintenance bond for sewer and water. Mr. Morgan stated that they would also be approving the final plat.

A discussion was held regarding the mound on the property off of 422. Mr. Morgan stated they were in process of creating an agreement to deal with this issue.

*Motion:* by Commissioner Young, seconded by Commissioner Jemison to approve, accept and execute the Mortgage Deed for sub lot #26 in Edwards Landing for the performance guaranty for the remaining work to be completed for Canyon Lakes Colony Subdivision Phase 13A in Bainbridge Township and for the acceptance of all sanitary sewers, waterlines and appurtenances that have been constructed in accordance with the Geauga County Department of Water Resources standards within the public right-of-way or easements platted on the final plat.

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

**ENGINEER'S OFFICE – FINAL PLAT – CANYON LAKES COLONY SUBDIVISION PHASE 13 A – BAINBRIDGE TOWNSHIP**

*Motion:* by Commissioner Young, seconded by Commissioner Jemison to approve and execute the final plat for the Canyon Lakes Colony Subdivision, Phase 13A in Bainbridge Township.

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

**ENGINEER'S OFFICE – REMOVE LOAD REDUCTION ON DINES ROAD BRIDGE**

Engineer IV Michael Stone stated that they were taking off the load reduction because there is a new bridge in place there that was designed for more weight.

*Motion:* by Commissioner Young, seconded by Commissioner Jemison to approve the removal of the twenty-five percent (25%) load reduction on the Dines Road Bridge (Structure #144-1.72) in Russell Township.

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

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**ENGINEER'S OFFICE – RESOLUTION TO RECONSTRUCT RADCLIFFE ROAD BRIDGE –  
HAMB DEN TOWNSHIP**

*Mr. Stone stated that they are proposing to replace the Radcliffe Road Bridge in conjunction with Hambden Township. Hambden has an Issue 2 Ohio Public Works Project to resurface the road, along with Concord and, Leroy townships. Mr. Stone stated that it makes sense for the Engineer's Office to do the bridge since all the other culverts are being done. This is just the first step and then there will be a memorandum of understanding with Hambden.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution #10-192 to Reconstruct the Radcliffe Road Bridge (Structure #200-1.28) in Hambden Township.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 7, 2010*

*Resolution: 10-192*

**RESOLUTION TO RECONSTRUCT THE  
RADCLIFFE ROAD BRIDGE, STRUCTURE #200-1.28  
Hambden Township, Geauga County / LeRoy Township, Lake County**

*WHEREAS, the Board of County Commissioners of Geauga County has determined that the public convenience and welfare require the reconstruction of the bridge over Alyworth Creek, and the grading, paving, widening, and draining of a portion of Radcliffe Road in the immediate vicinity of the bridge in accordance with Section 5555.022 of the Ohio Revised Code, and*

*WHEREAS, the Geauga County Engineer intends to work cooperatively with the Lake County Engineer and the Hambden Township Trustees to fund and facilitate one project to repair and replace drainage structures and resurface Radcliffe Road with asphalt within one construction season.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Geauga County that the public convenience and welfare require the replacement and reconstruction of the Radcliffe Road Bridge, Structure #200-1.28 in the Township of Hambden, County of Geauga and Township of LeRoy, County of Lake by the removal of the existing bridge structure, installation of a new bridge structure at mile marker 1.28, and the grading, paving, widening, and draining of Radcliffe Road in the immediate vicinity of the bridge as required.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is granted permission to enter into Cooperative Agreements or Memoranda of Understandings to facilitate a joint project to expediently complete the overall project in one construction season to benefit the public.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board and the Hambden Township Board of Trustees at the time such plans are completed.*

*BE IT FURTHER RESOLVED that real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be apportioned as follows:*

*The engineering, right of way, construction and inspection costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants which may be secured for the project.*

*BE IT FURTHER RESOLVED that if preliminary designs for the project show the project cannot be built within the current right of way of Radcliffe Road, pursuant to*

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Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.

*BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners of Geauga County is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement with the Geauga County Engineer.*

*BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners of Geauga County is hereby instructed to transmit a certified copy of this resolution to the Hambden Township Trustees and the Geauga County Engineer.*

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

**COMMISSIONERS' OFFICE – PUBLIC HEARING FOR THE PROPOSED ISSUANCE OF REVENUE BONDS TO MONTEFIORE HOUSING CORPORATION**

*Commissioner Samide asked for a motion to waive the reading of the legal notice.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to waive the reading of the legal notice for the public hearing.*

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

*Commissioner Samide opened the public hearing at 10:17 a.m. and asked Marc W. Freimuth, Attorney representing Montefiore Housing Corporation and Mark H. Weiss, Chief Financial Officer for Montefiore Housing Corporation to say a few words. Mr. Freimuth explained that they were requesting approval on a resolution presented to the Commissioners by Pam Hanover from Squires, Sanders and Dempsey for the issuance of up to thirty million dollars in bonds. Approximately fifteen and one half to sixteen million is of this amount is intended to be used to refinance bonds, some of which were issued in 2001, in the amount of approximately fourteen million, to enable the original construction of the assisted living housing facility known as the "The Weils". In 2008 additional taxable financing, not tax-refinancing was issued for approximately another three million dollars for an addition to "The Weils" project. Mr. Freimuth explained the approval they are requesting is for the purpose of refinancing both the original tax revenue bonds from 2001 and the taxable 2008 construction loans, primarily to achieve interest savings. Mr. Freimuth stated that they do not need it for additional construction at this time. With the current tax laws it offers them the opportunity if approved for the thirty million to save on administrative time and costs in the future if they have additional construction needs. Of the thirty million total for which approval is sought, fifteen and one half to sixteen million is intended to be issued now. They have a Term sheet from Huntington National Bank, under which the entire amount of this bond will be issued. They would therefore consolidate the entire amount under one bond and finance the entire package. Commissioner Jemison stated that they are not running anything through the county, and that it does not affect our credit, or our bond ratings. Mr. Freimuth stated that the Bonds are to be issued by Colorado Authority through the Jewish Federation's National Bond program. They use this issuer in Colorado on behalf of non profit organizations around the country. The Facility is located in Geauga County, therefore the approval is needed from the Commissioners in order to enable the Colorado Authority to issue the bond. There is no issuance or debt to Geauga County. Mr. Jemison stated they were a great asset to our community and that they were pleased that they chose to be here. Commissioner Young agreed and asked them to talk about their business, if it was good and the future there. Mr. Weiss stated that they believed it to be good and that they have seventy-four suites in their assisted living facility of which sixty-eight were occupied. Mr. Weiss stated that their skilled unit opened in July and they received Medicare certification in the past October which includes twenty-nine beds. Mr. Jemison stated they were tax-exempt but they entered into an agreement to make payments in lieu of taxes. Commissioner Samide made note that the*

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*facility is 110,000 square feet and that they have added an additional 20,500 square feet and that it was a large facility.*

*Being no comments from the public Commissioner Samide closed the public hearing at 10:25 a.m.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution #10-191 approving the Issuance of Tax-Exempt Revenue Bonds by the Colorado Educational and Cultural Facilities Authority.*

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

**MAINTENANCE DEPARTMENT – PITNEY BOWES POSTAGE METER RENTAL AND/OR EQUIPMENT RENTAL AGREEMENT**

*Director Glen Vernick stated that the county cannot just buy a meter, that postage meters must be rented, and that every year a new agreement is required. Mr. Vernick stated that he wanted to do a two year agreement, but there was some back and forth between the lawyers on this year's agreement, and it appears that one year was enough. He indicated that the machine is aging rapidly, due to heavy use. Mr. Vernick stated that Ms. Arp had been discussing some options with Pitney Bowes on ways that could save the county money and that they were checking in to some options that other counties are using to see if they would work for us. Mr. Vernick also explained that they would be sending out a quarterly letter regarding postage usage and expenses to the departments. He said that they are able to track down usage better then when the current equipment was initially acquired with a twenty-five account capacity, as it can now track up to seventy-five accounts.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Pitney Bowes Postage Meter Rental and/ or Equipment Rental Agreement (State Agreement #441100108) for the period of September 2010 through September 23, 2011 in the amount of \$330.00 per quarter.*

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

**MAINTENANCE DEPARTMENT – RELEASE OF ALL CLAIMS – BOARD OF DEVELOPMENTAL DISABILITIES AND CHIMA NWAOBIA – 2002 FORD E-150 PASSENGER VAN**

*Mr. Vernick stated that there had been a small accident involving two employees in the transport of the van for the auction. This is a release between the buyer and the Board of Developmental Disabilities and the Commissioners releasing all claims as explained to the buyer. This was drawn up by Prosecutor, Laura LaChapelle.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the Release of All Claims between the Geauga County Commissioners, Board of Developmental Disabilities and Chima Nwaobia for the 2002 Ford E - 150 Passenger Van for damaged that it received from an accident on Monday, September 27, 2010, refunding Mr. Nwaobia part of the purchase price in the amount of \$900.00.*

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

**TRANSIT DEPARTMENT – REMOVE MARK NERONE FROM PAID ADMINISTRATIVE LEAVE**

*Operations Manager Jack Jackson stated that they were asking that Mr. Nerone be removed from administrative leave. Mr. Jackson explained that they had been given the go ahead to start training but that it was unknown if Mr. Nerone would show up. It was explained that he has*

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*been qualified to drive and come back to being active part-time. Commissioner Samide stated that if he doesn't show up for work that Mr. Nerone would not be paid.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to authorize removing Mark Nerone, Part-time Driver from paid administrative leave, to be effective October 7, 2010.*

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

**COMMISSIONERS' OFFICE – PUBLIC HEARING FOR THE PROPOSED REHIRE OF  
MICHAEL MIHALISIN – RETIRANT AND EMPLOYMENT TO THE POSITION OF CHIEF  
BUILDING OFFICIAL**

*Commissioner Samide asked for a motion to waive the reading of the legal notice.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to waive the reading of the legal notice for the public hearing.*

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

*Commissioner Samide opened the public hearing at 10:32 a.m. and stated that Mr. Mihalisin had been a good employee for many years. She asked Mr. Mihalisin if he would like to comment. Mr. Mihalisin stated that he had been through nine different commissioners and ten different administrators in his twenty-eight years. With his four years of military time he is able to retire with a total of thirty-two years' service. Mr. Mihalisin explained that he has enjoyed working with everyone here, and that it was time to retire and come back and pursue it at a different angle. Other than his duties as Chief Building Official Mr. Mihalisin stated that he had been the chairman for the last year on the State Flood Plain Committee. Mr. Mihalisin stated that he had been very proactive in the flood plain and that he was also finished up being part of the official flood disaster response team. Mr. Mihalisin stated that it had taken over ten years to complete getting through all the "loopholes, legalities and prosecutors" involved in the flood plain process. Mr. Jemison stated that this group was a mutual aid effort between building officials throughout the state of Ohio. Mr. Mihalisin agreed, stating that they had also added a permit technician position for people that work in the building departments in which they can get certified. If there was a disaster they would be able to hand out permits and answer questions for the community that is overwhelmed and give them free help. Mr. Mihalisin stated that he had helped out with flooding incidents in Lake County, Findlay, Bucyrus and Ottawa, and that they had been called to go to Iowa but had been cancelled at the last minute. Mr. Young asked if the workload in his department was higher than last year and if he would estimate if it would continue to rise in 2011? Mr. Mihalisin responded that it was definitely higher than last year, that their new housing starts were up about twenty, nothing great, but showing a gradual increase. Mr. Mihalisin explained that people were doing alterations and adding additions onto their homes instead of selling them. County Administrator David Lair asked Mr. Mihalisin to discuss his credentials and certifications. Mr. Mihalisin explained that a Chief Building Official is a class one certification, that requires you to have a residential building official certification that covers plan reviews and inspections, class three mechanical inspector, regular inspector and ESI for electrical safety inspection along with Flood Plain administrator. Mr. Mihalisin explained that all these certifications have tests and that he currently has nine certifications all together. Mr. Lair asked how many people he felt had the same credentials in northeast Ohio? Mr. Mihalisin stated perhaps a half dozen. Ms. Samide asked how long it takes to get these certifications? Mr. Mihalisin stated that they keep changing things, but for Building Official it takes about ten years with experience and completion of all tests. Mr. Mihalisin explained that if you are an architect or have engineering credentials that they waive years of experience. A Code academy is required to be taken in Columbus that takes about a week the first time. For subsequent credentials, it depends on your certifications and the reason why you're attending that determines if you may not have to attend the full week. Mr. Mihalisin said the first time he had taken it was for Electrical Plans Examiner; this credential allows him to review electrical plans for commercial as well as residential and does not require them to be sent out at additional cost to the county. The test is about sixty questions in sixty minutes on books that you've never seen before. Mr. Mihalisin explained that it is a lot of education and that every*

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*three years you are required to have so many hours of re-certification in order to renew your licenses. Some of the organizations they belong to allow meeting attendance to count for hours, but you have to turn them in for credit. If you don't, they don't have to renew you and you're out. Ms. Samide asked if each certification required a certain number of years that you have performed the job? Mr. Mihalisin explained that when he first started they had different sets of rules and regulations and over the years they have changed. You have to apply and list all your work experiences. Those are checked and if they feel you have enough you are let into the program. In some instances they allow an interim credential that allows you two years to complete the code academy and the tests. Mr. Mihalisin expressed that this job requires a lot of book work to try and keep up with every changing codes. The electrical codes have 1427 changes already, having only been revised three years ago. Mr. Mihalisin also stated that the energy codes were changing and we would have to comply with them per the state of Ohio. Mr. Lair stated that someone with these credentials is very employable and that someone with these rare skills could be in high demand.*

*Being no comments from the public Commissioner Samide closed the public hearing at 10:45 a.m.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve the re-hire of Michael Mihalisin as County Chief Building Official (#1101) effective November 1, 2010 at the rate of \$33.87 per hour, and to approve the granting of fifteen (15) days unpaid leave to Michael Mihalisin during the period November 1, 2010 through October 31, 2011.*

*Commissioner Young stated that this rate included a ten percent (10%) salary reduction and that Mr. Mihalisin starts over as a new employee with no vacation accrual until after one year of employment and sick time also starts over. Mr. Lair added that the fifteen days of unpaid leave allows Mr. Mihalisin to have time off without having to return for permission and that in turn saves the county additional money.*

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

**ACKNOWLEDGEMENTS**

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending September 29, 2010 as required by O.R.C. 955.12.*
- b) The Monthly Inventory Report, Consolidated Investment Portfolio and Obligations and Securities monthly reports filed by the Treasurer's Office for Geauga County for the Month of September 2010, pursuant to ORC 135.35(L).*

**MEETINGS**

*Fri., 10/8 NOACA meeting*

*Tue., 10/12 **The Regularly scheduled Commissioners' meeting is cancelled.***

*Thu., 10/14 The Commissioners will hold regular session.*

*Tue., 10/19 The Commissioners will hold regular session.*

*Thu., 10/21 The Commissioners will hold regular session.*

*Thu., 10/21 The Commissioners will attend Geauga Soil and Water Conservation District's 66<sup>th</sup> Annual Dinner and Election*

*Fri., 10/22 Ribbon Cutting Ceremony for the Incredible Edible Art Show at the Department on Aging beginning at 10:00 a.m.*

*Tue., 10/26 The Commissioners will hold regular session.*

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*Thu., 10/28 The Commissioners will hold regular session.*

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

*Geauga County Board of Commissioners*

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*William S. Young*

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*Tracy A. Jemison*

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*Mary E. Samide*

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*Christine Blair, Acting Commissioners' Clerk*