

Commissioners' Journal
April 2, 2009

The Geauga County Board of Commissioners met in session on April 2, 2009 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, William S. Young opened the meeting at 10:04 a.m. by requesting the Commissioners' Clerk Claudine Kozenko lead the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the public hearing on the petition for Ditch Improvement under Kenston Lake Drive meeting of March 30, 2009.

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

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of March 31, 2009.

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

JUVENILE / PROBATE COURT – AMENDMENT FORM / FISCAL ACCCOUNTABILITY FORM PROGRAM BUDGET SUMMARY 3 – FY 2009 YOUTH SERVICES SUBSIDY GRANT

Chris Giebel and Beth Williams were present from the Juvenile Probate Court. Mr. Giebel reported the \$24,500.00 is to replace the van that was purchased about ten years that is rotting out from the bottom up and is unsafe to drive. They are looking at another van in the \$17,000.00 to \$19,000.00 range. The balance of this ODYS grant fund is to be returned. The \$1,000.00 is being moved from the substance abuse program to the administration for additional staff training.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Amendment Form / Fiscal Accountability form Program Budget Summary 3 to the FY 2009 Department of Youth Services Subsidy Grant moving \$1,000.00 from Standard Program No. 17 Substance Abuse to Standard Program No. 000 Program Administration and adding \$24,500.00 to Standard Program No. 209 Work Detail, which will result in a total program budget of \$432,014.57.

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

OTHER

Planning Engineer Mike Stone explained two items from a previous session: the Bundysburg Road cooperation agreement was explained that with all the county roads being paved the Engineer has set aside funds in the amount of \$50,000.00 to \$100,000.00 a year to help out townships with some of their projects. Huntsburg was chosen to help out this year. This is a continuing effort of the Engineer's Office and in order to spend those funds a cooperation agreement is needed that the agreement authorizes that the project is for the public convenience. Mr. Stone briefly discussed the award the department has received for the Taylor Wells Road Project from last year. Mr. Stone explained the road reduction question by stating that this was one of the worst years for weather on the roads.

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ENGINEER'S OFFICE - RESURFACE BASS LAKE ROAD (CH 23, SECTION A) – NEWBURY TOWNSHIP BID AWARD -RONYAK PAVING INCORPORATED

Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid to Ronyak Paving Incorporated for The Asphalt Resurfacing of Bass Lake Road (CH 23, Section A) Project in Newbury Township, in the amount of \$162,993.32, as they represented the lowest and best bid.

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

ENGINEER'S OFFICE – POLYESTER PAVEMENT MARKINGS VARIOUS ROADS BID AWARD– AERO-MARK INCORPORATED

Mr. Stone reported there is a federal grant for \$150,000.00 for this project.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid to Aero-Mark Incorporated for The Polyester Pavement Markings for Various Roads for Year 2009 Project in Geauga County, in the amount of \$194,130.00, as they represented the lowest and best bid.

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

ENGINEER'S OFFICE –REPLACEMENT OF PIONEER ROAD BRIDGE HUNTSBURG TOWNSHIP BID AWARD – C.I.R. INCORPORATED

Motion: by Commissioner Jemison, seconded by Commissioner Samide award the bid to C.I.R. Incorporated for The Replacement of Pioneer Road Bridge (Structure 116-2.93) Project in Huntsburg Township, in the amount of \$139,830.00, as they represented the lowest and best bid.

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

ENGINEER'S OFFICE – CEMENT STABILIZATION / RESURFACE NELSON ROAD PARKMAN TOWNSHIP BID AWARD - RONYAK PAVING INCORPORATED

Mr. Stone reported \$150,000.00 is set aside from Ohio Public Works Commission for this project. The project stops short of the bridge on Nelson Road as it is in pretty good shape.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to award the bid to Ronyak Paving Incorporated for the Cement Stabilization of a Portion of Nelson Road and the Asphalt Resurfacing of Nelson Road (CH 2, Sections A-C) in Parkman Township, in the amount of \$399,998.94, as they represented the lowest and best bid.

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

ENGINEER'S OFFICE – ACCEPT WESTCOT LANE AND NORTHWICK COURT - RIVENDELL SUBDIVISION – RUSSELL TOWNSHIP

Motion: by Commissioner Jemison, seconded by Commissioner Samide accept Westcot Lane (TR 1053) and Northwick Court (TR 1054), in the Rivendell Subdivision in Russell Township for total maintenance by Russell Township and to further release the maintenance guaranty in the amount of \$50,000.00 plus interest being held by the Board at Middlefield Bank.

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

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SOIL AND WATER CONSERVATION DISTRICT – ACKNOWLEDGE KATIE NAINIGER
SERVING ON SCIENCE RANGE FINDING COMMITTEE

Ms. Katie Nainiger explained the honor of being chosen. Ms. Nainiger stated that she will be one of twenty members to attend a closed door session to review and evaluate different student field test results and that they comply with the Science standards to make sure they are all fair and equal. Another project that SWCD is involved in is the Project Food, Land and People to show the importance between agriculture (which is important to Geauga County), environment and the human population. This project is on a national level. Another national project that SWCD is participating in is called Project Wild which helps kids get outside and teach them about the environment.

Motion: by Commissioner Jemison, seconded by Commissioner Samide acknowledge and recognize Katie Nainiger, Conservation Education Coordinator, for being chosen by the Ohio Department of Education to serve on the Science Range Finding Committee for the Ohio Graduation Test.

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

COMMISSIONERS' OFFICE – PUBLIC HEARING –BURTON ROAD VACATION

Commissioner Young opened the Public hearing on the proposed vacation of So-Called Burton Road, from Main Market Road to Tavern Road, in Parkman Township at 10:30 a.m. Commissioner Young asked Ms. Kozenko if the project has been properly advertised to which she responded that it was.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to waive reading of the advertisement for the public hearing.

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

Mr. Stone explained that so-called Burton Road has never been accepted as a road and has never been accepted for maintenance. It was established in 1832 with a plat which is 75.9 feet wide. As surveyors they will state that the dedicated area is only 66 feet wide, which is the only thing that can be found that is accepted. They will talk to the Prosecutor's Office further. The road has not been used for twenty one years. The Engineer's Office believes the road has not been built and has not been used for twenty one years. The Engineer's Office is recommending that the portion that would be an extension of Center Street remain dedicated so there would still give frontage and a drive on that parcel (Parkman Township is aware it would not meet zoning) and is not landlocked. Commissioner Jemison asked if the property owner is aware to which Project Inspector II Pete Seliskar reported that he was notified by mail. The Engineer's Office has talked with Parkman about building a turn around at this site for safety equipment and snow plows. Mr. Stone mentioned Mary C. James has tried to start proceedings, twice, but the paperwork was incorrect. In a last attempt it was corrected. In speaking with Ms. James' attorney the department would do this road vacation which would allow things to move forward quickly. The township trustees actually started these proceedings under a section of law that allows for road vacation. Any frontage problem is handled with leaving that small section of Center Street. Every other lot has frontage on other roads. The department believes that this is for the public convenience and necessity and the road section should be vacated. If there is concurrence with the Board action a resolution will come next week. Commissioner Young inquired if anyone from the public would like to comment. Ms. Caterina Cocca-Fulton, Attorney-at-Law, who represents Ms. James, reported that the petition she presented will be withdrawn. Mr. Stone added that the last proceeding in this action is that Parkman Township enacts a resolution to finalize the proceeding. A resolution will come before the Board to order the Engineer's Office to prepare a plat to be filed to show who gets what parcel and how they are to be taxed. Being no further comments from the public Commissioner Young closed the public hearing at 10:39 a.m.

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COMMISSIONERS' OFFICE – PUBLIC HEARING – EDWARD STREET VACATION

Commissioner Young opened a Public hearing on the proposed vacation of Unimproved Portion of Edward Street, Section A, from so-called Burton Road to Smith Street, in Parkman Township at 10:40 a.m.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to waive reading of the advertisement for the public hearing.

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

Mr. Stone stated that part of the procedure to allow a road be vacated by a township is that they have never collected license tag fees on this section of road. This road was established twenty feet wide and appears that it was never built. It appears that it has already reverted back to what it was. It has not been used for twenty one years and is not landlocked. The Engineer's Office believes that the road vacation is for the public convenience and necessity. Being no comments from the audience Commissioner Young closed the hearing at 10:42 a.m.

DEPARTMENT OF JOB AND FAMILY SERVICES – NEW HIRE APPOINTMENTS

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the following new hire appointments of the Director of Job and Family Services, as Job and Family Services has complied with the Board of Commissioners hiring process:

Rachael Tetlow, Clerical Specialist 4, 3-09-09 (new position)
Machia Wheeler, Custodial Worker, 3-09-09 (replacement)
Sarah Kappus, Social Services Worker 1, 3-23-09 (replacement)

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

DEPARTMENT OF JOB AND FAMILY SERVICES – APRIL AS CHILD ABUSE / NEGLECT PREVENTION MONTH RESOLUTION

Present for the discussion was Human Resource Officer Anita Rohl and Social Service Supervisor Gina Schultz, who is here as Child Abuse Prevention Month Coordinator.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-049 Recognizing April 2009 as Child Abuse / Neglect Prevention Month.

Board of County Commissioners, Geauga County, Ohio

Resolution: 09-049

Date: April 2, 2009

**RESOLUTION RECOGNIZING APRIL 2009 AS
CHILD ABUSE / NEGLECT PREVENTION MONTH**

WHEREAS, children are Geauga County's most precious and valuable resource; and

WHEREAS, each child has the right as a human being to live and grow in a safe and supportive environment; and

WHEREAS, Geauga County is blessed with many wonderful children who enjoy the benefits of a loving family and a caring community; and

WHEREAS, children who are loved and nurtured grow up to love and nurture others, giving back to their own family, their community, and their state, the care that was bestowed upon them; and

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WHEREAS, as a community of caring individuals we recognize that Geauga County is not immune from the realities of child abuse and neglect; and

WHEREAS, child abuse and neglect is a community problem which calls for a community response to the complexities of abuse and neglect as well as the community's commitment to prevent abuse and neglect; and

WHEREAS, Geauga County Job and Family Services will be sponsoring the Pinwheels for Prevention Campaign during the month of April.

THEREFORE, BE IT RESOLVED that the Geauga County Board of County Commissioners recognize April 2009 as Child Abuse & Neglect Prevention Month in Geauga County.

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

DEPARTMENT OF EMERGENCY SERVICES - LOCAL EMERGENCY PLANNING COMMITTEE – NOMINATION AND APPOINTMENT TO LEPC BOARD

Director Dale Wedge stated that positions have been moved around. Ken Folsom has been moved to Fire since he is head of the Hazmat Team. Since an agreement has been entered into with LEPC which gives the department \$10,000.00 Brian Laney will be under Emergency Management and will be handling compliance and information responsibilities.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the nomination of Brian Laney (representing Emergency Management) and Jay Becker (representing Health) for appointment to the Geauga County Local Emergency Planning Committee (LEPC) for the period ending August 15, 2009 and further authorize the President of the Board to execute the Application for the Appointment.

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT – ROMANO IANIRO CONTRACTING INCORPORATED

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a service Contract Agreement with Romano Ianiro Contracting Incorporated to perform excavating services as needed at various locations within the county for the 2009 Year, in an amount not to exceed \$10,000.00.

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

DEPARTMENT OF WATER RESOURCES – RELEASE BID BOND - 2008 LAWN MAINTENANCE PROGRAM

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and release the bid bond for Pirc Company Landscaping and Snowplowing LLC for the 2008 Lawn Maintenance Program (Contract A; Northern Locations) as all specifications have been met.

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

DEPARTMENT OF WATER RESOURCES – RELEASE BID BOND – 2008 LAWN MAINTENANCE PROGRAM

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and release the bid bond for Chores Unlimited Incorporated for the 2008 Lawn Maintenance Program (Contract B; Southern Locations) as all specifications have been met.

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Roll Call Vote: *Commissioner Jemison* *Aye*
 Commissioner Samide *Aye*
 Commissioner Young *Aye*

DEPARTMENT OF WATER RESOURCES – 2009 LAWN MAINTENANCE PROGRAM BID AWARD – NORTHCOAST LANDSCAPES –

Motion: *by Commissioner Jemison, seconded by Commissioner Samide to award the bid to Steve Cardile (d.b.a. Northcoast Landscapes) for the 2009 Lawn Maintenance Program (Southern Locations Contract) in the amount of \$6,989.00, as they represented the lowest and best bid.*

Roll Call Vote: *Commissioner Jemison* *Aye*
 Commissioner Samide *Aye*
 Commissioner Young *Aye*

MAINTENANCE DEPARTMENT – AUTHORIZE PAYMENT OF SALES TAX TO DOMINION GAS / LAKESHORE ENERGY SERVICES

Director Glen Vernick briefly discussed the brief power outage that occurred last night by the Chardon Police Department due to a fuse. Mr. Vernick believed the problem with our generator not properly starting up was fixed years ago but will check with Shepp Electric who they believe handled this situation several years ago. Commissioner Jemison stated he believed this should be checked to make sure that all of the phases are working. Mr. Vernick will check on the UPS's as well.

Mr. Vernick explained that Lakeshore Energy Service and Dominion Gas do not have contact with each other any longer. In order for this to be paid this action has to be taken. Lakeshore is the company that put the sales tax on the bills and was not caught and late charges compiled since the taxes were not paid (as the county should not be charged tax). Mr. Vernick mentioned that Fiscal Specialist Diane Arp worked to get this issue resolved.

Motion: *by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize payment of sales tax to Dominion Gas for bills that have a carry forward balance with Lakeshore Energy Services (when Lakeshore Energy Services was the gas distributor) for the period beginning October 2008 with the balance still being applied to the March 2009 invoice, in the total amount for all accounts of \$64.41. In return Lakeshore Energy Services will issue a refund to the Geauga County Board of Commissioners.*

Roll Call Vote: *Commissioner Jemison* *Aye*
 Commissioner Samide *Aye*
 Commissioner Young *Aye*

DOG WARDEN'S OFFICE – ACCEPT RESIGNATION – SAMANTHA BEARD

Director Matt Granito reported that this position was temporary to handle non-renewals for dog licenses. There have been a lot of non-renewal responses. In May they will hire seasonal help to fill this void of checking on non-renewals.

Motion: *by Commissioner Jemison, seconded Commissioner Samide to accept the resignation of Samantha Beard from the position of Temporary Kennel Attendant, to be effective April 9, 2009.*

Roll Call Vote: *Commissioner Jemison* *Aye*
 Commissioner Samide *Aye*
 Commissioner Young *Aye*

BOARD OF MENTAL HEALTH AND RECOVERY SERVICES – MENTAL HEALTH AND RECOVERY SERVICES BOARD APPOINTMENT - DARLENE VIOLETTA

Motion: *by Commissioner Jemison, seconded by Commissioner Samide to approve and appoint Darlene S. Violetta to the Geauga County Board of Mental Health and Recovery Services for the term ending June 30, 2013.*

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

COMMISSIONERS' OFFICE - ADOPT CHANGES - PERSONNEL POLICY AND PROCEDURE MANUAL

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and adopt the changes to the Geauga County Personnel Policy and Procedure Manual to help clarify the policies and assist the department heads and elected officials to better manage their workforce, to be effective May 1, 2009, as follows:

Probationary Period to be extended to 180 days (1,000 hours for irregular part time as allowed by OAC 123:1-19-03 that became effective 7-1-07. Replaces manual page 2.6

Hours of Work to further define break periods. Replaces manual page 2.16

Outside Employment to help identify possible conflicts. Replaces manual page 2.21

Smoking Policy to reflect the Hours of Work revision. Replaces manual page 3.27

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

OTHER

Commissioner Young mentioned the disappointment with the conflict of the CIC meeting and the Maple Hill public hearing scheduled at the same time. Commissioner Young expected to be notified earlier of the date of the CIC meeting to make arrangements for the Boards calendar.

Commissioner Young reported on the Health District Advisory Committee and the appointment of Chris Livers as one of five Board members.

ACKNOWLEDGEMENTS

- a) Receipt of the 2008 NPDES Phase 2 Report of Geauga Soil and Water Conservation District Activities as submitted by Geauga Soil and Water Conservation.

MEETINGS

- Tue., 4/7 The Commissioners will hold regular session.
- Tue., 4/7 Public Hearing on the Improvement of Wilson Mills Road (CH 8, Section A-C) Project in Chester Township at 10:15 a.m.
- Tue., 4/7 Public Hearing on the Improvement of Wilson Mills Road (CH 8, Sections D-F) Project in Chester Township in Chester Township at 10:20 a.m.
- Tue., 4/7 Public Hearing on Receipt of Plans for The Improvement of Washington Street (CH 606) Project in Bainbridge Township at 10:25 a.m.
- Tue., 4/7 Public Hearing on Receipt of Plans for The Improvement of Various Sections of County Roads by Installing and /or Replacing Guardrails Project at 10:30 a.m.
- Wed., 4/8 Township Association meeting at Berkshire Country Club at 6:30 p.m.
- Thu., 4/9 The Commissioners will hold regular session.
- Thu., 4/9 Western Reserve RC&D Council meeting at 9:00 a.m. in Summit County
- Thu., 4/9 JFS Child Abuse Prevention kick off reception at 11:30 a.m.

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- Thu., 4/9 Portage / Geauga Joint Detention Center Joint Board meeting at 2:00 p.m. in Geauga*
- Fri., 4/10 NOACA*
- Tue., 4/14 The Commissioners will hold regular session.*
- Tue., 4/14 Public hearing to review plans submitted for the federal aid project to replace the Dines Road Bridge (Structure #144-1.72) at 10:15 a.m.*
- Tue., 4/14 Planning Committee meeting*
- Thu., 4/16 The Commissioners will hold regular session.*
- Fri., 4/17 TAC meeting*
- Tues., 4/21 Petition for Ditch Improvement under Kenston Lake Drive viewing at 6:30 p.m.*
- Thu., 4/23 Public hearing in connection with the Maple Hill Drive Improvement and the sanitary sewer district at Gurney School in Chagrin Falls at 7:00 p.m.*
- Fri., 4/24 United Way Annual meeting at noon at St. Mary's Banquet Room*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 11:10 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

William S. Young

Claudine Kozenko, Commissioners' Clerk