

**Commissioners' Journal**  
**October 13, 2011**

*The Geauga County Board of Commissioners met in session on October 13, 2011 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, Tracy A. Jemison opened the meeting at 10:07 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**APPOINT ACTING CLERK**

*Motion: by Commissioner Samide, seconded by Commissioner Young to appoint Katie Schaab as temporary acting clerk for October 13, 2011.*

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

**APPROVE MINUTES**

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the minutes for the meeting of October 6, 2011.*

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

**APPROVE FINANCIALS**

*Budget Administrator Heidi Delaney explained the financials as cash transfers out of the General Fund for 2011 3<sup>rd</sup> Quarter earned interest, and portions of 2011 funding for the County home and the Building Improvement Fund; a cash transfer for the purchase of a 2006 Ford F25 Truck for the Maintenance Department from the Park Department in the amount of \$9,100.00; a cash transfer into the General Fund for the purchase of a 2005 Chevrolet Impala for the Department of Water Resources from the Sheriff's Office in the amount of \$1,750.00; a contract for Jack Gibson Construction for the Infirmary Creek Waste Water Treatment Plant Project in the amount of \$1,810,000.00; a contract for 15332 Old State Road for a Local Revolving Loan in the amount of \$75,000.00 for the Office of Community and Economic Development; travel requests for the Recorder's Office and the County Engineer; and the 4<sup>th</sup> Quarter payment for 2011 to the Ohio State University Extension Office in the amount of \$68,316.36.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-166 itemizing the financials for the meeting of October 13, 2011.*

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

**COUNTY TREASURER AND COUNTY AUDITOR – MONTHLY STATEMENT OF COUNTY FINANCES – SEPTEMBER 2011**

*Motion: by Commissioner Samide, seconded by Commissioner Young to accept, execute and file the monthly Statement of County Finances filed by the County Treasurer for the month of September, 2011 pursuant to O.R.C. 319.15.*

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

*Motion: by Commissioner Samide, seconded by Commissioner Young to accept, execute and file the monthly Statement of County Finances filed by the County Auditor for the month of September, 2011 pursuant to O.R.C. 319.15.*

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – SETTLEMENT AGREEMENT – GEAUGA COUNTY HOUSING COALITION**

Program Administrator Joni Stusek explained this is the final release to the Housing Coalition to allow them to purchase property on Elm Drive that they have been in negotiations with the owners for about a year and a half. The owners have signed a purchase agreement and it is currently in escrow. This is an addendum to the purchase agreement.

Motion:           by Commissioner Samide, seconded by Commissioner Young to acknowledge, approve and execute a Release and Settlement Agreement in connection with the purchase by the Geauga County Housing Coalition of property located at 14795 Elm Drive in Newbury under the Neighborhood Stabilization Program.

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – FINDING OF NO SIGNIFICANT IMPACT (FONSI) – NOTICE OF INTENT TO REQUEST A RELEASE OF FUNDS (NOI/RROF)**

Program Administrator Joni Stusek explained that the Commissioners have already approved the FONSI and the request for release of funds for Ohio Earth Foods. However, the owners decided not to purchase property on Nauvoo Road but purchase Paul's Do-It Center instead because it will be a better venue for them. This is just being re-filed with the State.

Motion:           by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise a Finding of No Significant Impact (FONSI) and Notice of Intent to Request a Release of Funds (NOI/RROF) combined notice of CDBG Program Income for the Ohio Earth Foods, Incorporated project. This notice will be published on October 13, 2011.

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

**DEPARTMENT OF JOBS AND FAMILY SERVICES – CONTRACT – GEAUGA COUNTY CHILD SUPPORT ENFORCEMENT AGENCY – JEFFREY T. ORNDORFF**

Assistant Director Paul Reiman explained that JFS has had a contract with Jeffrey T. Orndorff for legal services for many years. Mr. Orndorff takes care of the Administrative Modification Hearings. Mr. Reiman explained when people ask for a modification to their Child Support Order, JFS will do a desk review and send the results to each party. If any of the parties object, Mr. Orndorff will do the hearing. The party can also object to Mr. Orndorff's hearing and take it to court at the same hourly rate.

Motion:           by Commissioner Samide, seconded by Commissioner Young to approve and execute the Ohio Department of Job and Family Services IV-D Contract between the Geauga County Child Support Enforcement Agency and Jeffrey T. Orndorff, Attorney-at-Law for services for the period October 1, 2011 through September 30, 2012 in the amount of \$95.00 per hour.

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

**COUNTY ENGINEER'S OFFICE - APPENDIX E DISBURSEMENT REQUEST FORM – OHIO PUBLIC WORKS COMMISSION (OPWC)**

Engineer Joe Cattell explained that the first item of business is to release the OPWC money to pay Ronyak's for the work that they have completed for the asphalt resurfacing of Farmington Road and the asphalt recycling of Aquilla Road. Mr. Cattell further explained that Aquilla Road was in pretty bad shape, but with the asphalt recycling it almost looks like a newly paved road.

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*Mr. Jemison asked Mr. Cattell what the difference in cost is between new asphalt and asphalt recycling. Mr. Cattell replied that the cost is about two-thirds than that of new asphalt. Mr. Cattell also stated that with asphalt recycling the grade of the road does not change. It was all the incidentals that really saved the County money.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and authorize Mary Samide, Chief Financial Officer, to execute Appendix E Disbursement Request Form for the Ohio Public Works Commission (OPWC) grant to release the State grant funds for the Farmington Road Asphalt Resurfacing Project (OPWC #CGW07) in the amount of \$293,088.17.*

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

*COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 – FINAL DECREASE CONTRACT – RONYAK PAVING, INCORPORATED – FARMINGTON ROAD*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 and Final decreasing the Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Farmington Road (CH18, Sections A-C) in the amount of \$7,647.21.*

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

*COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 – FINAL DECREASE CONTRACT – RONYAK PAVING, INCORPORATED – AQUILLA ROAD*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Change Order #1 and Final decreasing the Contract with Ronyak Paving, Incorporated for the Asphalt Pavement Recycling of Aquilla Road (CH 5s, Section C) in the amount of \$4,184.40.*

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

*DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT – MULTIVISTA MIDWEST LLC*

*Director Doug Bowen briefly discussed contracting with MultiVista Midwest, a local firm out of Chesterland that offers photo services that will document the progress of the Infirmiry Waste Water Treatment Plant Project. Mr. Bowen explained that while the contractors are working on the project, MultiVista will take digital photos from all different angles and locations and when the project is completed, MultiVista will give the photos to the Department of Water Resources so they can see each of the different stages of the project. Mr. Bowen explained that this is something new that they are trying to do, but said that it will be helpful in the case that they have an issue with a contractor or would like to see something in the future. Mr. Jemison asked if it will be tied into GIS and Mr. Bowen responded yes.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute a service Contract Agreement with MultiVista Midwest LLC to provide photographic documentation of the Infirmiry Creek Waste Water Treatment Project located at 13335 Aquilla Road in an amount not to exceed \$3,498.00.*

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

*DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT – VINECOURT LANDSCAPING, INCORPORATED*

*Director Doug Bowen explained an extension to an existing service contract with Vinecourt Landscaping, Incorporated is necessary for two more ninety foot borings for the Bainbridge Road waterline project. Mr. Bowen said another home wants to tie into the waterline, therefore*

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*needs to put the borings in for the hydrant. Mr. Bowen mentioned that the County will get reimbursed for these funds.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute the Service Contract Maintenance Form #2 increasing the service contract with Vinecourt Landscaping, Incorporated for two additional 90 foot direction borings in the amount of \$3,500.00.*

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

*DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT – HAZEN CONTRACTING, INCORPORATED*

*Director Doug Bowen explained that this contract is to replace a driveway at the Scranton Wood Waste Water Treatment Plant. Mr. Bowen remarked it has been covered in potholes for a while.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute a service Contract Agreement with Hazen Contracting Incorporated to replace the pavement drive located at 11556 Linda Drive in Newbury in an amount not to exceed \$11,868.16.*

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

*DEPARTMENT OF WATER RESOURCES – ACCEPT RESIGNATION – MARK TODD SMITH – MAINTENANCE WORKER*

*Motion: by Commissioner Samide, seconded by Commissioner Young to accept the resignation of Mark Todd Smith, Maintenance Worker, to be effective October 28, 2011.*

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

*DEPARTMENT OF WATER RESOURCES – PERMISSION TO ADVERTISE INTERNALLY – WASTEWATER PLANT OPERATOR 1 (#2326)*

*Director Doug Bowen explained that in response to the vacancy in the department, they are asking permission to advertise for a Wastewater Plant Operator 1, of which they are shorthanded.*

*Motion: by Commissioner Samide, seconded by Commissioner Young to grant permission to advertise internally for the position of Wastewater Plant Operator 1 (#2326) in the Department's Merritt Road Garage for the period of ten (10) days, in accordance with the union contract. In the event there are no qualified internal applicants after the ten day period, this position will be advertised externally and remain posted until filled.*

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

*DEPARTMENT OF WATER RESOURCES – HIRE MATTHEW HUNTER – MAINTENANCE WORKER WATER/WASTE WATER SYSTEMS (#2330)*

*Motion: by Commissioner Samide, seconded by Commissioner Young to approve the hiring of Matthew Hunter to the position of Maintenance Worker – Water / Wastewater Systems (#2330) to be effective October 17, 2011 at a rate of \$14.67 per hour with a 120 day probationary period.*

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

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PROSECUTOR'S OFFICE – APPOINTMENT OF COUNSEL – STATE OF OHIO VS  
MERSCORP

County Prosecutor David Joyce asked the Board to allow for the appointment of counsel to assist the prosecutor's office in a prosecution of a matter in which funds are due and owed to the County of Geauga. Mr. Joyce explained that these are fees not given to the County Recorder as due for the statutory duties performed. Mr. Joyce stated further that this will be an involved litigation with no real expense to the County at this time. The award, if any, would be for the fees owed to the Recorder. Mr. Jemison asked what the estimated amount of the fees could be. Mr. Joyce replied that this is the kind of litigation that through the discovery process is how they will find out more as to how much is actually owed to the County, and he will certainly keep the Board apprised of these numbers.

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve and execute the Application of Prosecuting Attorney and Board of County Commissioners for Appointment of Counsel, pursuant to O.R.C. 305.14, and further move to file in the Court of Common Pleas, in regards to the case of State of Ohio, ex rel. David P. Joyce Prosecuting Attorney of Geauga County, Ohio v. Merscorp, Incorporated, et al.

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

COMMISSIONERS' OFFICE – 2012 CEBCO SUMMARY OF BENEFITS

Benefits Specialist Kathy Hostutler discussed the request for approval of the Summary of Benefits for both of the County's health insurance plans through Anthem. Ms. Hostutler stated that the County received excellent news that the renewal rate for the County's health insurance for 2012 was decreased by one percent. Ms. Hostutler remarked that the last time there was a decrease in the County's renewal rate was when the County signed with CEBCO, which is going on five years now. Ms. Hostutler also stated that the Commissioners' decision to join the Consortium has helped the County realize lower increases in renewal rates and this year a decrease is saving the taxpayers a lot of money and also making the employees that work for Geauga County happy. Ms. Hostutler also said that CEBCO has talked a lot about Geauga County's wellness initiatives and they truly believe the decrease in our rate is a direct result of our wellness activities. Mr. Young commented that it really has worked getting people focused on doing things. Mr. Young also said that if the County had not joined the Consortium and remained independently insured, the County would probably have a rate increase of over ten percent. Mr. Young stated further that the Consortium contributed a million dollars to reduce the renewal rates by about one percent and the County saved another one percent because of the prescription drug rebates. Mr. Jemison stated that last year the national average was at nine and a half percent, while Geauga County was at two and a half percent. Mr. Jemison stated further that if the County is going to control health care costs, just like business we are going to promote wellness. County Administrator David Lair explained that the action for today is to execute the forms that say we will keep plan provisions for the enhanced and basic plans as is for 2012. Mr. Lair further explained that shortly the Board will have to take action on contribution rates by the employer, which will eventually be subject to the outcome of Issue Two in November.

*Motion:* by Commissioner Samide, seconded by Commissioner Young to authorize the President of the Board to execute the 2012 CEBCO Summary of Benefits documents for County of Geauga Enhanced Plan Blue Access PPO and County of Geauga Basic Plan 5a Blue Access PPO to be effective January 1, 2012.

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

COMMISSIONERS' OFFICE

*Motion:* by Commissioner Samide, seconded by Commissioner Young to approve the update to the budget hearing schedule.

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October					
Time	Tue - 4	Thu - 6	Thu - 13	Thu - 20	Thu - 27
1:00	Clerk of Courts	Auditor / ADP	Airport	Prosecutor	Soil & Water
1:45	JFS	Bd of DD	Recorder	Juvenile Court	Mental Health
2:30	Planning	Aging		Water Resources	Coroner
3:15	Archives	Engineer		Com Pleas Court	Public Defender
4:00	BOCC	Available	Available	Court Technology	Available

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

**COMMISSIONERS' OFFICE**

*Motion:*            *by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution #11-167 Celebrating the Grand Opening and Dedication of Geauga Park District's Orchard Hills Park.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution:*    *11-167*

*Date:*                    *October 13, 2011*

***RESOLUTION CELEBRATING THE GRAND OPENING AND DEDICATION OF  
GEAUGA PARK DISTRICT'S ORCHARD HILLS PARK***

*WHEREAS, Orchard Hills Park is two hundred thirty-seven (237) acres located behind the Patterson Fruit Farm Market located in Chester Township, a restoration of the former Orchard Hills Golf Course; and*

*WHEREAS, Orchard Hills Park is a result of the Patterson family's wishes of preserving the family's land for the public to enjoy, and through help from the Geauga Park District and the Western Reserve Land Conservancy that wish has become reality with a conservation easement that has specified the park to be used as a "passive use public park"; and*

*WHEREAS, Orchard Hills Park started to take shape in 2010 with the reclamation and reforestation of the beautiful landscape, through the planting of hundreds of trees, the addition of a sledding hill, an indoor/outdoor lodge, restrooms, construction of trails continues along with the restoration of a mature beech-maple forest with clean streams, wetlands, and meadows that are part of the Chagrin River corridor; and*

*WHEREAS, Orchard Hills Park restoration has been funded in part through a grant from Ohio and United States Environmental Protection Agencies (EPA) under provisions of the Clean Water Act; and*

*WHEREAS, Orchard Hills Park will continue to be restored to become a more natural, healthy, and beautiful habitat to support native flowers and wildlife, along with providing fun and enjoyment to the many visitors and families that will use the park for years to come; and*

*NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Commissioners celebrate the grand opening and dedication of Geauga Park District's Orchard Hills Park taking place on October 15, 2011; and*

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

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

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ACKNOWLEDGEMENTS

- 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 September 2011, pursuant to ORC 135.35(L).*
- b) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 5, 2011 as required by O.R.C. 955.12.*

OTHER

*The Board reviewed upcoming events.*

MEETINGS

*Thu., 10/13 Budget Hearings, 1:00 p.m.*

*Thu., 10/13 The Commissioners will attend the Geauga County Fair Dinner Annual Meeting at 6:30 p.m., Mary Yoder's Amish Kitchen*

*Fri., 10/14 NOACA meeting, 10:30 a.m.*

*Sat., 10/15 Grand Opening Celebration, Orchard Hills Park beginning at 10:00 a.m., 11340 Caves Rd., Chester*

*Mon., 10/17 Family First Council Award Reception, 3:30 p.m. Library Administrative Offices*

*Tues., 10/18 The Commissioners will hold regular session.*

*Tues., 10/18 Chagrin River Watershed Partners Executive meeting, 4:30 p.m.*

*Wed., 10/19 Soil and Water Conservation District Election and Dinner meeting, 6:00 p.m. Fairgrounds School Building*

*Thu., 10/20 The Commissioners will hold regular session.*

*Thu., 10/20 Budget Hearings, 1:00 p.m.*

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 10:40 A.M.***

*Geauga County Board of Commissioners*

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*Tracy A. Jemison*

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*William S. Young*

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*Mary E. Samide*

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*Katie Schaab, Acting Commissioners' Clerk*  
*Christine Blair, Commissioners' Clerk*