

**Commissioners' Journal**  
**September 4, 2008**

*The Geauga County Board of Commissioners met in session on September 4, 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 10:07 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 August 21, 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>

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the minutes for the meeting of August 26, 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>

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the minutes for the meeting of August 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>

**APPROVE FINANCIALS**

*Budget Officer Heidi Delaney reported the financials as including a Revenue Certification for the Common Pleas Court Mediation Fund and the Courthouse Donation Fund; supplemental and appropriation transfer requests to redistribute appropriations where necessary; cash transfers for medical, dental and life insurance for September and one Travel Request. Commissioner Albert asked if the funds received for the Courthouse Donation will be used for tuck-pointing the courthouse building. Mr. Lair reported those funds would not be used on this project as it was already budgeted as a capital improvement project for this year.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-123 itemizing the financials for the meeting of September 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>

**OTHER**

*Jan Vondrasek read a letter thanking the Board of Commissioners for their help and support of their ongoing efforts to revitalize the Kiwanis Lake Community Hall. A lot of work has been done over the past several years and the hall is looking fantastic. With the help of the Board of Commissioners eleven projects have been completed. They are looking forward to Election Day as a new polling location for Newbury. It will be a pleasure to show our fellow residents our renovated building.*

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*In 1978-79 the Kiwanis Lake Community Hall was originally built for a Senior Nutritional Center including a kitchen, and turned over to Kiwanis Lake Community in 1986 when the Senior Center was built. Ms. Vondrasek stated that without this grant money the community would be in a lot of trouble as the building needs many repairs.*

**SHERIFF'S OFFICE – COMMUNITY SERVICE WORKER PROGRAM AGREEMENT**

*Chief Deputy Scott Hildenbrand explained that this agreement cleans up, clarifies and sets rules for any county office using inmate workers.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the Agreement between the Geauga County Board of Commissioners and the Geauga County Sheriff for participation in the Community Service Worker Program (CSW) for departments under the hiring authority of the Board of Commissioners.*

<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 – RESURFACING CHAGRIN ROAD SECTIONS A & B BID AWARD KENMORE CONSTRUCTION**

*Motion: by Commissioner Samide, seconded by Commissioner Young to award the bid to Kenmore Construction Company for the Asphalt Resurfacing of Chagrin Road (CH 9, Sections A&B) in Bainbridge Township, in the amount of \$176,664.00, as they represented the lowest and best bid.*

<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 – RESURFACING OF FAIRMOUNT ROAD A & B BID AWARD – SHELLEY COMPANY**

*County Engineer R.L. Phillips explained that these bids are more representative of current costs as they were recently bid out. Mr. Phillips expects prices to be a little more stable next year. These are the last two projects for the year and are 80% Federally funded.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to award the bid to The Shelly Company for the Asphalt Resurfacing of Fairmount Road (CH 16, Sections A&B) in Russell Township, in the amount of \$484,995.00, as they represented the lowest and best bid.*

<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 – RECLASSIFICATION TO SEASONAL HELP – PAUL FRANSKO**

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve the reclassification of Paul P. Fransko to the position of Seasonal Help (#0101) for the period October 1, 2008 through April 30, 2009 at the hourly rate of \$8.25 per hour (maximum of 520 hours to be worked).*

<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>

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – FIVE STAR FIRE PROTECTION SERVICE CHANGE ORDER – KIWANIS LAKE COMMUNITY CENTER**

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute Change Order #1 increasing the completion date of work by fifteen (15) calendar days with Five Star Fire*

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*Protection Service Incorporated for the installation of a fire suppression system / exhaust hood at the Kiwanis Lake Community Center to November 7, 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>

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – FONSI – LOST POND CONSTRUCTION**

*Program Administrator Joni Stusek reported that currently Lost Pond is in Munson Industrial Park but were in the process of purchasing property on Mayfield Road but the deal fell through. They are now moving on to property in Hambden.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise a Finding of No Significant Impact (FONSI) on the Environment for a combined notice for Revolving Loan Fund loan fund project for Lost Pond Construction. This notice will be published September 4, 2008 in the Maple Leaf Newspaper.*

<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 – READVERTISE INTERNALLY – PLANT OPERATOR II – MERRITT ROAD GARAGE**

*Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to re-advertise internally, for an additional ten days and in accordance with the union contract, for the position of a Full-time Water/Wastewater Plant Operator II (#2313) at the Merritt Road Garage location.*

<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 – ACCEPT SUMMER HELP RESIGNATION – JACOB YOUNG**

*Business Manager Adrian Gorton reported that they have a good summer help crew and hope to use the same ones next year and hopefully get an additional summer help employee. The plan is to use them for a lawn maintenance project.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to accept the resignation of Jacob Young, as a Summer Help (#0101) employee in Water Resources effective August 20, 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>

**DEPARTMENT OF WATER RESOURCES - ADVERTISE INTERNALLY – PLANT OPERATOR I – MCFARLAND CREEK PLANT**

*Mr. Gorton explained that this is not adding to the staff it is re-categorizing current employees. With new EPA requirements Operators are needed at McFarland. There are maintenance people now that have an operator's license and would like to be classified as operators.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise internally, for ten days and in accordance with the union contract, for three positions of Full-time Water/Wastewater Plant Operator I (#2326) at the McFarland Creek Wastewater Treatment Plant location.*

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Roll Call Vote:	Commissioner Samide	Aye
	Commissioner Young	Aye
	Commissioner Albert	Aye

**DEPARTMENT OF WATER RESOURCES – CHANGE ORDER – TIM FRANK SEPTIC TANK CLEANING SERVICE CONTRACT**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 with Tim Frank Septic Tank Cleaning Company for emergency sludge hauling services, in the amount of \$2,500.00.

Roll Call Vote:	Commissioner Samide	Aye
	Commissioner Young	Aye
	Commissioner Albert	Aye

**GEAUGA COUNTY AIRPORT AUTHORITY – FAA GRANT AGREEMENT - #1208**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Federal Aviation Agency (FAA) Administration Grant Agreement for the Improve Airport Drainage - Phase 4 Construction Project (AIP # 3-39-0054-1208) in the amount of \$40,800.00 (Federal share of \$38,760.00 and a local match of \$2,040.00).

Roll Call Vote:	Commissioner Samide	Aye
	Commissioner Young	Aye
	Commissioner Albert	Aye

**PLANNING COMMISSION - USGS GROUND WATER NETWORK DISCUSSION**

*The Planning Commission conducted a presentation with Martha Jagucki with USGS concerning a ground water network water quality proposal dated July 31, 2008. Ms. Jagucki stated that this past year they have completed surveying all the wells for land surface elevation and launched a new website listing all the wells and locations and access to water-level by date. They have monitored water level trends in 32 wells noting that the water levels have generally been rising or have remained steady due to another year, with two exceptions, of above-average rainfall. Water levels were below normal at the well in Aquilla Village (new home construction may be the possible cause) and the Airport in Middlefield (increase in water use and the pumping contaminated water for treatment at Carlisle Engineered Products which is close to the airport). Instrument shelters were removed and wells were visually inspected for corrosion. Corrosion was found at one well in Bainbridge which is undesirable as it allows dirt and contaminants to leak into the well. Ms. Jagucki requested the Board pay for the repair of the casing with an estimate of \$915.00. The well is on private property but is not in use by the owner. Planning Director Dave Dietrich stated that they would hate to lose this well as it has been in the network since 1996. Two other wells were found with runoff entering the well. One is in La Due Reservoir and Ms. Jagucki will approach Akron for repair. No obvious casing compromise causing water-level spikes was found at the other well in Chester Township. Mr. Dietrich added that this well network was started in the late 1970's. It is a well thought out scientific approach to tracking ground water quantity in Geauga. USGS has spaced out the network to make sure there are representative samples and wells from different aquifers for coverage throughout the county in the network. Ms. Jagucki was asked to track water quality in the long term. Sampling is taken at 10 year increments to track any changes in water quality since 1978. No one else, such as EPA, is monitoring domestic wells, and with the increase in population there is the increase of human influence of humans on water quality, such as septic systems, fertilizer and road salt. The good thing for Geauga County water quality is that most of the water is being generated within the county and there are no outside influences by water flowing into the county that we have no control over. The bad thing is there are many localized flow systems that necessitates many wells being included in the study. The benefits of evaluation of long-term proposed water study is to spot trends in the ground-water quality which will aid planners and health officials in creating policy or programs to inform citizens of ways to protect their water resources. Samples will be taken at 16 wells to analyze for specific conductance, pH, dissolved oxygen, temperature, alkalinity, major ions, arsenic, hydrogen sulfide, total dissolved solids and total coliform and E.coli bacteria. USGS will analyze changes in water quality and group data by year and analyze statistically and publish the results in a USGS Scientific Investigations Report that will be available online. Sampling and preliminary data analysis will*

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*be conducted in 2009 but the report will not be available until fall of 2010. The proposed budget for this water quality project is \$60,325.00 in 2009 for sampling and \$44,740.00 in 2010 to write and publish the report which will be split with USGS . It is anticipated that the total costs will be split between Geauga County (60%) and USGS (40%). Other sampling options were discussed including methane screening due to all the gas well drilling (adding \$3,000.00) and pesticide sampling (adding \$5,000.00). The pesticide would be good to do once to see if there is an issue with pesticides. Commissioners' Clerk, Claudine Kozenko suggested that a contract with all the options be drawn up for consideration by the Board at a future meeting.*

**PLANNING COMMISSION – USGS JOINT FUNDING AGREEMENT – LONG TERM  
GROUND WATER LEVEL NETWORK**

*Mr. Dietrich stated that this is to keep the current water quality program going.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute a Joint Funding Agreement (#09-E4OH2472020) with U.S. Geological Survey, United States Department of the Interior and the Geauga County Commissioners for operation and maintenance of the long-term ground-water level network (program) in the amount of \$24,000.00 for the period October 1, 2008 through September 30, 2009.*

<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 JOB AND FAMILY SERVICES – MAGISTRATE SERVICES**

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the IV-D Service Contract between Geauga County Child Support Enforcement Agency and the Geauga County Common Pleas Court for Magistrate Services for the period July 1, 2008 through June 30, 2009, in the amount of \$89.87 per hour.*

<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 JOB AND FAMILY SERVICES – LEGAL SERVICES**

*Assistant Director Mr. Paul Reiman explained this is a continuation of contracts they have had for many years. The benefit of theses contracts is the reimbursement of 66% of the costs that brings about \$90,000.00 (at the maximum) back to the general fund.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the IV-D Service Contract between Geauga County Child Support Enforcement Agency and the Geauga County Prosecutor for Legal Services for the period of July 1, 2008 through June 30, 2009 in the amount of \$52.38 per hour.*

<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 JOB AND FAMILY SERVICES – EXECUTIVE SESSION FOR  
PERSONNEL**

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

<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 11:23 a.m. The following action was taken as a result of this executive session:*

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*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve a merit increase for Tracy Olszowy, Case Manager / Investigator Supervisor I, from Management Range 11, Step 1 at 14.83 per hour to Management Range II, Step 3 at \$16.19 per hour to be effective in the pay period that includes September 8, 2008, upon the recommendation of the Director of Job and Family Services.

<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 – RESOLUTION HONORING PRESIDENT OF HABITAT FOR HUMANITY – BILL O'DONNELL**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-124 Honoring Bill O'Donnell as President of Habitat for Humanity.

*Board of County Commissioners, Geauga County, Ohio*

*Date:* September 4, 2008

*Resolution:* 08-124

**RESOLUTION RECOGNIZING BILL O'DONNELL  
AS PRESIDENT OF HABITAT FOR HUMANITY**

*WHEREAS, Geauga County Habitat for Humanity is an affiliate of Habitat International, a non-profit ecumenical Christian housing ministry dedicated to eradicating poverty housing from the world and to make simple, decent shelter a matter of conscience and action; and*

*WHEREAS, Habitat for Humanity does not give homes away. Families earn less than 60% of the local median income, contribute 500 sweat equity hours, and purchase their homes through a no-interest loan based on federal affordability guidelines. Typically Geauga County Habitat for Humanity builds 3 to 4 homes per year for families in need. Nearly all labor is donated by volunteers; and*

*WHEREAS, Bill O'Donnell has been with Habitat for Humanity for fifteen years and served on the Board for six years; and*

*WHEREAS, Bill O'Donnell has served as President of the Board for one year; and*

*WHEREAS, The Geauga County Board of Commissioners recognizes and acknowledges the value of the time, assistance, energy, and leadership given by Bill O'Donnell; and*

*NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Commissioners wishes to congratulate and recognize Bill O'Donnell as President of the Board of Habitat for Humanity; and*

*BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.*

<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 – RESOLUTION SUPPORTING THE PURCHASE OF ORCHARD HILLS PROPERTY BY PARK DISTRICT**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-125 supporting the purchase of the Orchard Hills Property in Chester Township by Geauga Park District.

*Board of County Commissioners, Geauga County, Ohio*

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Date: September 4, 2008  
Resolution: 08-125

**RESOLUTION SUPPORTING THE PURCHASE OF THE ORCHARD HILLS PROPERTY  
IN CHESTER TOWNSHIP BY GEAUGA PARK DISTRICT**

*WHEREAS, the Geauga County Board of Commissioners recognizes the wishes of the County residents to preserve open space and create opportunities for passive outdoor recreation; and*

*WHEREAS, conservation and linkage of open space areas is one of the primary goals and guiding policies of Geauga County documented in the 2003 Geauga County General Plan; and*

*WHEREAS, the proposed 237-acre Orchard Hills property, located primarily in Geauga County, provides important habitat for several State-listed rare species, offers scenic views and opportunities for passive recreation, and preserves high quality headwater streams and a segment of Caves Creek, which in turn benefits the State-Scenic Chagrin River; and*

*WHEREAS, the proposed Geauga County Nature Preserve property is directly adjacent to 25 acres owned by Geauga Park District and will increase the amount of interconnected greenspace in Geauga County; and*

*WHEREAS, the Geauga County Board of Commissioners concur with the mission of Geauga Park District to preserve, conserve and protect the natural features of Geauga County and to provide the opportunity for people to enjoy and appreciate those resources; and*

*WHEREAS, this project will directly implement recommendations from the 2003 Geauga County General Plan and advance the County's goal to conserve and link open space areas; and*

*NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Commissioners support the purchase of the Orchard Hills property by Geauga Park District; and*

*BE IT FURTHER RESOLVED, that this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.*

Roll Call Vote:	Commissioner Samide	Aye
	Commissioner Young	Aye
	Commissioner Albert	Aye

**COMMISSIONERS' OFFICE - SALES TAX PUBLIC HEARING #2**

*Commissioner Albert opened the public hearing #2 at 11:30 a.m. to discuss an increase in the Geauga County Sales and Use Tax Rate by stating the hearing was properly advertised.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to waive the reading of the advertisement.*

Roll Call Vote:	Commissioner Samide	Aye
	Commissioner Young	Aye
	Commissioner Albert	Aye

*Those present for the hearing included Diane Ryder from the News Herald, Glen Miller from the Maple Leaf, Commissioners' Office Fiscal Specialists Heidi Delaney and Diane Arp.*

*Commissioner Albert commented that he cannot believe that no one was present to make any comments and it is the second hearing. Commissioner Albert reported he had only one call from Mr. Lutzke regarding the tax levy. Being no comments from the public Commissioner Albert closed the public hearing at 11:33 a.m.*

*County Administrator Dave Lair explained that the first two resolution are to remove the sales tax and use tax for the thirty day period that allows the Board to consider the next two*

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*resolutions to levy the half percent increase to be effective January 1. The use tax covers motor vehicles and outboard motors and such. Commissioner Young stated that the basic sales tax does not cover cars and boats. The sales tax is for everything other than cars and boats and outboard motors, and the use tax covers the cars, boats and motors.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-126 Reducing the Rate at which the Sales Tax Currently in Effect is Levied by One-Quarter of One Percent for the Thirty Day Period Prior to the Expiration of the Five-Year Tax Enacted Pursuant to Resolution 03-170.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: September 4, 2008*

*Resolution: 08-126*

**RESOLUTION REDUCING THE RATE AT WHICH THE SALES TAX CURRENTLY IN  
EFFECT IS LEVIED BY ONE-QUARTER OF ONE PERCENT FOR THE THIRTY DAY  
PERIOD PRIOR TO THE EXPIRATION OF THE FIVE-YEAR TAX ENACTED PURSUANT TO  
RESOLUTION NO. 03-170**

*The Board of County Commissioners of Geauga County, Ohio met in regular session on the 4<sup>th</sup> day of September, 2008 at the office of the Board of County Commissioners with the following members present:*

*Mary E. Samide  
William S. Young  
Craig S. Albert*

*Commissioner Samide moved for the adoption of the following Resolution:*

*WHEREAS, pursuant to Section 5739.021 of the Ohio Revised Code the Geauga County Board of Commissioners enacted Resolution No. 03-170 on November 13, 2003, authorizing the levy of an increase in the County Sales Tax for an additional one-quarter of one percent for a five-year period of time;*

*WHEREAS, said tax was levied to provide additional revenue to the County's General Fund, and is in addition to the already imposed tax of one-half percent, and the tax of one-quarter percent levied pursuant to Resolution No. 03-169, for a total tax of one-percent, in addition to the tax imposed by Section 5739.02 of the Ohio Revised Code;*

*WHEREAS, the tax of one-quarter of one percent tax enacted pursuant to Resolution No. 03-170 is currently set to expire on January 31, 2009;*

*WHEREAS, the Geauga County Commissioners desire to reduce the rate at which the additional sales tax is currently levied by one-quarter of one percent, effective January 1, 2009. Said reduction would have the effect of eliminating the additional tax of one-quarter of one percent tax levied under Resolution No. 03-170 for the thirty day period immediately preceding the date of the expiration of the five-year tax.*

*WHEREAS, the Geauga County Board of Commissioners intend to levy a new additional sales tax of one-quarter of one percent under Resolution No. 08-128, effective January 1, 2009, which additional sales tax is intended to replace the one-quarter of one-percent additional tax set to be reduced and hereby eliminated under this resolution.*

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

*Section 1. Pursuant to Section 5739.021(D) of the Ohio Revised Code, the rate at which the additional sales tax is currently levied in Geauga County pursuant to Resolution No. 03-170 shall be reduced by one-quarter of one percent effective January 1, 2009. Said effective date is the first day of a calendar quarter next following the sixty-fifth day after a certified copy of the resolution is delivered to the tax commissioner.*



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*Section 2. This resolution subject to referendum as provided in Section 305.31 of the Ohio Revised Code, shall become effective on the same day as the resolution(s) adopted by this Board of County Commissioners on this day authorizing a reduction in the rate of the County Use Tax by one-quarter of one-percent, namely January 1, 2009.*

*Section 3. The Clerk of this Board is hereby directed to deliver a certified copy of this Resolution by certified mail to the Tax Commissioner of the State of Ohio.*

*Section 4. It is found and determined 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 that resulted in such formal actions were in meetings open to the public, in compliance with all requirements of law.*

*THEREFORE BE IT RESOLVED, that this resolution become part of the permanent record of the Board of County Commissioners of Geauga County, Ohio.*

*Commissioner Young seconded the motion and upon call of the roll:*

<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 approve and execute Resolution 08-127 Reducing the Rate at which the Use Tax Currently in Effect is Levied by One-Quarter of One Percent for the Thirty Day Period Prior to the Expiration of the Five-Year Tax Enacted Pursuant to Resolution 03-172.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: September 4, 2008*

*Resolution: 08-127*

**RESOLUTION REDUCING THE RATE AT WHICH THE USE TAX CURRENTLY IN  
EFFECT IS LEVIED BY ONE-QUARTER OF ONE PERCENT FOR THE THIRTY DAY  
PERIOD PRIOR TO THE EXPIRATION OF THE FIVE-YEAR TAX ENACTED PURSUANT TO  
RESOLUTION NO. 03-172**

*The Board of County Commissioners of Geauga County, Ohio met in regular session on the 4<sup>th</sup> day of September, 2008 at the office of the Board of County Commissioners with the following members present:*

*Mary E. Samide  
William S. Young  
Craig S. Albert*

*Commissioner Samide moved for the adoption of the following Resolution:*

*WHEREAS, pursuant to Section 5741.021 of the Ohio Revised Code the Geauga County Board of Commissioners enacted Resolution No. 03-172 on November 13, 2003, authorizing the levy of an increase in the County Use Tax for an additional one-quarter of one percent for a five-year period of time;*

*WHEREAS, said tax was levied to provide additional revenue to the County's General Fund and for the purpose of paying the expenses of administering the increase in the tax, and is in addition to the already imposed tax of one-half percent, and the tax of one-quarter percent levied pursuant to Resolution No. 03-171, for a total tax of one-percent, in addition to the tax imposed by Section 5739.02 of the Ohio Revised Code, on the storage, use or other consumption in the County of motor vehicles and water craft and outboard motors required to be titled in the County pursuant to Chapter 1548 of the Ohio Revised Code, and in addition to that imposed by Section 5741.02 of the Ohio Revised Code, on the storage, use or other consumption in the County of tangible personal property and services subject to the tax levied by the State of Ohio as provided in Section 5741.02 of the Ohio Revised Code, and on the storage, use or other*

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*consumption in the County of tangible personal property, purchased in another county within the state, by a transaction subject to the tax imposed by Section 5739.02 of the Ohio Revised Code.*

*WHEREAS, the tax of one-quarter of one percent tax enacted pursuant to Resolution No. 03-172 is currently set to expire on January 31, 2009;*

*WHEREAS, the Geauga County Commissioners desire to reduce the rate at which the tax is currently levied by one-quarter of one percent, effective January 1, 2009. Said reduction would have the effect of eliminating the one-quarter of one percent tax levied under Resolution No. 03-172 for the thirty day period immediately preceding the expiration of the five-year additional tax.*

*WHEREAS, the Geauga County Board of Commissioners intend to levy a new use tax of one-quarter of one percent under Resolution No. 08-129, effective January 1, 2009, which sales tax is intended to replace for a continuous period of time the additional tax of one-quarter of one-percent sales tax set to be reduced and hereby eliminated under this resolution.*

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

*Section 1. Pursuant to Section 5739.021(D) of the Ohio Revised Code, the rate at which the sales tax is currently levied in Geauga County pursuant to Resolution No. 03-172 shall be reduced by one-quarter of one percent effective January 1, 2009. Said effective date is the first day of a calendar quarter next following the sixty-fifth day after a certified copy of the resolution is delivered to the tax commissioner.*

*Section 2. This resolution subject to referendum as provided in Section 305.31 of the Ohio Revised Code, shall become effective on the same day as the resolution(s) adopted by this Board of County Commissioners on this day authorizing a reduction in the rate of the County Sales Tax by one-quarter of one-percent, namely January 1, 2009.  
Board of County Commissioners, Geauga County, Ohio*

*Section 3. The Clerk of this Board is hereby directed to deliver a certified copy of this Resolution by certified mail to the Tax Commissioner of the State of Ohio.*

*Section 4. It is found and determined 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 that resulted in such formal actions were in meetings open to the public, in compliance with all requirements of law.*

*THEREFORE BE IT RESOLVED, that this resolution become part of the permanent record of the Board of County Commissioners of Geauga County, Ohio.*

*Commissioner Young seconded the motion and upon call of the roll:*

<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 approve and execute Resolution 08-128 Levying an Increase of the County Sales Tax at the Rate of One-Quarter of One Percent Pursuant to Section 5739.021 of the Ohio Revised Code.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: September 4, 2008*

*Resolution: 08-128*

**Commissioners' Journal**  
**September 4, 2008**

*RESOLUTION LEVYING AN INCREASE OF THE COUNTY SALES TAX AT THE RATE OF  
ONE-QUARTER OF ONE PERCENT PURSUANT TO SECTION 5739.021 OF THE OHIO  
REVISED CODE*

*The Board of County Commissioners of Geauga County, Ohio met in regular session on the 4<sup>th</sup> day of September, 2008 at the office of the Board of County Commissioners with the following members present:*

*Mary E. Samide  
William S. Young  
Craig S. Albert*

*Commissioner Samide moved for the adoption of the following Resolution:*

*WHEREAS, pursuant to a Resolution adopted by this Board on July 31, 2008, notice has been published and two public hearings have been held in accordance with statutory requirements on the question of the adoption of a resolution to provide for the levy of a total of one-quarter of one percent County sales tax pursuant to Section 5739.021 of the Revised Code and the adoption of a corresponding resolution to provide for the levy of a total of one-quarter of one percent County use tax pursuant to Section 5741.021 of the Ohio Revised Code; and*

*WHEREAS, this Board, having heard all interested persons who requested to be heard on such questions and having considered fully the opinions and views expressed at such public hearings and other appropriate factors and matters, has determined that this resolution should be considered for adoption; now therefore*

*BE IT RESOLVED, by the Board of County Commissioners of Geauga County, Ohio that:*

*Section 1. Pursuant to Section 5739.021 of the Ohio Revised Code, and for the purpose of paying the expenses of administering the increase in the tax and to provide additional revenue to the County's General Fund, there is hereby levied a tax at the rate of one-quarter of one percent, in addition to the already imposed tax of three-quarters of one percent, for a total tax of one-percent, in addition to the tax imposed by Section 5739.02 of the Ohio Revised Code, on every retail sale in the County, except sales of water craft and outboard motors required to be titled pursuant to Chapter 1548 of the Ohio Revised Code, and sales of motor vehicles, which is within the taxing power of the County under the Constitutions of the United States of America and the State of Ohio as provided in Section 5739.021 of the Ohio Revised Code, for a continuous period of time.*

*Section 2. This resolution subject to a referendum as provided in Section 305.31 of the Ohio Revised Code, shall become effective on the same day as the resolution adopted by this Board of County Commissioners on this day levying a county use tax pursuant to Section 5741.021 of the Ohio Revised Code, namely January 1, 2009, and the tax provided for herein shall be and remain in effect during the same period while such county use tax shall be in effect.*

*Section 3. The Clerk of this Board is hereby directed to deliver a certified copy of this resolution by certified mail to the Tax Commissioner of the State of Ohio.*

*Section 4. It is found and determined 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 that resulting in such formal actions were in meetings open to the public, in compliance with all requirements of law.*

*THEREFORE BE IT RESOLVED, that this resolution become part of the permanent record of the Board of County Commissioners of Geauga County, Ohio.*

*Commissioner Young seconded the motion and upon call of the roll:*

<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' Journal**  
**September 4, 2008**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-129 Levying an Increase of the County Use Tax at the Rate of One-Quarter of One Percent Pursuant to Section 5741.021 of the Ohio Revised Code.

*Board of County Commissioners, Geauga County, Ohio*

*Date:* September 4, 2008

*Resolution:* 08-129

**RESOLUTION LEVYING AN INCREASE OF THE COUNTY USE TAX AT THE RATE  
OF ONE-QUARTER OF ONE PERCENT PURSUANT TO SECTION 5741.021 OF THE OHIO  
REVISED CODE**

*The Board of County Commissioners of Geauga County, Ohio met in regular session on the 4<sup>th</sup> day of September, 2008 at the office of the Board of County Commissioners with the following members present:*

*Mary E. Samide  
William S. Young  
Craig S. Albert*

*Commissioner Samide moved for the adoption of the following Resolution:*

*WHEREAS, pursuant to a Resolution adopted by this Board on July 31, 2008, notice has been published and two public hearings have been held in accordance with statutory requirements on the question of the adoption of a resolution to provide for the levy of a total of one-quarter of one percent of County sales tax pursuant to Section 5739.021 of the Revised Code and the adoption of a corresponding resolution to provide for the levy of a total of one-quarter of one percent County use tax pursuant to Section 5741.021 of the Ohio Revised Code; and*

*WHEREAS, this Board, having heard all interested persons who requested to be heard on such questions and having considered fully the opinions and views expressed at such public hearings and other appropriate factors and matters, has determined that this resolution should be considered for adoption; now therefore*

*BE IT RESOLVED, by the Board of County Commissioners of Geauga County, Ohio that:*

*Section 1. Pursuant to Section 5741.021 of the Ohio Revised Code, and for the purpose of paying the expenses of administering the increase in the tax and to provide additional revenue to the County's General Fund, there is hereby levied a tax at the rate of one-quarter of one percent, in addition to the already imposed tax of three-quarters of one percent, for a total tax of one-percent, in addition to the tax imposed by Section 5739.02 of the Ohio Revised Code, on the storage, use or other consumption in the County of motor vehicles and water craft and outboard motors required to be titled in the County pursuant to Chapter 1548 of the Ohio Revised Code, and in addition to that imposed by Section 5741.02 of the Ohio Revised Code, on the storage, use or other consumption in the County of tangible personal property and services subject to the tax levied by the State of Ohio as provided in Section 5741.02 of the Ohio Revised Code, and on the storage, use or other consumption in the County of tangible personal property, purchased in another county within the state, by a transaction subject to the tax imposed by Section 5739.02 of the Ohio Revised Code, for a continuous period of time.*

*Section 2. This resolution subject to a referendum as provided in Section 305.31 of the Ohio Revised Code, shall become effective on the same day as the resolution adopted by this Board of County Commissioners on this day levying a county sales tax pursuant to Section 5739.021 of the Ohio Revised Code, namely January 1, 2009, and the tax provided for herein shall be and remain in effect during the same period while such county sales tax shall be in effect.*

**Commissioners' Journal**  
**September 4, 2008**

*Section 3. The Clerk of this Board is hereby directed to deliver a certified copy of this resolution by certified mail to the Tax Commissioner of the State of Ohio.*

*Section 4. It is found and determined 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 that resulting in such formal actions were in meetings open to the public, in compliance with all requirements of law.*

*THEREFORE BE IT RESOLVED, that this resolution become part of the permanent record of the Board of County Commissioners of Geauga County, Ohio.*

*Commissioner Young seconded the motion and upon call of the roll:*

<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>

*Commissioner Young stated that the tax levy is not an addition it is a continuation. Commissioner Young explained that ¼ % was designed specifically for the radio towers (and 800 and 9-1-1 systems) and the other ¼ % was to be directed toward upgrading computer systems and technology. Commissioner Samide added that with technology it will never be done, you must update and be current as technology changes. Commissioner Young added that with the addition of Wal-Mart and the new shopping centers more business is coming into the county from outside the county and not coming out of Geauga County residents. Commissioner Samide added that technology-wise the county went from pre-school to the PHD level that says a lot about the leadership in Geauga County. Commissioner Young added that the County Auditor Tracy Jemison deserves a lot of the credit. Mr. Lair thanked Laura LaChapelle, Assistant County Prosecutor and the Fiscal Specialists. Commissioner Samide commented that it has been an honor to work with this Board for their straightforward way of looking at finances.*

**ACKNOWLEDGEMENTS**

- a) The 2007 Annual Report filed by Portage County Common Pleas Court, Probate / Juvenile Division, pursuant to O.R.C. 2151.08.*
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending August 20, 2008 as required by O.R.C. 955.12.*

**MEETINGS**

*Thu., 9/4 The Commissioners will hold PUBLIC HEARING #2 to discuss an increase in the Geauga County Sales and Use Tax Rate at 11:30 a.m.*

*Tue., 9/9 The Commissioners will hold regular session.*

*Tue., 9/9 Budget Hearings: 1:00 p.m. County Home  
1:45 p.m. Building Department  
2:30 p.m. Dog Warden*

*Tue., 9/9 Planning Commission*

*Thu., 9/11 Patriot Day Ceremony on the Geauga County Court House at 8:15 a.m.*

*Thu., 9/11 The Commissioners will hold regular session.*

*Fri., 9/12 NOACA meeting in Medina County*

*Mon., 9/15 Family First*

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*Tue., 9/16 The Commissioners will hold regular session.*

*Tue., 9/16 Budget Hearings: 1:00 p.m. Department on Aging  
1:45 p.m. Water Resources  
2:30 p.m. Maintenance  
3:15 p.m. Coroner's Office*

*Wed., 9/17 Perry Nuclear Power Plant Dry-Run Drill*

*Thu., 9/18 The Commissioners will hold regular session.*

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER  
ALBERT ADJOURNED THE MEETING AT 12:00 P.M.***

*Geauga County Board of Commissioners*

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*Mary E. Samide*

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*William S. Young*

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*Craig S. Albert*

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*Claudine Kozenko, Commissioners' Clerk*