

Commissioners' Journal
May 3, 2011

The Geauga County Board of Commissioners met in session on May 3, 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 10:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Young was absent from this session.

APPROVE MINUTES

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of April 28, 2011.

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

APPROVE FINANCIALS

Budget Administrator Heidi Delaney explained the financials as a Revenue Certification for the Board of Developmental Disability's construction fund, cash transfers for medical, dental and life insurance for May 2011; a payment to Hummel Construction for the Board of Developmental Disability transportation facility project in the amount of \$442,950.24, and a payment to Taylor Chevrolet for the purchase of a Chevrolet Impala for the Department on Aging in the amount of \$19,287.00.

Commissioner Jemison inquired on the remaining balance for Hummel Construction, to which Ms. Delaney replied that there was \$160,000.00 remaining.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute Resolution #11-070 itemizing the financials for the meeting of May 3, 2011.

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

MAINTENANCE DEPARTMENT – AUCTION MEMO OF UNDERSTANDING - GOV DEALS INCORPORATED

Fiscal Specialist Diane Arp explained that the agreement with Gov Deals was due for renewal. Ms. Arp stated that the representative for the county, Roger Hill was very helpful and great to work with. Ms. Arp stated that the county does well with Gov Deals and wants to enter into a three year agreement with them and the same commission rate of seven and one half percent (7.5%).

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to initial changes and execute the Online Auction Memo of Understanding between Geauga County and GovDeals, Incorporated for operation of an internet auction server for the period of three years beginning May 3, 2011 through May 2, 2014 at the commission rate of seven and one half percent (7.5%) to GovDeals in an amount not to exceed \$24,500.00.

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

TRANSIT DEPARTMENT – OHIO MOTOR FUEL TAX REFUND CLAIM FOR TRANSIT BUSES – OCTOBER – DECEMBER 2010, AND JANUARY – MARCH 2011

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Operations Manager Jack Jackson explained that every quarter the county applies to the State for a Motor Fuel Tax Refund and this is for the last quarter of 2010 and the first quarter for 2011.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Ohio Motor Fuel Tax Refund Claim for Transit Buses for the period October 1, 2010 through December 31, 2010 in the amount of \$2,484.60.

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

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Ohio Motor Fuel Tax Refund Claim for Transit Buses for the period January 1, 2011 through March 31, 2011 in the amount of \$2,791.62.

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

TRANSIT DEPARTMENT – RETIREMENT RESIGNATION – FULL-TIME DRIVER (#2210) MICHAEL NUNIVILLER

Motion: by Commissioner Samide, seconded by Commissioner Jemison to accept the retirement resignation of Michael Nuniviller, Full-time Driver (#2210) to be effective April 27, 2011.

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

TRANSIT DEPARTMENT – RECLASSIFICATION – FULL-TIME DRIVER (#2210) DANIEL MUEHLHAUSER

Mr. Jemison inquired if this was to fill Mr. Nuniviller's position. Mr. Jackson stated that this filled a previous position that had become open.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve the reclassification of Daniel Muehlhauser to the position of Full-time Driver (#2210) to be effective May 4, 2011.

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

TRANSIT DEPARTMENT – ADVERTISE INTERNALLY – FULL-TIME DRIVER (#2210)

Mr. Jackson stated that was to advertise for the position that was just opened by the retirement of Mr. Nuniviller.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to grant permission to advertise internally for the position of Full-time Driver (#2210) for five days.

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

GEAUGA COUNTY AIRPORT AUTHORITY – U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION (FAA) AGREEMENT TERMS AND CONDITIONS – ACCEPT AIRPORT IMPROVEMENT PROGRAM (AIP) GRANTS

Manager Patty Fulop stated that about every five years the county needs to sign an agreement with the Federal Aviation Administration (FAA) on the terms and conditions of accepting Airport Improvement Program (AIP) grants. Ms. Fulop stated that the last agreement was done in

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August of 2005 and that the current agreement had not significantly changed. Ms. Fulop stated that there were two things that she felt were important and wanted to bring them to the Board's attention. First is that you are giving the FAA assurances, that every time the county accepts a grant this agreement takes effect and you are giving assurance that you will do everything possible to keep the airport going forward for the next twenty years. Mr. Jemison stated that it was twenty years everytime a grant is accepted. Ms. Fulop stated that the FAA has put money into the runway and they want to make sure that you are going to make sure that the airport will be there. Second is that the revenues that are generated on the airport are required by the FAA to stay at the airport. Ms. Fulop stated that this agreement is thirty pages and that there were other things in the agreement but these two jumped out at her as very important and wanted to make sure the Board was aware of them. Ms. Fulop stated that the Prosecutor's Office had approved the agreement.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the U. S. Department of Transportation Federal Aviation Administration (FAA) Agreement Terms and Conditions of Accepting Airport Improvement Program (AIP) Grants in accordance with Section 47105(d), Title 49 of the United States Code.

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

GEAUGA COUNTY AIRPORT AUTHORITY – APPLICATION FOR FY 2012 OHIO AIRPORT GRANT PROGRAM FOR RECONSTRUCTION APRON PHASE 2

Ms. Fulop explained that last year the Airport had applied for an FAA grant for the Apron in the amount of \$622,000.00 and FAA currently does not have the funds to complete the project this year. Ms. Fulop stated that the Airport has carried over the \$150,000.00 entitlement funds to next year and are hopeful to add \$150,000.00 again next year which will give them a \$300,000.00 amount to start with. Ms. Fulop explained that the Airport went to the Ohio Department of Transportation (ODOT) and asked what they could do for them, hoping they would give them \$300,000.00 to start with the project and between the two projects the Airport would be able to get all the work done. ODOT stated they were not able to do the \$300,000.00 but if the Airport could get that dollar amount down to \$200,000.00 they would be more apt to do that amount. Ms. Fulop explained that the portion the Airport was asking ODOT to do is the area where MediVac and the Firebirds Hanger is located which is towards the runway and right now that is concrete. A lot of the concrete is breaking up and everytime that MediVac starts the helicopter gravel goes flying everywhere. Ms. Fulop stated that is the priority, to get the places that are cracked re-done and the asphalt around the concrete made all concrete and sealed and eliminate problems with gravel. This can be damaging to other people's planes along with people and they are being very careful how this is done. Mr. Jemison stated that this is pretty serious and since it is not planned to be done until 2012 is there something being done on a temporary basis? Ms. Fulop explained that they are currently sweeping the area to keep it clean. Ms. Fulop stated that currently they are having a problem with pigeons in the hanger this year. County Administrator David Lair suggested they speak with Maintenance Director Glen Vernick, as they had a similar problem in the barn at the County Home. Ms. Fulop stated that Mr. Davis had also just suggested that idea as the Airport has tried several methods that just don't appear to be working.

Mr. Jemison stated that this project had been planned for this year and that this match had been figured into the budget, and that this amount will them roll into next years budget. Mr. Lair stated that per Ms. Delaney that \$40,000.00 had been earmarked for this project.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Application for the FY2012 Ohio Airport Grant Program for Reconstruction Apron Phase 2 in the amount of \$232,200.00 (ODOT portion \$199,980.00 and local match \$32,220.00).

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

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Ms. Fulop explained that the Airport's Budget request was in showing total matches of \$54,000.00 but stated that they don't expect it to be that amount in the end. Ms. Fulop explained that ODOT does not pay for Engineering and their match is ten percent, which is higher than the FAA match. Ms. Fulop stated that when the project is all completed and that the FAA grant is received, the FAA does pay for the Engineering portion that the ODOT does not. At the moment there is a match of \$32,220.00, that \$12,000.00 is going to come right off the top from Engineering when the FAA grant takes effect. In the past FAA has let the Airport use their money towards the match of ODOT; some years they have let them do this and some years they have not, if this is the case the \$32,000.00 is going to go away and the cost will be closer to \$22,000.00 for the whole project. Mr. Jemison inquired if the \$54,000.00 included the \$32,000.00. Ms. Fulop stated yes it did and that the Airport would be prepared to cover any amount that the county could not.

Ms. Fulop also stated that the Airport was in need of using a grader to clean out culverts underneath the taxi way, Mr. Davis would be contacting Mr. Phillips to see if this was something that could be possible. Ms. Fulop stated that drainage is included in the 2012 grant but some of it needs to be cleaned out before then and just wanted to make the Board aware that this would be happening.

PROBATE / JUVENILE COURT – CONTRACT - CAPITAL RECOVERY SYSTEMS INCORPORATED

Magistrate and Court Administrator David Lubecky stated that this was the annual one year renewal with no changes with Capital Recovery. Mr. Lubecky explained that Probate/ Juvenile Court adds the thirty percent (30%) fee as part of the cost once it goes to collections, which is done after the court does their own 30 day, 60 day and 90 day notices, then it goes to collections and on their credit report. Mr. Jemison inquired as to how they had done in 2010. Mr. Lubecky stated that it was a small part of the collections as most is done before it gets to Capital, about thirty-two percent (32%) from what was sent was received in the last year, as only \$14,000.00 was sent to them to which they collected about \$4,600.00. Mr. Lubecky stated that Capital is paid the fee once the court collects on the case in whole; stating that Capital doesn't get paid until the court gets their fees. Mr. Lubecky stated last year the total paid to Capital was \$1,132.96.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute a contract between Geauga County Probate/Juvenile Division; Capital Recovery Systems Incorporated and the Geauga County Board of Commissioners for the collection of delinquent court costs, accounts receivable, judgments and other debts for the period of one year in an amount not to exceed \$22,000.00.

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

SOIL AND WATER CONSERVATION DISTRICT – NOTICE OF VIOLATIONS – CARDINAL MANAGEMENT LLC – HARMONY FALLS LANE – RUSSELL TOWNSHIP

Motion: by Commissioner Samide, seconded by Commissioner Jemison to acknowledge the First and Second Notice of Violations issued against Cardinal Management, LLC, owner of property located at 15750 Harmony Falls Lane (Parcel #26-214160) in Russell Township for failure to comply with the Geauga County Water Management and Sediment Control Regulations as outlined in the attached "Notice of Violation" (Section 7.03 and 7.15) "Site Inspection Report" and to forward the "Notice of Violations" and "Inspection Reports" to the Geauga County Prosecutor to enforce compliance with the Geauga County Water Management and Sediment Control Regulations by seeking an injunction or other further relief to secure the required compliance.

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

BOARD OF DEVELOPMENTAL DISABILITIES – NOTICE OF COMMENCEMENT – CHAGRIN VALLEY PAVING, INCORPORATED

Mr. Jemison inquired why the Board was going back and handling this. Mr. Lair explained that

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Chagrin Valley Paving was requesting a copy of the Notice of Commencement that was never submitted to the Board prior. Mr. Lair stated that the project had just been completed on Saturday. This paving project was in front of the residential area and not part of the transportation facility. Commissioners' Clerk Christine Blair stated that this project was unable to be completed until after the transportation facility. Mr. Jemison stated that this should have happened last year. Mr. Lair stated that ideally, yes it should have.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Notice of Commencement for Chagrin Valley Paving, Incorporated for the 2010 Sheltered Industries Pavement Renovation at the Metzenbaum Center.

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

COUNTY HOME – CLEAN FORCE RENTAL AGREEMENT – U.S. FOODSERVICE, INCORPORATED, PURE FORCE

Director Karen DeCola stated that this was a learning experience as she had never had to handle a contract. Ms. DeCola stated that Prosecuting Attorney Laura LaChapelle did a great job and this took about six weeks of going back and forth to agree. Ms. DeCola explained that the old Hobart dishwasher had been there when she started and to replace it would cost between seven and eight thousand dollars so they are leasing one. Mr. Jemison stated that this was a creative way to do business. Mr. Lair inquired on the maintenance being included. Ms. DeCola stated that maintenance was free due in part to them purchasing the soap and detergents from them, and if the unit breaks they will replace it.

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Clean Force Rental Agreement with U.S. Foodservice, Incorporated, PureForce for the lease of a PA-1 Single Tank dishwasher for the period of year in the amount of \$79.95 a month for service and a minimum monthly purchase of \$150.00 of Dishmachine products.

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

Ms. DeCola briefly explained that someone from the Chagrin Valley Women's Club was able to get Home Depot to re-furbish the dining room, by replacing the ceiling tiles and painting. Ms. DeCola stated that it looked completely different and that the labor is what is the hardest to obtain for a project like this.

COMMISSIONERS' OFFICE – RESOLUTION PROCLAIMING MAY AS MENTAL HEALTH MONTH IN GEAUGA COUNTY

Motion: by Commissioner Samide, seconded by Commissioner Jemison to approve and execute Resolution # 11-071 Proclaiming the month of May as Mental Health month for Geauga County.

Board of County Commissioners, Geauga County, Ohio

Resolution: 11-071
Date: May 3, 2011

**RESOLUTION PROCLAIMING THE MONTH OF MAY AS
MENTAL HEALTH MONTH FOR GEAUGA COUNTY**

WHEREAS, mental health disorders collectively make mental illness the most prevalent health problem in America today – more common than cancer, diabetes or heart disease; and

WHEREAS, during any one year period, up to 50 million Americans – more than 22 percent – suffer from a diagnosable mental disorder that interferes with relationships, employment, attendance at school, or activities of daily life; and

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WHEREAS, mental health problems affect all ages, including children, adults, and senior adults, regardless of gender, race, ethnicity, religion or economic status; and

WHEREAS, according to the U.S. Surgeon General, 10% of children and adolescents in the United States experience mental health disorders serious enough to cause significant functional impairment to their daily lives at home, at school, and with their peers; and

WHEREAS, with proper care and treatment, at least 70 percent of persons with mental illnesses experience a significant reduction of symptoms and an improved quality of life; and

WHEREAS, more than two-thirds of Americans who have a mental illness live in the community and lead productive lives; and

WHEREAS, the guiding principles of community-based mental health care have always been comprehensive, cost-effective, well managed, high quality consumer responsive services; and

WHEREAS, the Geauga County Board of Mental Health and Recovery Services, along with the National Mental Health Association, the National Council for Community Behavioral Healthcare, and their partners, celebrate Mental Health Month each year in May to raise awareness of mental health, mental illnesses, and the stigma that still exists pertaining to persons with emotional disabilities; and

WHEREAS, every year one in seven Geauga County residents receive services from the Geauga County Board of Mental Health and Recovery Services and its contract agencies, in the areas of prevention, intervention, support, and treatment services.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners hereby proclaims May 2011 as MENTAL HEALTH MONTH in Geauga County.

NOW, THEREFORE, BE IT RESOLVED THAT this Resolution become part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

OTHER

The Board reviewed upcoming events.

MEETINGS

5/2 – 5/6 Public Service Recognition Week

Tues., 5/3 Some of the Commissioners will attend the Chagrin River Watershed Partners, Inc. meeting 4:00 p.m. at the Willoughby Hills Community Center

*Thu., 5/5 **The Regularly scheduled Commissioners' meeting is cancelled.***

Thu., 5/5 Some of the Commissioners will attend the United Way Services Annual Meeting Luncheon, 12:00 p.m. at Notre Dame Education Center Auditorium

Thu., 5/5 Some of the Commissioners will attend the CASA Appreciation Evening 6:30 p.m. at Bass Lake Taverne Banquet Room

Tues., 5/10 The Commissioners will hold regular session.

Tues., 5/10 The Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street

Wed., 5/11 Some of the Commissioners will attend the All County Business After Hours 4:00 p.m. at Morning Star Friends Church, Chardon

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Thu., 5/12 The Commissioners will hold regular session.

Fri., 5/13 NOACA meeting at 10:00 a.m.

Mon., 5/16 Some of the Commissioners will attend the Western Reserve EERA meeting 10:00 a.m. at the Leonard Krieger CanalWay Center, Ohio & Erie Canal Reservation

Mon., 5/16 Board of Revision

Mon., 5/16 Family First Council meeting 2:00 p.m.

Tues., 5/17 The Commissioners will hold regular session

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 10:35 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

ABSENT

William S. Young

Mary E. Samide

Christine Blair, Commissioners' Clerk

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