

Commissioners' Journal
April 2, 2013

The Geauga County Board of Commissioners met in session on April 2, 2013 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 10:01 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute the minutes for the meeting of March 28, 2013.

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

APPROVE FINANCIALS

Budget and Finance Administrator Heidi Delaney explained the financials for today as including a Revenue Certification for the Engineer's Road Maintenance fund for issue 2 road projects; Supplemental appropriations for the Engineer's Office for equipment and road projects; a Cash transfer out of the General Fund for a portion of 2013 funding for the Youth Center; Travel requests for the Juvenile Court and the Office of Community and Economic Development; a contract for Fogle/Stenzel Architects for the Board of Developmental Disabilities Residential Downsizing Renovation in the amount of \$157,500.00; a purchase order for Preston Ford for the purchase of a 2013 Ford Escape for the Department of Job and Family Services in the amount of \$23,014.50; and a payment to Trapeze Software for the software maintenance contract for the Transit Department in the amount of \$20,989.00.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and execute Resolution #13-066 itemizing the financials for the meeting of April 2, 2013.

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

OHIO MILITARY KIDS MONTH

Consumer Affairs Specialist, Judy K. Zamlen-Spotts read the following statement:

I am a member of the Operation Enduring Freedom/Operation Iraqi Freedom / Operation New Dawn team with the Office of Veteran Affairs, the Louis Stokes VA Medical Center and am also a former member of 3rd BN, 25th Marines.

Please know that I am not here to represent the Office of Veteran Affairs today; my work with Ohio Military Kids is separate and completely a volunteer effort on my behalf. However, in the course of my work, I have extensive contact with military families through our Yellow Ribbon Campaigns.

The philosophy of the Yellow Ribbon Campaign is that no one should embark on a deployment or see a loved one deploy without first knowing the benefits, resources, and contacts to navigate the deployment cycle. This is the philosophy of the Yellow Ribbon Reintegration Program, a legislatively mandated program that helps Service Members and their families connect with their local support community before, during, and after deployments.

Two years ago, at a Yellow Ribbon pre-deployment, a mother and her seven year old son came to see me. The mom told me that her son had a question for me. This precious little boy looked up at me and said, "Can you ask God to make sure my dad comes home?" I was stunned. I struggled to respond in a supportive, yet truthful manner. I told the little boy, "I did not know about your dad before, but now that I do, I will pray for him every day." He accepted this and

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happily skipped away. His mother stood there, angrily, with her hand on her hip and said to me, "How did that feel" Was that hard?" I responded, "Yes, very hard." And she said, "Good, now you know what we go through every day." And then I understood.

She asked me if I would please help our military families in Geauga County and I said of course I would. And I have, I have done everything I can, responded to every request for help, but there is so much more to do. I was fortunate to have been contacted by Deborah O'Connor, the Director of the Geauga Library, whose staff has given me tremendous support in reaching out to our military families.

And most importantly, I am grateful to Commissioner Ralph Spidalieri for his kindness and amazing response to our request for support.

It is an honor to care for the military children of the men and women who serve our country. I want to thank you all for joining me in this most privileged mission.

Commissioner Jemison read the following resolution that was approved at their meeting on March 28, 2013:

Board of County Commissioners, Geauga County, Ohio

*Resolution: 13-064
Date: March 28, 2013*

**RESOLUTION PROCLAIMING APRIL AS THE MONTH OF THE MILITARY CHILD AND
ASK THAT EVERYONE PURPLE UP! AND SHOW THEIR SUPPORT IN GEAUGA COUNTY**

WHEREAS, Operation: Military Kids is a collaborative effort of the U.S. Army and America's communities to support children and youth who are affected by having family on deployment; and

WHEREAS, Operation: Military Kids goal is to bring together these children and youth through community support, identifying local resources available, and by educating the public about the impact a service member on deployment has on family members; and

WHEREAS, Operation: Military Kids ensures these children and youth have opportunities to gain leadership, organizational and technical skills by offering them a chance to participate in a range of recreational, social and educational programs; and

WHEREAS, Military families are everywhere throughout our country, but also in every county of the State of Ohio with an average of about 1,500 children at a time with a parent or family member on deployment; and

WHEREAS, Operation: Military Kids asks that everyone join together and support Ohio's military children and youth in the month of April and Purple Up!, as the color purple symbolizes in combination all branches of the military; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners hereby proclaims April as the Month of the Military Child and ask that everyone Purple Up! and show their support in Geauga County.

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

Commissioner Jemison and the Board presented Ms. Zamlen-Spotts with the resolution and thanked her, adding that the Board appreciates her bringing to them the need for all of us to remember some of those that are forgotten in the sacrifices of the parent or in some cases both parents, when they are serving our country.

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**TREASURER AND AUDITOR - MONTHLY STATEMENT OF COUNTY FINANCES –
FEBRUARY 2013**

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to accept, execute and file the monthly Statement of County Finances filed by the County Treasurer for the month of February, 2013 pursuant to O.R.C. 319.15.

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to accept, execute and file the monthly Statement of County Finances filed by the County Auditor for the month of February, 2013 pursuant to O.R.C. 319.15.

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

**COUNTY ENGINEER'S OFFICE – AWARD BID TO AERO-MARK, INCORPORATED –
IMPROVEMENT OF VARIOUS SECTIONS OF COUNTY ROADS BY APPLYING POLYESTER
PAVEMENT MARKINGS, YEAR 2013**

County Engineer Joe Cattell explained he was requesting to award bids, first for the Polyester Pavement Markings which is for about half of the county roads. Mr. Cattell added that it is roughly about 120 miles of centerline and 240 miles of edge lines. Mr. Cattell stated that the bid had come in about \$10,000.00 under estimate, adding that AERO-MARK had done work for them in the past and always had done a good job.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to award the bid to AERO-MARK, Incorporated for the Improvement of Various Sections of County Roads by Applying Polyester Pavement Markings, Year 2013 in the amount of \$264,402.00, as they represented the lowest and best bid. The Bid Bond submitted shall be held to serve as the Performance Bond for this project.

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

**COUNTY ENGINEER'S OFFICE – AWARD BID TO EASTON LEASING, INCORPORATED –
REPLACEMENT OF MUSIC STREET BRIDGE – RUSSELL TOWNSHIP**

Mr. Cattell explained that the Music Street Bridge would be replaced with a 26' x 7' precast box, that should move fast and not take the full thirty days given to the contractor. Mr. Cattell noted that there would be a detour during construction. Mr. Cattell added that Easton Leasing was out of Orwell and though not a regular, had done some other projects in the past. Mr. Jemison inquired if they would be communicating with the residents in advance of the project, to which Mr. Cattell agreed that they would be, and added that the bridge was located east of State Route 306 on Music Street.

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to award the bid to Easton Leasing, Incorporated for the Replacement of the Music Street Bridge (Structure #146-3.17) in Russell Township in the amount of \$176,785.00 as they represented the lowest and best bid. The Bid Bond submitted shall be held to serve as the Performance Bond for this project.

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

**COUNTY ENGINEER'S OFFICE – AWARD BID TO C.I.R., INCORPORATED –
REPLACEMENT OF AUBURN ROAD BRIDGE – AUBURN TOWNSHIP**

Mr. Cattell explained that the Auburn Road Bridge was located just north of Washington Street on Auburn and is a twelve foot by eight foot structure. Mr. Cattell stated that C.I.R. has done extensive work for the county on projects and does a great job. Mr. Cattell added that the contract is for thirty days with the hope that it will be finished sooner.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to award the bid to C.I.R., Incorporated for the Replacement of the Auburn Road Bridge (Structure #4-3.01) in Auburn Township in the amount of \$137,246.58 as they represented the lowest and best bid. The Bid Bond submitted shall be held to serve as the Performance Bond for this project.

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

OTHER – DISCUSSION – NEWCOMB ROAD

Commissioner Spidalieri inquired of Mr. Cattell if he was able to find anything out about Newcomb Road, adding that Middlefield Township has no funding available and is waiting on possible Federal funds. Mr. Cattell explained that he had gone out and taken a look at the road after it was talked about a few weeks back and what he originally thought might be a possibility would not work, as there is no base under the road. Mr. Cattell corrected that there would State funds that could possibly be available but not for another two to three years, but there would not be any Federal funding as the road is not on the Federal system. Mr. Cattell explained that he might be able to assist with a section by Georgia Road as there is a bridge that the county maintains. Mr. Spidalieri asked for clarification of whether the Townships receive money from residents. Mr. Cattell explained that is a misconception, most funds come from gas tax and license fees and are distributed through the State, if a Township has a road levy voted on by the residents then they receive funds from that. Mr. Cattell noted that gas tax funds are not much to a township and that some townships set aside funds in their general fund to use for road maintenance, but most often plowing and gravel on a dirt road takes a large portion of the budget. Further discussion took place with the Board and audience members regarding a “buggy tax” that had been proposed that would have required buggies to be plated and instead that the Amish community makes more of a donation payment, as there is no set amount. Mr. Cattell noted that those funds go to the County Engineer and are tracked and used for roads in Middlefield, adding as an example, the Shedd Road project this year. Mr. Spidalieri added that he would be attending a Middlefield Township meeting and asked Mr. Cattell to join him to help explain the situation with the funding as he had been told some words had been exchanged with the residents.

COMMISSIONERS' OFFICE – ADOPT REVISION TO SECTION 6. LEAVES – FAMILY MEDICAL LEAVE ACT (FMLA)

County Administrator David Lair explained that changes were made to the Family and Medical Leave Act (FMLA) mainly concerning military service members and veterans and that it had become effective on March 8, 2013 and was requesting the Board adopt those revisions into their policy manual. Mr. Lair explained that the provisions included the following:

Defining a covered veteran, consistent with statutory limitations, as limited to veterans discharged or released under conditions other than dishonorable five years prior to the date the employee's military caregiver leave begins.

Creating a flexible definition for serious injury or illness of a covered veteran, that includes four alternatives only one of which must be met.

Permitting eligible employees to obtain certification of a service member's serious injury or illness (both current service members and veterans) from any health care provider as defined in the FMLA regulations, not only those affiliated with the DOD, VA, or TRICARE networks (as was permitted under the 2009 regulations).

Extending qualifying exigency leave to eligible employees who are family members of members of the Regular Armed Forces and adding the requirement for all military members to be deployed to a foreign country in order to be on 'covered active duty' under the FMLA.

Increasing the amount of time an employee may take for qualifying exigency leave related to the military member's Rest and Recuperation leave from five (5) days to up to fifteen (15) days.

Creating an additional qualifying exigency leave category for parental care leave to provide care necessitated by the covered active duty of the military member for the military member's parent who is incapable of self-care.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to approve and adopt the revisions to Section 6. Leaves in the Commissioners' Personnel Policy Manual for the Family and Medical Leave Act (FMLA) to include U.S. Department of Labor Final Rule Revisions regarding Service Members, Veterans and their families to be effective March 8, 2013.

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

COMMISSIONERS' OFFICE – PUBLIC HEARING – PROPOSED VACATION ON NON-MAINTAINED SECTION OF NORTON STREET (TR 476) PARKMAN TOWNSHIP

Motion: by Commissioner Spidalieri, seconded by Commissioner Samide to waive the reading of the legal notice.

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

Commissioner Jemison opened the Public Hearing at 10:31 a.m. and asked County Engineer Joe Cattell to explain the proposed vacation. Mr. Cattell stated that this section is currently not used, that it is blocked by guardrail and is approximately sixty-seven feet long by nineteen feet wide. Mr. Cattell stated that it had been originally designed in what would have been Parkman Village, but incorporation as a village never actually took place. Mr. Cattell stated that this really only affects two property owners, and had not heard of any objections. Mr. Jemison noted for the record that the surrounding property owners had been notified. Mr. Cattell explained that one had been late getting notified but has no rights outside the third floor property they own; adding that once vacated the property would revert back to the property owners from the centerline. Being no further questions or comments the Public Hearing was closed at 10:33 a.m.

Mr. Jemison inquired about not having to hold a Public Viewing. Deputy Engineer Mike Stone explained that this section of Norton Street had been placed on non-maintained status in 2009, which means that there has not been any gas tax received on that section since and a township can start procedure to vacate and under that section that a viewing is not required.

COMMISSIONERS' OFFICE – AMEND MEETING SCHEDULE – FIRST AND THIRD THURSDAY SESSION HELD AT 7:00 P.M.

Commissioner Spidalieri proposed to amend the meeting schedule for 2013 to have session held every Tuesday and Thursday at 10:00 a.m. with the exception of the First and Third Thursday to be held at 7:00 p.m. in the Geauga County Commissioners' Chambers. Mr. Spidalieri explained there had been some confusion with his request in that he would prefer to reduce the meetings to once a week, having two a month at 10:00 a.m. and two at 7:00 p.m. Mr. Spidalieri noted that most Counties in the State only hold one meeting a week. Mr. Spidalieri continued by stating that since becoming a Commissioner that he has been asking the residents their interest of attending meetings, but received responses that it makes it difficult to attend during the day for those that work. Mr. Spidalieri stated that he had also asked the Youth Leadership class if they would attend meetings if they were held at night, to which they replied they would as they are in school during the day. Mr. Spidalieri expressed his belief of the Board doing a disservice to the younger population, adding that Directors and Elected Officials that have to attend to present are taken away from their offices, often twice a week when they could be doing more during those times. Mr. Spidalieri stated that he felt the process for the County Administrator and Clerk would be a lot easier only having to prepare the process once rather than twice a week. Mr. Spidalieri expressed that it would put people in an accountable position to meet deadlines and that evening meetings would allow for an opportunity to listen to the people we serve and what they have to say. Mr. Jemison expressed that if the Board met on two nights during the month that Elected Officials and Directors would still have to come if they were needed to be here. Local residents in the audience expressed their opinions regarding the schedule being of convenience to the Board and not to the taxpayers, that the voting public has a right to have more of an opportunity to attend meetings, and that evening meetings would show more transparency, giving more people a chance to attend and voice their opinions. They continued by stated that the Board was elected to serve the public and for that reason the public should be included in the opportunity to attend meetings. One resident expressed that he would have to

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think over the reduction of the meetings from two to one, that two full agendas compacted into one meeting could get very lengthy and might be too much. Mr. Jemison expressed that he felt cutting back to one a week could slow government down even farther, adding that he was not for eliminating meetings, but had no problem with the addition of a meeting, offering Saturday morning as a possibility. Ms. Samide expressed that as Commissioners they are required to sit on several boards meeting at different times throughout the month during the day and in the evening, adding that she is committed to attending Kiwanis meetings on Thursday evenings citing that they do a lot to help kids.

Residents continued expressing the want for evening meetings at least twice a month and that the Board should give up some of their other boards and that county business was more important. One resident stated that as long as the Board communicates with the public and keeps them informed about meetings and the willingness to have them participate this would be a 'feather in the cap' of any elected official, that with the public on board with participation it promotes communication, understanding and education. Another resident acknowledged a potential conflict with attendance at other meetings, that he could see pros and cons, but added that the Board was elected to represent the people of this county and that their input should be allowed to be given, adding that they should work out a day and night that works for them but that they should offer two meetings a month in the evening. The discussion continued with concern over Saturdays being a time for family, that it was noted that Wednesday evenings are the lightest Township meeting nights and that maybe a survey should be done via the paper to allow for more opinion. Mr. Jemison expressed concern over financials being approved in the morning allowing the Auditor's office to process payments that would go out that day. A resident offered that maybe the evening meetings are done a trial basis to see if anyone would even attend, maybe run them in the evening during the summer. Mr. Jemison offered the idea of continuing the Tuesday/ Thursday morning meetings but add a Tuesday evening meeting for the public to come and talk to us about concerns and to give their opinions. Commissioners' Clerk Christine Blair added that you would open the meeting on Tuesday morning then recess until the evening, reconvene, and follow up later by adjourning. Mr. Jemison responded by stating that we should try it, that the Board should come up with a day / date, speak with the Auditor regarding financials, figure out a time that works best and give it a try.

OTHER - RESIDENT QUESTION – RETIRE / REHIRE

A local resident questioned Ms. Samide regarding a recent article in the paper where she was quoted as being against retire/rehire but that her voting record showed something different. Ms. Samide stated that she was not in favor of it. Ms. Samide added that her personal feeling is that she is not in favor of it, as she did not even take it for herself, that per advice from the Prosecutor they cannot discriminate over who is hired, that she had voted in favor based on savings from part-time and with a ten percent decrease, lesser pay and lesser benefits. The resident continued by expressing that he had a problem that her voting record which states that she is in support of it, that it didn't matter what the Prosecutor stated, that the words she comes out don't matter, that it is her record that people look at. It was noted that another applicant for the position, Mr. Frenchie was passed over and Ms. Bell was rehired. Ms. Samide added that the position for Director will be being reposted for Full-time, that she feels it should be a Full-time position. Discussion continued with residents expressing that when you retire, you withdraw from one's position and that there is not a problem with a person who has retired being rehired back at another position, just so it is not in the same position they retired from. Another resident voiced concern over offerings of rehire not being fairly presented to everyone. Mr. Jemison clarified that the Commissioners' do not have any control over the Sheriff, and other Elected Officials.

ACKNOWLEDGEMENTS

- a) *The 2012 Annual Inventory of all materials, machinery, tools and other county supplies pursuant to ORC 305.18 for the following: Auditor, Board of Commissioners, and Public Defender*

OTHER

The Board reviewed upcoming events.

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MEETINGS

Thu., 4/4 The Commissioners' will hold regular session

Tues., 4/9 The Commissioners' will hold regular session

Tues., 4/9 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

Wed., 4/10 Child Abuse Prevention Month Kick-off, 11:30 a.m. Job and Family Services

Wed., 4/10 Geauga County Township Association Dinner, 6:30 p.m. at Legend Lake

Thu., 4/11 The Commissioners' will hold regular session

Fri., 4/12 NOACA meeting, 10:00 a.m. Cleveland

Mon., 4/15 Family First Council, 2:00 p.m. Mental Health & Recovery Services

Tues., 4/16 The Commissioners' will hold regular session

Wed., 4/17 Geauga Trumbull Solid Waste District Board of Directors meeting, 1:30 p.m. in Warren

Thu., 4/18 The Commissioners' will hold regular session

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SPIDALIERI ADJOURNED THE MEETING AT 11:13 A.M.

Gauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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