

Commissioners' Journal
January 29, 2008

The Geauga County Board of Commissioners met in session on January 29, 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 10:03 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Young, seconded by Commissioner Albert to approve and execute the minutes for the meeting of January 24, 2008.

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

APPROVE FINANCIALS

Budget Officer Diane Arp reported the financials as including a supplemental to Q08 the Safety Center Fund, possible projects are replacing the front doors, seal the block, a trash trap, AC for the security frame room and the lower catch basin on the Main drive; cash transfers include the first transfer to Mental Health for the Youth Center; four travel requests; two Then and Nows; and a voucher to pay taxes on county property. Responding to Commissioner Albert's question Ms. Arp reported that the Then and Now for Ohio State University is for the Patterson Center for which a contract that needed to be opened by January 1, 2008 was not done. There was a very brief discussion on removal of the "for sale sign" on the property that was purchased by the Board.

Motion: by Commissioner Young, seconded by Commissioner Albert to approve and execute Resolution 08-011 itemizing the financials for the meeting of January 29, 2008.

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

SHERIFF'S OFFICE – AMENDED SABRE COMMUNICATIONS CORPORATION TERMS AND CONDITIONS

Lt. Gary Gribbons stated that most of the amendment had to do with jurisdictions for disputes and other minor changes.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the amended Sabre Communications Corporation Towers, Accessories and Modification materials Standard Terms and Conditions.

<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 – RESOLUTION POLYESTER PAVEMENT MARKINGS

Planning Engineer Mike Stone reported there will be \$150,000.00 of federal dollars and they will need to match \$25,000.00.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-012 to Improve Various Sections of County Roads by Applying Pavement Markings, Year 2008.

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Board of County Commissioners, Geauga County, Ohio

Date: January 29, 2008

Resolution: 08-012

**RESOLUTION TO IMPROVE VARIOUS SECTIONS OF COUNTY ROADS
BY APPLYING PAVEMENT MARKINGS, YEAR 2008**

WHEREAS, the Geauga County Board of Commissioners has determined that the public convenience and welfare require safety improvements on various county roads in accordance with Section 5555.06 of the Ohio Revised Code; and

WHEREAS, this Board enacted Resolution 02-171 to accept federal aid funding to provide safety improvements for highways in Geauga County; and

WHEREAS, pavement markings must be maintained on county highways in Geauga County for safety reasons.

NOW, THEREFORE, BE IT RESOLVED by the Geauga County Board of Commissioners that the public convenience and welfare require an improvement to improve various highways by applying pavement markings to county highways within the County as determined necessary by the Geauga County Engineer.

BE IT FURTHER RESOLVED that the Geauga County Engineer may enter into an agreement with the Ohio Department of Transportation to administer this project locally under the LPA policy as adopted by the Ohio Department of Transportation.

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 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 preliminary engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction and inspection costs shall be paid from federal sources in the amount of approximately 100% of the total construction and inspection

costs up to the federal maximum. Any unfunded construction and inspection costs will be paid from local roadway improvement funds.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to cause to be published in a newspaper with a general circulation throughout the county, once a week for two consecutive weeks, a notice that a resolution has been adopted providing for said improvement, and that copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement are on file in the office of the board for the inspection of persons interested therein. The notice shall further state the time and place for hearing objections to the improvement.

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 the Geauga County Engineer.

<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>

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COUNTY ENGINEER'S OFFICE – RESOLUTION IMPROVEMENT OF FRANKLIN STREET –
BAINBRIDGE TOWNSHIP

Mr. Stone reported this resolution is the follow up to the public hearing held last week.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 08-013 to Order the Improvement of Franklin Street (CH35) in Bainbridge Township.

Board of County Commissioners, Geauga County, Ohio

Date: January 29, 2008

Resolution: 08-013

**RESOLUTION TO ORDER THE IMPROVEMENT OF
FRANKLIN STREET (CH 35) IN BAINBRIDGE TOWNSHIP**

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution 03-191 that the public convenience and welfare require the improvement of Franklin Street from Chagrin River Road (TR 188) to South Street (TR 169) in Bainbridge Township in Geauga County; and the City of Solon, Village of Bentleyville and Village of Chagrin Falls in Cuyahoga County by grading, paving, draining, widening, constructing and reconstructing the bridges and culverts as necessary or otherwise improving the same in accordance with Section 5555.06 of the Ohio Revised Code; and

WHEREAS, pursuant to Resolution enacted on September 13, 1995 by the Joint Board of Geauga and Cuyahoga County Commissioners, Geauga County is authorized to serve as a lead agency for improvements to Franklin Street as physically located within the political boundaries of the City of Solon, Village of Bentleyville and Village of Chagrin Falls in Cuyahoga County; and

WHEREAS, no lands are needed to be taken relative to the improvement of Franklin Street; and

WHEREAS, the Geauga County Board of Commissioners after holding a hearing for objections for the improvement of Franklin Street is satisfied that the public convenience and welfare require that said improvement be made; and

WHEREAS, plans and specifications for this project have been reviewed and approved by the Ohio Department of Transportation and the Cuyahoga County Engineer; and

WHEREAS, federal aid funding has been secured for this project and the cost of such improvement will not be excessive in view of the public utility thereof.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby adopts the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from federal aid and local funding sources in accordance with Section 5555.43 of the Ohio Revised Code and the resolution passed by the joint board on September 13, 1995.

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

<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>

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COUNTY ENGINEER'S OFFICE – REDUCTION OF MAXIMUM ROAD LOAD LIMIT

Motion: by Commissioner Samide, seconded by Commissioner Young to reduce by 33% the maximum load limit permitted on all County and Township roads effective February 11, 2008 in accordance with Section 5577.07 of the Ohio Revised Code.

<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>

PLANNING COMMISSION - WETLAND MITIGATION CREDITS – WESTLAKE BUILDING AND DEVELOPMENT COMPANY – POPE HOME SITE

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the Purchase Agreement for Wetlands Mitigation Credits between the Geauga County Board of Commissioners and Westlake Building and Development Company for the purchase of .20 wetland preservation credits in the amount of \$1,800.00 (check #006059 for \$1,800.00) from the Geauga County Upper Cuyahoga Consolidated Wetlands Mitigation Bank, "Pope Home Site" (Troy Township).

<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 – DINARDO BUILDERS LLC CHANGE ORDER #1 – PROSECUTOR'S OFFICE RENOVATION – DEMOLITION PORTION PROJECT

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 for DiNardo Builders, LLC for the Prosecutor's Office Renovation – Demolition Portion Project (Phase II) for additional demolition, in the amount of \$15,470.00.

<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 – MAINTENANCE WORKER TEMPORARY APPOINTMENT – MICAH KLEIN

Motion: by Commissioner Samide, seconded by Commissioner Young to approve the Temporary Appointment of Micah Klein as Maintenance Worker (#1904) to be effective February 4, 2008 for up to a maximum of 120 days, ending March 31, 2008 at the rate of \$11.02 (the probationary rate for this position).

<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 – DINARDO BUILDERS LLC CHANGE ORDER #1 – DEMOLITION PORTION OF PROSECUTOR'S OFFICE RENOVATION

Motion: by Commissioner Samide, seconded by Commissioner Young to amend the motion to read: approve and authorize the President of the Board to execute Change Order #1 for DiNardo Builders, LLC for the Prosecutor's Office Renovation – Demolition Portion Project (Phase II) for additional demolition, in the amount of \$15,470.00.

<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 – SERVICE CONTRACTS

Director Gus Saikaly explained the service contracts are put in place to avoid delay in handling emergencies that arise during the year.

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Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute a service contract with Four Seasons Construction & Roofing Incorporated to perform construction and roofing services as needed at various county buildings within the department for the 2008 Year in an amount not to exceed \$10,000.00.

<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 a service contract with Osbourn Plumbing and Heating Company Incorporated to perform emergency plumbing repairs at various locations within the department for the 2008 Year in an amount not to exceed \$5,000.00.

<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 a service contract with North Shore Pump and Equipment Company to perform pump repair services at various wastewater treatment plants and lift stations within the department for the 2008 Year in an amount not to exceed \$5,000.00.

<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 a service contract with Action Door to perform door repair services as needed at various locations within the department for the 2008 Year in an amount not to exceed \$2,500.00.

<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 – SEMI-ANNUAL REPORT

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize the President of the Board to execute the Economic Development (ED) Revolving Loan Fund Semi-Annual Report (CDBG Funded Loans) for the period July 1, 2007 through December 31, 2007.

<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 – PERFORMANCE REPORTS

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 Formula grant (#B-F-00-026-1) for the period September 1, 2000 to December 31, 2007.

<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 authorize the President of the Board to execute the Ohio Community Development

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Block Grant Program Final Performance Report for grant #B-W-00-026-1 for the period October 1, 2000 to December 31, 2007.

<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 authorize the President of the Board to execute the Ohio Community Development Block Grant Program Final Performance Report for grant #B-F-01-026-1 for the period September 1, 2001 to December 31, 2007.

<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>

BURTON VOLUNTEER FIRE DEPARTMENT – LETTER OF SUPPORT – BURTON FIRE DEPARTMENT PROPOSED NEW FIRE STATION

Rob Roy of Northcoast Consulting and representative of the Burton Fire Department reported there will be a meeting February 5, 2008 at 7:00 p.m. at the Burton Fire Station Hall held by the Berkshire Group for a formal briefing and presenting all the background information and the status of the plan for the proposed new fire station. The initial hope and the majority of the intent is to fund this project without having to go to the voters for additional millage on the local level. There have been a few snags including low to moderate income (LMI) requirements from USDA to Homeland Security. Senator Grendell has been a big supporter of this project since its inception by his decision to write it into the budget. The project evolved due to the current conditions of the facility and of which it has outgrown. The building in the past has been condemned and portions have been rebuilt. Mr. Roy stated that the building, however, does not fit the criteria for modern day habitation by public entities or events. The proposed location was selected for the greatest benefit and need as well as for first responder locations. The property is a 2 acre parcel and is currently zoned commercial use. The building floor plan includes an L-shaped building with two floors, a basement, 3 drive through bays, one warehouse facility and executive offices. The building will be ADA compliant and the pancake breakfast can still be conducted in this building in the 3,000 square foot civic meeting room. (Commissioner Samide briefly left session) The building design has the capacity for expansion for operations and has the capacity in excess of 1500 for emergency temporary evacuation. This is enough to handle the evacuation of the Berkshire School campus and the Kent State campus. Dialog will be opened for a joint venture with Kent State to allow for a two and four year program for fire fighting technology and EMT training. Annexation versus a JEDD (Joint Economic Development District) will be a future discussion concerning sewer and water services. The letter of support is to secure grants from the state and the balance would be financed. The financing is basically arranged through USDA. Grants are not an option as the project area does not qualify for LMI. USDA has offered financing for thirty years at a four and one half percent interest rate. The cost of the project is \$3.72 million for a 26,000 square foot facility. More details and plans will be discussed at the meeting on February 5, 2008.

Motion: by Commissioner Samide, seconded by Commissioner Young approve and execute a letter of support to Senator Timothy Grendell to secure funding assistance for the proposed new fire station in Burton Township.

<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>

CANCEL SESSION

Motion: by Commissioner Samide, seconded by Commissioner Young to cancel session for February 5, 2008 and February 19, 2008.

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

DEPARTMENT OF JOB AND FAMILY SERVICES – OHIO DEPARTMENT OF JOB AND FAMILY SERVICES SUBGRANT

Tim Taylor, Director of the Department of Job and Family Services was present with Susan Wieland from the Prosecutor's Office to discuss the Ohio Department of Job and Family Services Subgrant. This grant is scheduled to be executed in February but Mr. Taylor wanted to make the Board aware of some issues surrounding the agreement. One of the conditions and concerns to the agreement is the Current Resolution of Audit Findings, Disallowed Costs and Performance Sanctions (per O.R.C. 5101.24) and its enforcement. The purpose of this subgrant is to establish the terms, conditions and requirements governing the administration and use of the federal funds by the county agency. The state agrees to provide funding, monitor the county agency and to take action to recover funds from the county agency failing to properly use federal funds. The county agrees to be responsible for ensuring that funds covered by the agreement will be used in accordance with all federal statutes and regulations, to utilize financial and administrative systems to meet ODJFS requirements, provide all program and financial reports and updates using ODJFS formats and schedules, and to promptly reimburse ODJFS for any adverse audit finding or performance sanction. What the agreement does not cover is the duty of the State of Ohio to inform, train or provide technical assistance about the above requirements. The agreement does not include the responsibility of the State of Ohio in situations where an audit finding or performance sanction has occurred as a result of the state misinformation or misdirection of county agencies. Mr. Taylor reported that they are trying to work with the state on these matters mentioned previously as well as through the County Commissioners Association of Ohio (CCAO). The state has been asked to consider changes addressing responsibility if there is a failure due to misinformation or misdirection. If the agreement went forward as is the state could make the choice, whether they were responsible or not, to pass any sanctions on to the county – 100%. The state says that is not their intent and that would not happen but it is not in the contract, which is the concern with this agreement. In the past the state has shared some of these sanctions. CCAO may make recommendations not to sign this agreement but that has not been decided yet. CCAO is also working with the state to make some adjustments to the agreement. Mr. Taylor stated he doesn't believe the county should enter into this contract agreement as it is currently written. The county would be responsible for any penalties but Food Stamps, TANIF or Welfare funds can not be used to pay these penalties, the funds would have to come from the general fund. The contract is not due to be signed until February but he does not have the agreement in hand at this point. Commissioner Albert asked if other JFS Directors are going before their board to explain this issue. Mr. Taylor responded he is not sure if other directors are handling it the same way he is but believes they are informing their commissioners of these same concerns. The consensus of the Board was that these issues in the agreement should be addressed by the state before execution.

OTHER

The Board briefly reviewed calendars.

ACKNOWLEDGEMENTS

- a. The Court of Common Pleas Probate/Juvenile Division Annual Report Form for Calendar Year 2007.*

MEETINGS

- Thu., 1/31 The Commissioners will hold regular session.*
- Sun., 2/3 Commissioner Samide will attend a Narc (National Association of Regional Councils) meeting through February 6, 2008 in Washington, DC*
- Tue., 2/5 The Commissioners will hold regular session.*
- Thu., 2/7 The Commissioners will hold regular session.*

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- Fri., 2/8 NOACA meeting*
- Fri., 2/8 HDAC (Health District Advisory Council) meeting*
- Tue., 2/12 The Commissioners will hold regular session.*
- Thu., 2/14 The Commissioners will hold regular session.*
- Fri., 2/15 Transportation Advisory Committee (TAC) meeting*
- Fri., 2/15 HDAC meeting*
- Mon., 2/18 **The County Offices will be closed in honor of the Presidents Day Holiday.***
- Tue., 2/19 The Commissioners will hold regular session.*
- Thu., 2/21 The Commissioners will hold regular session.*
- Tue., 2/26 The Commissioners will attend Geauga County Safety Center 100% accreditation award by the Ohio Bureau of Adult Detention at 1:00 p.m.*
- Thu., 2/28 The first of the 2008 monthly economic development meetings will be held at noon.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER ALBERT ADJOURNED THE MEETING AT 11:55 A.M.

Geauga County Board of Commissioners

Mary E. Samide

William S. Young

Craig S. Albert

Claudine Kozenko, Commissioners' Clerk