

Commissioners' Journal
June 18, 2009

The Geauga County Board of Commissioners met in session on June 18, 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 MINUTES

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of June 16, 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>

APPROVE FINANCIALS

Fiscal Specialist Diane Arp explained the financials as including a supplemental for MHz to get appropriations in place and one United Way voucher.

Motion: by Commissioner Samide, seconded by Commissioner Young to approve and execute Resolution 09-114 itemizing the financials for the meeting of June 18, 2009.

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

** Commissioner Jemison explained he abstained from voting as he is Chairman of United Way this year.*

SHERIFF'S OFFICE - SPRINT-NEXTEL AGREEMENT - FCC MANDATED 800 MHz REBANDING ORDER

Sheriff Dan McClelland and 800 Systems Coordinator Eric Bartholomew were present for this discussion. Mr. Bartholomew explained that Sprint-Nextel has been a poor neighbor for public safety users as they have been creating a lot of interference. The FCC ordered Sprint-Nextel to relocate their frequency to one end of the band and relocate all public safety to the other end of the band and to pay for all of this activity. There is no cost to the county for this activity. Four frequencies will be impacted by this change. Sprint-Nextel will pay for the new equipment and the labor. Sprint-Nextel will also reimburse the county for any cost related this order. There will be little difference in performance as it is just a few MHz difference. Geauga County has not been impacted much as Sprint-Nextel's coverage is not strong here. There are four phases to this order; Geauga County is the last in the country to be completed. Motorola (the vendor) will create a plan and submit it to Sprint-Nextel for approval. At that point two more agreements will come before the Board for approval. Sprint-Nextel is not permitted to down-grade Geauga County in any way and they are required to provide continuous service. The payment process includes Motorola performing the work, the Board signing off that the work was done to the satisfaction of the county and then Motorola invoicing Sprint-Nextel directly. Commissioners' Clerk Claudine Kozenko asked if the Auditor's Office reviewed the contract as the agreement suggested that an accountant or financial person review the agreement, and inquired if any taxes or any other costs will be charged to the Board. Mr. Bartholomew replied there are no taxes that will be charged. The only finances that will be seen are checks coming to the Sheriff's Office for reimbursement for any out of pocket expenses, including time spent on this project. All the radios in the county will have to be reprogrammed and there are approximately 2,200 radios in the county.

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Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Agreement between the Geauga County Board of Commissioners and Sprint-Nextel to proceed with planning activities for the FCC mandated 800 MHz rebanding order. The Planning Funding Agreement (PFA) is the first step in the rebanding process, once a plan has been designed by our system vendor (Motorola) and approved by Sprint-Nextel and the Geauga County Board of Commissioners a second agreement will be presented to the Geauga County Board of Commissioners that will include the actual rebanding work, for approval.

<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>

COUNTY ENGINEER'S OFFICE – RONYAK PAVING INCORPORATED CHANGE ORDER – ASPHALT RESURFACING OF MUSIC STREET

Planning Engineer Mike Stone explained this request is for minor changes and there is a little bit of savings on the cost of asphalt.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Change Order #1 and final decreasing the contract with Ronyak Paving Incorporated for the Asphalt Resurfacing of Music Street (CH 36, Section A) Project in Russell Township, Contract #RS-36A-09, in the amount of \$3,332.80.

<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>

COUNTY ENGINEER'S OFFICE – RONYAK PAVING INCORPORATED CHANGE ORDER – RESURFACING OF HEMLOCK ROAD

Mr. Stone stated that almost all of this increase is related to the intersection of Music Street, Hemlock and Hemlock Point. Mr. Stone is expecting a letter from Russell Township requesting a switch in maintenance responsibilities at this intersection. This work is related to changing the profile of the road to make it a through situation with Music Street traffic stopping.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Change Order #1 and final increasing the contract with Ronyak Paving Incorporated for the Asphalt Resurfacing of Hemlock Road (CH 36a, Section Y&Z) Project in Russell Township, Contract #RS-36aYZ-09, in the amount of \$11,986.68.

<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 JOB AND FAMILY SERVICES – ADOPT NEW SECTION 4. COMPENSATION

Director Tim Taylor explained that this will address the big turnover issue they have experienced in the past. This action is to adopt the classification plan as a result of the study done by the Archer Company. Mr. Taylor added that it will take several years to implement the plan and get all the individuals on the plan where they are supposed to be based on their years of service. This is a good first step. Once this is adopted and all the schedules have been implemented fully, all of the Commissioners' departments and employees will be on the same compensation schedules.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve, execute and adopt a new Section 4. Compensation, Compensation and Classification Plan for all employees of Job and Family Services based upon the classification and pay study of The Archer Company, upon the recommendation of the Executive Director of Job and Family Services.

The Board further adopts the implementation criteria and standards contained in the Plan and authorizes the Executive Director to administer the Plan in

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accordance with the policies approved by the Board of Commissioners. The plan establishes the classification designations as contained in Appendix A to the Plan and the new hire and promotion salary schedule as contained in Appendix B to the Plan. The Plan is to be effective June 19, 2009 resulting in an overall increase of 3.08 percent for the period July 1, 2009 through June 30, 2010.

<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 – RESOLUTION AUTHORIZING PROCEDURE TO WAIVE APPRAISALS WITH FAIR MARKET VALUE OF \$10,000.00 OR LESS

Ms. Kozenko explained that she sent an email to the Board regarding this item and then further explained, per the request of Laura LaChapelle, APA. Ms. LaChapelle has been working with DES, Sheriff's Office and the Commissioners' Office to acquire property for telecom tower site easements. She is dealing with one or more sites, the fair market value of which may be at or below \$10,000.00. The O.R.C. (163.04(c)) allows a public agency (the County) to waive appraisals if a procedure to waive the appraisals is adopted by the agency. This resolution authorizes the waiver of appraisals and adopts the procedure to be followed in order to waive the appraisals. This will save the expense of an appraisal.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-115 a Resolution Authorizing a Procedure to Waive Appraisals in appropriation matters brought under O.R.C. 163.04 involving the acquisition by sale or donation of property with a fair market value of \$10,000.00 or less.

Board of County Commissioners, Geauga County, Ohio

Date: June 18, 2009

Resolution: 09-115

**RESOLUTION AUTHORIZING A PROCEDURE TO WAIVE APPRAISALS IN
APPROPRIATION MATTERS BROUGHT UNDER O.R.C. 163.04
INVOLVING THE ACQUISITION BY SALE OR DONATION
OF PROPERTY WITH A FAIR MARKET VALUE OF \$ 10,000.00 OR LESS**

The Board of Commissioners of Geauga County, Ohio met on the 18th day of June, 2009, in regular session with the following members present:

Commissioner Jemison Commissioner Samide

Commissioner Young

WHEREAS, Ohio Revised Code § 163.04 authorizes the head of a public agency to prescribe a procedure to waive the appraisal(s) in appropriation cases involving the acquisition by sale or donation of property and/or an easement with a fair market value of \$ 10,000.00 or less.

WHEREAS, the Geauga County Board of Commissioners ("Commissioners") desire to waive appraisal fees and thereby minimize costs in appropriation actions initiated under O.R.C. Chapter 163 involving property valued at \$ 10,000.00 or less.

WHEREAS, the Commissioners further desire to designate a procedure whereby one or more of the real estate appraisers in the County Auditor's Office will be consulted initially as to

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the value of property if there is a reasonable belief that the fair market value of the property and/or easement to be appropriated has a value of \$ 10,000.00 or less. Once confirmation is provided by the Auditor's Office that the value is, in fact, \$ 10,000.00 or less, the statutory requirement of an appraisal for the property shall be waived.

THEREFORE, BE IT RESOLVED that if the Chief Appraiser or other appraiser with the Geauga County Auditor's office is consulted initially about the fair market value of the property and/or easement to be appropriated by the County pursuant to O.R.C. Chapter 163, and in the opinion of the appraiser the value of the property and/or easement is \$ 10,000.00 or less, the appraisal requirement set forth in O.R.C. 163.04 shall hereby be waived for the acquisition by sale or donation of said property.

<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 – SAFETY CENTER IMPROVEMENT NOTES

County Auditor Frank Gliha explained that they are working on a contract with John Conner (to provide fiscal consulting services). Mr. Conner is getting \$1 million dollars of insurance and they are waiting for a proof of document. Mr. Conner has marked up the current agreement which will be forwarded to the Board's legal counsel for review and to create a clean document, which will be forwarded. Commissioner Jemison commented that the market showed some items at 1% and these notes are at 1.7% now, and he expects some competitive bids on these notes.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge receipt of the Fiscal Officer's Certificate in regards to the \$3,000,000.00 Safety Center Improvement Notes, Series 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 Resolution 09-116 Providing for the Issuance of Notes of the County of Geauga, in the Aggregate Principal Amount of \$3,000,000.00 in Anticipation of the Issuance of Bonds for the Purpose of Paying a Portion of the Costs of Constructing a New County Safety Center.

Board of County Commissioners, Geauga County, Ohio

Date: June 18, 2009

Resolution: 09-116

The Board of County Commissioners of the County of Geauga met on June 18, 2009, commencing at 10:00 o'clock, a.m., in regular session in the Commissioners' Chambers at 470 Center Street, Building No. 4, Chardon, Ohio, with the following members present:

Commissioner Jemison Commissioner Samide

Commissioner Young

The Clerk advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

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

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RESOLUTION NO. 09-116

A RESOLUTION PROVIDING FOR THE ISSUANCE OF NOTES OF THE COUNTY OF GEAUGA, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,000,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF CONSTRUCTING A NEW COUNTY SAFETY CENTER.

WHEREAS, pursuant to Resolution No. 08-109, adopted July 22, 2008, notes in anticipation of the issuance of bonds, dated August 26, 2008 and maturing August 26, 2009, in the aggregate principal amount of \$4,000,000 (the "Outstanding Notes") were issued for the purpose of paying a portion of the costs of constructing a new County Safety Center ("Project");

WHEREAS, this Board finds and determines that the County should retire the Outstanding Notes with the proceeds of the Notes described in Section 3, together with other funds available to the County; and

WHEREAS, the County Auditor, as fiscal officer, has certified to this Board that the estimated life or period of usefulness of the Project is at least five years, and that the estimated maximum maturity of the bonds is 29 years, and the maximum maturity of the Notes is August 30, 2024;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Geauga, State of Ohio, that:

Section 1. It is necessary to issue bonds of this County in the aggregate principal amount of \$3,000,000 for the purpose of paying a portion of the costs of constructing a new County Safety Center (the Bonds).

Section 2. The Bonds shall be dated approximately July 1, 2010, shall bear interest at the now estimated rate of 6.0% per year, payable semi-annually until the principal amount is paid, and are estimated to mature in twenty annual principal installments that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first principal installment is estimated to be December 1, 2011.

Section 3. It is necessary to issue and this Board determines that notes in the aggregate principal amount of \$3,000,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the County, the Outstanding Notes. The Notes shall bear interest at a rate or rates not to exceed 5.0% per year (computed on a 360-day per year basis) to be determined by the County Auditor in his certificate awarding the Notes and authorized in Section 6 hereof (the Certificate of Award), payable at maturity, and until the principal amount is paid or payment is provided for. The Notes shall be dated the date of issuance and shall mature not earlier than nine months from that date and not later than twelve months from that date, as shall likewise be determined by the County Auditor in the Certificate of Award.

Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America, without deduction for services of the County's paying agent, at the main office of The Huntington National Bank, Columbus, Ohio, or at such other office of a bank or trust company designated by the County Auditor in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the County and that proper procedures and safeguards are available for that purpose.

Section 5. The Notes shall be signed by at least two members of the Board of County Commissioners and by the County Auditor, in the name of the County and in their official capacities, provided that all but one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the original purchaser and approved by the County Auditor, provided that the entire principal amount may be represented by a single note and provided no note shall be of a denomination of less than \$100,000. The Notes shall not have coupons attached, shall be numbered as determined by the County Auditor and shall express upon their faces the purpose, which may be in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 and Section 307.02 of the Revised Code and this Resolution. The County Auditor is authorized, if it is determined to be in the best interest of the County, to combine the issue of Notes with one or more other note issues of the County into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code. The County Auditor is further authorized, if it is determined to be in the best interest of the County in connection with the sale of the Notes, to obtain a rating on the Notes from one or more nationally recognized rating service.

Notwithstanding any other provisions of this Resolution, if it is determined by the County Auditor to be advantageous to the County, the Notes may be issued in book entry form for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Notes may be issued in the form of a single, fully registered typewritten Note and registered in the name of a

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depository or its nominee, as registered owner, and immobilized in the custody of a depository; (ii) the beneficial owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the depository and its participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the depository and its participants subject to the terms of this Resolution; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

Section 6. The Notes shall be and hereby are awarded and sold by the County Auditor at private sale at not less than par in accordance with law and the provisions of this Resolution. The County Auditor shall, in accordance with his determination of the best interests of and financial advantages to the County and its taxpayers and conditions then existing in the financial markets, determine the interest rate the Notes shall bear and their maturity consistent with this Resolution and make all other designations herein authorized, execute the Certificate of Award related thereto, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The County Auditor, the County Treasurer, the County Commissioners, the County Administrator and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements, other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. In connection with the issuance of the Notes herein authorized, the legal services of the law firm of Squire, Sanders & Dempsey L.L.P. are hereby retained to act as bond counsel to this County.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

Section 10. The County of Geauga covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Notes will not be treated as an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County hereby represents that the Outstanding Notes (the Refunded Obligation) were designated or deemed designated, and qualified, as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code. The County hereby covenants that it will redeem the Refunded Obligation from proceeds of, and within 90 days after issuance of, the Notes, and represents that all other conditions are met for treating the amount of the Notes not in excess of the principal amount of the Refunded Obligation outstanding immediately prior to the redemption of the Refunded Obligation as "qualified tax-exempt obligations" without necessity for further designation and as not to be taken into account under subparagraph (D) of Section 265(b)(3) of the Code pursuant to subparagraph (D)(ii) of Section 265(b)(3) of the Code.

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The amount of the Notes (such amount being the issue price of the Notes less accrued interest, if any, as determined under the Code) in excess of the principal amount of the Refunded Obligation that is outstanding immediately prior to the redemption of the Refunded Obligation is hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. In that connection, the County hereby represents and covenants that it, together with all its subordinate entities or entities that issue obligations on its behalf, or on behalf of which it issues obligations, in or during the calendar year in which the Notes are issued, (i) have not issued and will not issue tax-exempt obligations designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, including the aforesaid amount of the Notes, in an aggregate amount in excess of \$10,000,000, and (ii) have not issued, do not reasonably anticipate issuing, and will not issue, tax-exempt obligations (including the aforesaid amount of the Notes, but excluding obligations, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code, that are private activity bonds as defined in Section 141 of the Code and excluding refunding obligations that are not advance refunding obligations as defined in Section 149(d)(5) of the Code to the extent that the amount of the refunding obligations does not exceed the outstanding principal amount of the refunded obligations) in an aggregate amount exceeding \$10,000,000, unless the County first obtains a written opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not adversely affect the status of the Notes as "qualified tax-exempt obligations".

Further, the County represents and covenants that, during any time or in any manner as might affect the status of the Notes as "qualified tax-exempt obligations," it has not formed or participated in the formation of, or benefitted from or availed itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3) of the Code, and will not form, participate in the formation of, or benefit from or avail itself of, any such entity. The County further represents that the Notes are not being issued as part of a direct or indirect composite issue that combines issues or lots of tax-exempt obligations of different issuers.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Notes as the County is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Section 11. The Clerk of this Board is directed to deliver a certified copy of this Resolution to the County Auditor.

Section 12. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the County of Geauga have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. This Resolution shall be in full force and effect from and immediately after its adoption.

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

COUNTY HOME – ACCEPT RESIGNATION - SHARON ZARACH

Superintendent Karen DeCola reported that Ms. Zarach worked for two weeks and discovered that she cannot “do stairs”.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept the resignation of Sharon Zarach, Substitute Attendant (#1504-2), to be effective June 14, 2009.

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

COUNTY HOME – PERMISSION TO HIRE – SUBSTITUTE ATTENDANT

Motion: by Commissioner Jemison, seconded by Commissioner Samide to grant permission to advertise for the position of Substitute Attendant (#1504-2). This posting will remain open until filled.

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

COUNTY HOME – FMLA UNPAID LEAVE – BETH MERRELL

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve a Family Medical Leave of Absence (FMLA), unpaid medical leave of absence for Beth Merrell, Full-time Attendant, from June 26, 2009 through July 9, 2009, as she will have exhausted all accrued sick and vacation leave before the end of her FMLA, pursuant to section 6 of the Geauga County Personnel Policy.

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

OTHER

Ms. Kozenko and Maintenance Director Glen Vernick discussed the vending machines that have been placed in county buildings. Ms. Kozenko explained to the Board the poor service of the current vendor. Ms. Kozenko explained further that the vendor is not even aware of where all the machines are and cannot identify what place was called for service. There have been complaints for a long time of machines being left empty among many other complaints. There has not been a contract with the vendor since around 2003. An RFP was sent out and three vendors responded. Ms. Kozenko added that she and Mr. Vernick met with a new vendor yesterday to discuss the options available. Ms. Kozenko asked if the Board still supported this venture. The machines belong to the vendor who is responsible for maintenance of the machines and filling them, among other things. Mr. Vernick stated that he and Ms. Kozenko have been taking complaint calls for some time on the current machines and vendor. Mr. Vernick added that the plan is for all these calls to now come to maintenance to deal with. It is much better for issues to be solved if they are directed to one place. Ms. Kozenko added that they are looking to add just a few snack vending machines and they hope to get rid of those boxes of snacks that are on some counters. Commissioner Jemison added that those boxes really are an issue as you have to lock them up at night and there is never enough money in them for what was taken out. Mr. Vernick agreed as there is one in building #1 that is short about \$8.00, he was told. With the new snack machines it becomes the responsibility of the vendor and his machines. Commissioner Jemison added that it is time for an update to the vending machine issue. Commissioner Young stated the problem that the cost will be more than what is currently being suggested in, for example, in those snack boxes. Ms. Kozenko replied that the county does not receive any commission on those boxes of snacks, they are there just for the convenience of the employees. Commissioner Young added that he believed the prices need to be cheap, the county does not need to make money on them. Ms. Kozenko added that they can work out a lesser charge but the commission will be less also. Commissioner Jemison added that we have to pay for the electricity for running the machines and for the maintenance services. The machines will

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offer security and fresh snacks and beverages and hopefully better service. Ms. Kozenko added that once a contract is executed the responsibility of the vending machine and contract will be the responsibility of the Maintenance Department and no longer with the Commissioners' Office. Commissioner Jemison stated that Ms. Kozenko and Mr. Vernick are on the right track and need to clean this up. Commissioner Jemison suggested that Mr. Vernick, as he is out and about, mention this change to the elected officials and mention that they are trying to make it better for their employees and that the machines are placed in the county buildings under the authority of the Commissioners and can only be removed under their authority through the Maintenance Department. There was one issue of the Sheriff's Department removing a vending machine without notice. Commissioner Jemison suggested Mr. Vernick talk with the Sheriff to find out the reason for the removal, as it may have been a good reason, we just don't know it.

The Board reviewed their calendars and upcoming events. Ms. Kozenko stated she is trying to schedule for the annual County Home meeting and has the dates of July 16 or 30 available. It was decided that July 16 is a better day for the Board.

ACKNOWLEDGEMENTS

- a) *A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the inmate meals for the month ending May 2009.*

MEETINGS

- Mon., 6/22 Geauga-Trumbull Solid Waste District, Board of Directors meeting at 1:30 p.m. at the District Office in Warren*
- Mon., 6/22 Board of Revisions at 8:15 a.m.*
- Tue., 6/23 The Commissioners will hold regular session.*
- Thu., 6/25 The Commissioners will hold regular session.*
- Thu., 6/25 Public Hearing #1 for the consideration of the adoption of the updated "Water Management and Sediment Control Regulations, Amended 2009" to be held June 25 at 10:30 a.m.*
- Mon., 6/29 Board of Revisions at 8:45 a.m.*
- Tue., 6/30 The Commissioners will hold regular session.*
- Tue., 6/30 Public Hearing #2 for the consideration of the adoption of the updated "Water Management and Sediment Control Regulations, Amended 2009" to be held June 30 at 10:30 a.m.*
- Tue., 6/30 Joint Portage-Gauga Juvenile Detention Board meeting at Portage County Commissioners' Offices at 1:30 p.m.*
- Thu. 7/2 **The Regularly scheduled Commissioners' meeting is cancelled.***

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 10:55 A.M.

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Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

William S. Young

Claudine Kozenko, Commissioners' Clerk