

**Commissioners' Journal**  
**July 7, 2009**

*The Geauga County Board of Commissioners met in session on July 7, 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 10:07 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**APPROVE FINANCIALS**

*Fiscal Specialist Heidi Delaney explained the financials as including a Revenue Decertification for the Building Improvement Fund; appropriation transfers from the Contingency account to reimburse for pay-ins made into the General Fund; cash transfers for a 2009 Jeep Liberty for the medical, dental and life insurance for July, 2009; a contract for Junction Auto Sales in the amount of \$23,169.00 for the purchase of a 2009 Jeep Liberty for the Department of Job and Family Services; and three travel requests.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-127 itemizing the financials for the meeting of July 7, 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>

**PLANNING COMMISSION – COOPERATIVE AGREEMENT – FARM AND RANCH LANDS PROTECTION PROGRAM**

*Heather Bickenheuser, Planner I stated that no project has been submitted at this point but this cooperative agreement is good through September 2013. If an application is submitted next year or the year after this agreement would be amended to include those parcels.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Cooperative Agreement between the United States of America Commodity Credit Corporation Acting Through the Natural Resources Conservation Service and the Geauga County Board of Commissioners for the Farm and Ranch Lands Protection Program.*

<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>

**SOIL AND WATER CONSERVATION DISTRICT – FINDING OF VIOLATION - MONTEFIORE SUPPORTIVE HOUSING**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to issue a "Finding of Violation" against Montefiore Supportive Housing, regarding construction occurring at The Weils of Bainbridge Skilled Nursing Addition, in Bainbridge Township for failure to comply with Geauga County Water Management and Sediment Control regulations as outlined in the attached "Site Inspection Reports" (Section 7.03), and forward the "Finding of Violation" to the Geauga County Prosecutor for further action as necessary to secure required compliance.*

<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>

**SOIL AND WATER CONSERVATION DISTRICT – FINDING OF VIOLATION - SOUTH FRANKLIN CIRCLE**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to issue of "Finding of Violation" against South Franklin Circle, Incorporated, regarding*

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*construction occurring at South Franklin Circle, in Bainbridge Township for failure to comply with Geauga County Water Management and Sediment Control regulations as outlined in the attached "Site Inspection Report" (Section 7.15) and forward the "Finding of Violation" to the Geauga County Prosecutor for further action as necessary to secure required compliance.*

<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>

**BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES –  
CERTIFICATE OF FINAL COMPLETION – ACTION CONTRACTORS INCORPORATED**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a Certificate of Final Completion for Action Contractors Incorporated for The Workshop Toilet Remodeling Project as the project is complete and all warranties have been received.*

<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>

**BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES – CARRON  
ASPHALT PAVING CONTRACT AGREEMENT - PAVEMENT RENOVATION AT  
METZENBAUM CENTER**

*Supervisor of Business Affairs, Cheryl Moster stated that the estimate for this project was \$235,000.00.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a Contract Agreement with Carron Asphalt Paving, Incorporated for the 2009 Pavement Renovation at the Metzenbaum Center Project, in the amount of \$162,563.10.*

<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>

**MAINTENANCE DEPARTMENT – CHANGE ORDER – FOUNDATION AND HOME  
SERVICES**

*Director Glen Vernick briefly discussed the move and of Soil and Water Conservation District and the Extension Office at the Patterson Building on the fairgrounds and the problem with the spring underneath the building. Mr. Vernick also briefly discussed the catch basin project in the parking lot at 470 Center Street and mentioned that he will come before the Board at a later date to discuss a clogged drain line.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve change order #1 increasing the contract with Foundation and Home Services for an additional 36 feet of exterior waterproofing and to install a manhole with a 1 ½ h.p. sump pump, in the amount of \$9,700.00.*

<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>

**DEPARTMENT OF WATER RESOURCES – LETTER OF INTENT AND RESOLUTION TO  
PARTICIPATE AND RATIFY PRIOR PARTICIPATION WITH ARMY CORP OF ENGINEERS -  
THOMPSON SEWER PROJECT**

*Director Doug Bowen explained that this is grant money from Senator Steve LaTourette's Office- a 75/25 percent split, which is about \$300,000.00. The township will get reimbursed for soil boring and other requirements. This will also cover engineering and perhaps some money to go towards construction. The cost to put in the system is estimated at \$3.3 million and they have received a USDA grant loan already for around \$1.5 million with a shortage of about \$1.8. They are expecting to get Issue II money for around \$400,000.00. USDA has stated that this area is in poverty level so that if they can come up with grant money USDA can reduce the loan*

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*money to a 75/25 percent split, which is very unusual. The department is investigating getting funding of \$300,000.00 from CDBG. This could mean an \$8,000.00 total assessment spread over 40 years for those residents affected.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute a Letter of Intent to enter into an agreement with the United States Army Corp of Engineers for funding for engineering services for the Thompson Sewer Project.*

<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 Resolution 09-129 Authorizing its Participation and Ratifying its Prior Participation with the Department of the Army Corp of Engineers, in the Thompson Sewer Project, and authorizing the President of the Board to act for and on behalf of the County of Geauga in executing, accepting or otherwise approving all documents, agreements, instruments, or other necessary papers, required by the Department of the Army Corp of Engineers for participation in the implementation of the project.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: July 7, 2009*

*Resolution: 09-129*

**THOMPSON SEWER PROJECT COOPERATION AGREEMENT**

*A resolution by the County of Geauga, Ohio authorizing its participation and ratifying its prior participation with the Department of the Army, Corps of Engineers, in the Thompson Sewer Project, and authorizing the President of the Board to act for and on behalf of the County of Geauga in executing, accepting or otherwise approving all documents, agreements, instruments, or other necessary papers, required by the Department of the Army for participation in the implementation of the Project.*

*Be it Resolved by the County of Geauga Board of County Commissioners, a public body:*

*Section One: The County of Geauga, Ohio hereby ratifies prior participation and acts of the County and its representatives and officials in the design and construction of the Thompson Sewer Project, as generally described in the Preliminary Design Report, dated April 2007, with the Department of the Army and further, hereby authorizes and approves the participation of the County of Geauga through its representatives and officials in the implementation of the Project with the Department of the Army, Corps of Engineers.*

*Section Two: The County of Geauga hereby authorizes its Board of County Commissioners, to execute, accept, or otherwise approve to attest the signature, for and on its behalf all documents, agreements, instruments, or other necessary papers, including, but not limited to, the Project Cooperation Agreement between the Department of the Army and the County of Geauga for design of the Thompson Sewer Project, as may be considered necessary or required by the Department of the Army for participation in the Project and for the performance of all obligations contained in said Agreement, including, but not limited to, the provision of notice when so required; the provision of opportunities to the Government to review and comment when so required; to obtain all necessary permits and licenses; holding and saving the United States Government free from all damages arising from the Project and any Project-related betterments, except for damages due to the fault or negligence of the Government or its contractors; paying the non-Federal share of total project costs; and compliance with all applicable Federal and State laws and regulations.*

*PASSED by the County of Geauga, a public body of the State of Ohio, this 7<sup>th</sup> day of July, 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>

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COMMISSIONERS' OFFICE – ADOPT 2010 TAX BUDGET

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-128 adopting the 2010 tax budget in accordance with O.R.C. Sections 5705.28, and 5705.29.

*Board of County Commissioners, Geauga County, Ohio*

*Date:* July 7, 2009

*Resolution:* 09-128

**GEAUGA COUNTY BOARD OF COMMISSIONERS**  
**ANNUAL TAX BUDGET RESOLUTION**  
**IN ACCORDANCE WITH O.R.C. SECTIONS 5705.28, and 5705.29**

*The Board of County Commissioners of Geauga County, Ohio met in regular session on the 7<sup>th</sup> day of July, 2009 at the office of the Board of County Commissioners with the following members present:*

*Tracy A. Jemison*  
*Mary E. Samide*  
*William S. Young*

*Commissioner Jemison presented the following resolution and moved their adoption, which motion was duly seconded by Commissioner Samide:*

*[Clerk's note: An original copy of the 2009 tax budget has been included in the permanent record by photocopying the document on to the following unnumbered journal pages as the existing program does not allow this document to be printed directly into the journal.]*

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*BE IT RESOLVED, the Board of County Commissioners of Geauga County, Ohio, hereby submits its annual budget for the fiscal year commencing January 1<sup>st</sup>, 2010, for consideration of the County Budget Commission:*

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

<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 – PROVIDE FISCAL CONSULTING SERVICES – JOHN C. CONNER**

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to approve and execute an Agreement to Provide Fiscal Consulting Services to Geauga County, Ohio with John C. Conner for the period of August 1, 2009 through July 31, 2010, in the amount of \$800.00 per month.*

<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>

**TRANSIT DEPARTMENT - EXECUTIVE SESSION**

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to move into executive session for the purpose of discipline of a public employee.*

<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>

*The Board returned at 10:50 a.m. The following action was taken as a result of this executive session:*

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to accept the recommendation of the Transit Department to suspend Marvin Springer, Part-time Driver, without pay for 16 hours for violation of the Geauga County Transit Best Practices Manual. The time off is to be scheduled by the Director.*

<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 – BOARD RE-APPOINTMENT S – GAPP AREA 19 WORKFORCE**

*Commissioner Young reported that he had this item pulled from the agenda last week as he had received notice of the resignation of Kent State Dean Dr. David Mohen, who is now replaced by John Granny. Commissioner Young added that there are still some board vacancies that need to be filled.*

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to re-appoint the following individuals to serve as representatives of Geauga County on the Geauga, Ashtabula, Portage Partnership (GAPP) Area 19 Workforce Investment Board for a one year term expiring June 30, 2010:*

<i>Anita Stocker</i>	<i>Business</i>
<i>Melissa Dahlhausen</i>	<i>Business</i>
<i>Bill Clark</i>	<i>Business</i>
<i>John Granny</i>	<i>Higher Education</i>
<i>Jay Giles</i>	<i>Community Organization</i>
<i>Tim Taylor</i>	<i>Temporary Assistance to Needy Families (TANF)</i>
<i>Cynthia Grier</i>	<i>Senior Community Service Employment Program</i>
<i>Karen DeCola</i>	<i>Executive Committee</i>

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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>

**OTHER**

*The Board reviewed calendars and events. The County Home annual meeting with the Board of Commissioners is changed to July 30<sup>th</sup> at noon.*

**ACKNOWLEDGEMENTS**

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending June 24, 2009 as required by O.R.C. 955.12.*

**MEETINGS**

*Wed., 7/8 Township Association Quarterly Dinner Meeting at Mayfield United Methodist Church at 6:30 p.m.*

*Thu., 7/9 The Commissioners will hold regular session.*

*Tue., 7/14 The Commissioners will hold regular session.*

*Thu., 7/16 The Commissioners will hold regular session.*

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 11:18 A.M.***

*Geauga County Board of Commissioners*

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*Tracy A. Jemison*

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*Mary E. Samide*

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*William S. Young*

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*Claudine Kozenko, Commissioners' Clerk*