

**Commissioners' Journal**  
**March 11, 2008**

*The Geauga County Board of Commissioners met in session on March 11, 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 10:05 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 February 21, 2008.*

<i>Roll Call Vote:</i>	<i>Commissioner Samide</i>	<i>Aye</i>
	<i>Commissioner Young</i>	<i>Abstain*</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 March 6, 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>Abstain**</i>

*\* Commissioner Young explained his abstain vote as he was absent from this session.*

*\*\* Commissioner Albert explained his abstain vote as he was absent from this session.*

**APPROVE FINANCIALS**

*Budget Officer Diane Arp reported the financials as including supplemental and appropriation transfers for Worker's Compensation shortages in two accounts, as the bill is being paid this month; cash transfers include the second transfer to Mental Health for the Youth Center; a purchase order for Trumbull County for Geauga's share of the 11<sup>th</sup> District Court of Appeals in the amount of \$59,702.00 and six travel requests for various departments.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-033 itemizing the financials for the meeting of March 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>

**COMMISSIONERS' OFFICE – HIRE BANKRUPTCY FIRM**

*Replying to Commissioner Albert's question, Laura LaChapelle, APA stated that the cap on this filing will be \$4,000.00 to \$5,000.00 for the initial proceedings and the adversarial proceedings shall be capped at \$5,000 to \$7,500.00. Commissioner Samide commented that the board hopes to realize some of the cash owed to the board which is around \$175,000.00. Commissioner Albert expressed concern of the fact that this request is now public information. Ms. LaChapelle commented that the firm is not concerned with that issue.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and hire the firm of Denman and Lerner, P.C. of Mentor, Ohio as outside counsel to represent the Board in the initial investigation into the bankruptcy filings of Vicki Weltman and Robert Weltman. The fee for this service shall be capped at \$4,000.00 to \$5,000.00. If representation at the adversarial proceeding level is necessary, the fee for such services shall be capped at \$5,000 to \$7,500.00.*

**Commissioners' Journal**  
**March 11, 2008**

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

**MAINTENANCE DEPARTMENT – PROSECUTOR’S OFFICE RENOVATION PROJECT –  
CONSTRUCTION PHASE - ADDENDUM #1**

*Ms. LaChapelle reported that nineteen bid specifications were picked up at the walk through for this project.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve Addendum #1 to the Geauga County Prosecutor’s Office Renovation – Construction Phase Project to include 26 items to provide for miscellaneous technical, electrical, mechanical, bidding and specification clarifications arising from the Pre-bid meeting.*

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

**SOIL AND WATER CONSERVATION DISTRICT – ACKNOWLEDGE NOTICE OF VIOLATION**

*Motion: by Commissioner Samide, seconded by Commissioner Young to acknowledge the Notice of Violation issued against Heather Hill Incorporated owner of property located at 12340 Bass Lake Road (Parcels #21-078940 and 21-177094) in Munson Township for failure to comply with Geauga County Water Management and Sediment Control Regulations (section 8.01C) as outlined in the attached “Site Inspection Reports” (sections 4.01 and 4.07) and to further request the Geauga County Prosecutor to enforce compliance by seeking an injunction or other further relief to secure the required compliance.*

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

**COUNTY HOME – RECLASSIFY KIM WILLMAN – FULL-TIME ATTENDANT**

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve the reclassification of Kim Willman from Substitute Attendant to the position of Full-time Attendant. Ms. Willman will continue to serve her probationary period and receive her increase to \$8.80 upon completion of the probation period. This will be effective March 11, 2008.*

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – REQUEST FOR RELEASE  
OF FUNDS – FORMULA GRANT – NEW CONSTRUCTION PROJECTS**

*Commissioner Albert explained that he is abstaining from voting on this issue as there may be a conflict, but will still execute the document if the quorum of the board approves of this motion as requested. Responding to Commissioner Young’s question, Program Coordinator Rhea Dykes replied that these projects are Habitat for Humanity houses and the Formula grant monies will pay for the foundation for the houses.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Ohio Department of Development Office of Housing and Community Partnerships (OHCP) Request for Release of Funds and Certification (RROF) for Federally Funded State Projects CDBG Formula Grant #B-F-07-026-01 new construction projects in Middlefield and Burton.*

**Commissioners' Journal**  
**March 11, 2008**

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – CERTIFICATION OF DETERMINATION OF SUBSEQUENT EXEMPTION – ADA ENTRYWAYS AT PUBLIC LIBRARIES IN BAINBRIDGE AND CHESTER TOWNSHIPS**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Certification of Determination of Subsequent Exemption for a Categorical Exclusion Project for the CDBG Formula Grant # B-F-07-026-1 Public Rehabilitation Project for the ADA entryways at the Public Libraries located in Bainbridge and Chester Townships.

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – CHANGE ORDER #1 – ADA UNISEX BATHROOM REHABILITATION ON DEPARTMENT ON AGING SENIOR CENTER PAVILION**

*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 contract with Stephen Ciciretto, A.I.A. in connection with the ADA Unisex Bathrooms Rehabilitation of the Geauga County Department on Aging Senior Center Pavilion extending the due date from March 7, 2008 to March 21, 2008.

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – NEW HORIZONS FINAL PERFORMANCE REPORT**

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Ohio Community Development Block Grant Program Final Performance Report for the New Horizons grant (#B-N-06-026-1) for the period November 1, 2006 to January 1, 2008.

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – MONTH OF APRIL AS FAIR HOUSING MONTH**

Commissioner Young inquired what was meant by “equal access to housing”. Ms. Dykes explained that you cannot discriminate against protected classes (sex, race, national origin, disability) for mortgage lending loans or renting homes.

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-034 acknowledging the County’s endorsement and commitment to celebrate the 40th anniversary of the passage of the Federal Fair Housing Act and the policy of Fair and Equal Access to Housing and do hereby proclaim the month of April as Fair Housing Month.

*Board of County Commissioners, Geauga County, Ohio*

*Date:* March 11, 2008

*Resolution:* 08-034

**Commissioners' Journal**  
**March 11, 2008**

*RESOLUTION PROCLAIMING APRIL AS FAIR HOUSING MONTH*

*WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and*

*WHEREAS, April 2008 is the 40th Anniversary of the Passage of the federal Fair Housing Act; and*

*WHEREAS, April has traditionally been designated as "FAIR HOUSING MONTH" by the President of the United States and by the Governor of the state of Ohio; and*

*WHEREAS, the mission of fair housing in Ohio is to improve the quality of life for all residents and celebrate Ohio's fair housing law which is substantially equivalent to the federal Fair Housing Act; and*

*WHEREAS, this is a time to remember where we started, to celebrate 40 years of successes, and to march toward the future in ensuring justice and housing opportunities for all Americans*

*NOW THEREFORE, We, the Board of Commissioners of Geauga County, Ohio wish to acknowledge the County's endorsement and commitment to celebrate 40th Anniversary of the Passage of the federal Fair Housing Act and the policy of Fair and Equal Access to Housing and do hereby proclaim the month of April as "FAIR HOUSING MONTH", and encourage citizens to acquaint themselves with their rights that are protected under the law, and join in reaffirming a commitment to Fair Housing for all regardless of race, color, religion, sex, national origin, ancestry, familial or disability status.*

*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>

**GEAUGA COUNTY HISTORICAL SOCIETY PRESENTATION**

*Geauga County Historical Society Board President Kurt Updegraff and Site Manager Cheryl McNulty conducted a presentation and update. Mr. Updegraff introduced Manager Justin Dew and Personnel and Community Coordinator Carla Shoff of the Chardon Wal-Mart Supercenter who were at hand to present the Geauga County Historical Society (GCHS) Board President with a check for \$1,000.00. Mr. Dew commented that after reviewing the request from GCHS for the grant he is pleased to award the check to the Historical Society to continue their efforts here in Chardon. The Board commented that they loved Wal-mart and they have been very helpful to the county as far as jobs and revenue coming to the county. Commissioner Young commented that Wal-Mart may be the second or third largest employer in the county.*

*Mr. Updegraff began the presentation by stating: The Geauga County Historical Society -Where History and Culture Meet. The mission of the Society is to "ensure that the history of Geauga County is preserved for the education and appreciation of present and future generations."*

*Part of the funding received last year from the Commissioners was used for radio advertisement and to put in a sidewalk. The budget of the GCHS is \$360,000.00 and Mr. Updegraff stated that they believe in local spending. About 5,500 children from over sixty schools came to Century Village last year. GCHS makes their own maple syrup and produced over 500 gallons of apple butter for the Apple Butter Festival. The GCHS had over 20,000 visitors last year. Visitors are encouraged to attend other businesses in the area after they attend the festival or other GCHS events. Last year the GCHS participated in the Wachovia Securities American Gold Cup by demonstrating historic games and crafts with public participation. GCHS was placed in the Northern Ohio Live Bulletin which provided a lot of exposure. An educational tool being discussed is a Student Education Day at the Geauga County Fair for 2008. This event includes three different class subjects such as agriculture history and health, natural resources and the*

**Commissioners' Journal**  
**March 11, 2008**

*third class would be county history and government. They will participate in the Fair on the Square in downtown Cleveland this year. GCHS is looking to become fully accredited by American Association of Museums, almost all requirements are completed for this accreditation. Revenue from donations and memberships has increased. The store, festival and events are down due to less attendance. Mr. Updegraff reported that other similar entities had the same low attendance last year, possibly due to gas prices and the economy in general. Mr. Updegraff stated they have managed to still stay within their budget. The Traveling Trunk Museum began at Kent University for the Northeast Ohio Education Association Day in October of 2007. GCHS has an eighth grade Civil War presentation with 300 eighth graders participating. The GCHS received a 33 gun collection from Bill Stillson which will be tied in with several exhibitions. GCHS will be hosting a "Building Doctor" event in September of this year. GCHS has over 35 different community and professional partners including Western Reserve Tourist Council, Ohio State University and Kent University. The Five Year Plan includes a Mother Daughter Tea, an International Festival, the beginning of a Civic Tourism (which involves the entire community. The plan also includes the continuance to seek funding from sources less weather related and the endeavor to have three buildings per year restored to Collections Assessment Plan. Mr. Updegraff reported that the gas well on the property appears to be successful (with no pumps - the gas flows to a line and is collected). They will be collecting royalties as well as getting free gas. A pledge has been received from the Ohio Oil and Gas Industry Education Fund as well as from local gas producers to create an exhibit. Mr. Updegraff stated his idea is for the beginning of a natural history trail exhibit. Beginning with the oil and gas industry that began in the early 80's, including signage that talks about the industry and the use by farmers. This plan is still in the planning stages. Dominion Gas will fund all new gas lines this year within Century Village, valued at \$52,000.00. GCHS is looking to replace building furnaces with high efficiency furnaces to conserve and reduce consumption. Mr. Updegraff thanked the Board for helping the GCHS achieve their mission. The Board stated they were appreciative of everything the Geauga County Historical Society has done. The Board would like to see the fund appropriation spent for historical endeavors as well as tourism as the money will come back to the county. The Board feels justified in this appropriation as several county projects have garnered extra funding. This funding all goes to the aim of economic development and preservation, both of which are important in this county.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve an appropriation in the amount of \$35,000.00 to the Geauga County Historical Society budget for 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 – RESOLUTION TO INCREASE COMPENSATION OF VETERANS SERVICE COMMISSION**

*County Administrator Dave Lair explained the Veterans Commission have the right to request an increase, however the they have asked for simultaneous increases for all members, which the board does not have to approve. This resolution allows for an increase of \$100.00 per month, but not until the Veterans Commissioner's next new term of which the first of such terms begins in 2009. Commissioner Albert stated that he thought this was up for discussion because many people donate time to boards and questioned people who sit on this commission should get paid to be on the board. Commissioner Young asked the same question several years ago and was told that on average the Veterans Commission works about ten hours a month, which at that time came to \$40.00 an hour. This increase will take them to \$60.00 an hour if they work the same amount of hours. Commissioner Albert stated that he doesn't have a problem with giving money to the veterans but he does have a problem paying for people sitting on the commission.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-035 to Increase the Compensation of the Geauga County Veterans Service Commission.*

*Board of County Commissioners, Geauga County, Ohio*

**Commissioners' Journal**  
**March 11, 2008**

*Date: March 11, 2008*  
*Resolution: 08-035*

**RESOLUTION TO INCREASE THE COMPENSATION OF  
THE GEAUGA COUNTY VETERANS SERVICE COMMISSION**

*WHEREAS, Pursuant to O.R.C. 5901.04, compensation of county Veterans Service Commissioners is to be established by the Board of County Commissioners upon presentation of request for same from the Veterans Service Commission; and;*

*WHEREAS, the Veterans Service Commission took action during their monthly meeting held January 8, 2008 to increase the monthly salary of Veterans Service Commissioners from \$500 to \$600 per month, effective February 1, 2008; and*

*WHEREAS, as members of a county Veterans Service Commission are "officers" subject to the provisions of the Ohio Constitution, Article II S. 20, no increase in compensation can occur prior to the commencement of a Commissioner's new term; and*

*NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners hereby grants approval to the increase in the monthly salary of Veterans Service Commissioners, with this increase being granted in turn to each Commissioner at the beginning of their next new term in office, the first such increase becoming effective with the next new term beginning on or after January 1, 2009.*

*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 – FLORENCE KAPLAN TRUST – BALANCE OF FUNDS**

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and accept the intentions of the Florence P. Kaplan Trust with respect to distribution to the Geauga County Farmland Preservation Office (Planning Commission), after a routine internal audit a small amount left in the Trust was not distributed to the residual charitable beneficiaries for an additional amount of \$213.67, representing its pro rata share of the balance of the funds.*

<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>

**RECESS**

*Motion: by Commissioner Samide, seconded by Commissioner Young to move into recess to attend a brief Investment Advisory Committee meeting.*

<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 11:45 a.m.*

**EXECUTIVE SESSION**

*Motion: by Commissioner Samide, seconded by Commissioner Young to discuss 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 12:55 p.m. No action was taken as a result of this executive session.*

**Commissioners' Journal**  
**March 11, 2008**

**ACKNOWLEDEMENTS**

- a. *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 February 2008, pursuant to ORC 135.35(L).*

**MEETINGS**

- Tue., 3/11 Investment Advisory Committee meeting following session.*
- Tue., 3/11 Geauga Portage Joint Juvenile Detention Center meeting at 2:30 p.m. in Portage*
- Tue., 3/11 Planning Committee meeting at 7:30 p.m., Building #8*
- Thu., 3/13 The Commissioners will hold regular session.*
- Thu., 3/13 Community Reinvestment Housing Council meeting 9:30 a.m.*
- Fri., 3/14 NOACA*
- Sat., 3/15 HDAC at 8:00 a.m. in Munson*
- Mon., 3/17 Family First Council meeting at 2:00 p.m. at JFS*
- Tue., 3/18 The Commissioners will hold regular session.*
- Wed., 3/19 Storm Water Taskforce meeting at 4:30 p.m., Planning meeting room, Bldg #1*
- Thu., 3/20 The Commissioners will hold regular session.*
- Mon., 3/24 Geauga Trumbull Solid Waste Management District meeting at 11:00 a.m.*
- Tue., 3/25 The Commissioners will hold regular session.*
- Thu., 3/27 The Commissioners will hold regular session.*
- Thu., 3/27 The Commissioners will hold the monthly Economic Development work session discussion at noon.*
- Mon., 3/31 Annual Health District Advisory Council meeting at 7:00 p.m., Building #8*

**Commissioners' Journal**  
**March 11, 2008**

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER ALBERT ADJOURNED THE MEETING AT 12:56 P.M.***

*Geauga County Board of Commissioners*

---

*Mary E. Samide*

---

*William S. Young*

---

*Craig S. Albert*

---

*Claudine Kozenko, Commissioners' Clerk*