

**Commissioners' Journal**  
**March 5, 2009**

*The Geauga County Board of Commissioners met in session on March 5, 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 Vice President of the Board, Mary E. Samide opened the meeting at 10:04 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Young was absent from this session.*

**COUNTY ENGINEERS' OFFICE – ADVERTISE PUBLIC HEARING - IMPROVEMENT  
WILSON MILLS ROAD (CH 8, SECTION A-C) - CHESTER TOWNSHIP**

*Commissioner Jemison inquired as to the purpose of the public hearing to which Commissioners' Clerk Claudine Kozenko explained that the hearing is to listen to any objections or agreements to the pending project.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge Receipt of Plans for The Improvement of Wilson Mills Road (CH 8, Section A-C) Project in Chester Township per Resolution #05-182 approved October 18, 2005. This will set a public hearing to be held April 7, 2009 at 10:15 a.m. Notice of this hearing will be published on March 12 and March 19, 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>Absent</i>

**COUNTY ENGINEERS' OFFICE – ADVERTISE PUBLIC HEARING - IMPROVEMENT OF  
WILSON MILLS ROAD (CH 8, SECTION D-F)- CHESTER TOWNSHIP**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge Receipt of Plans for The Improvement of Wilson Mills Road (CH 8, Sections D-F) Project in Chester Township per Resolution #07-083 approved May 3, 2007. This will set a public hearing to be held April 7, 2009 at 10:20 a.m. Notice of this hearing will be published on March 12 and March 19, 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>Absent</i>

**COUNTY ENGINEERS' OFFICE – ADVERTISE PUBLIC HEARING - IMPROVEMENT OF  
WASHINGTON STREET (CH 606) - BAINBRIDGE TOWNSHIP**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge Receipt of Plans for The Improvement of Washington Street (CH 606) Project in Bainbridge Township per Resolution #06-079 approved May 23, 2006. This will set a public hearing to be held April 7, 2009 at 10:25 a.m. Notice of this hearing will be published on March 12 and March 19, 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>Absent</i>

**COUNTY ENGINEERS' OFFICE – ADVERTISE PUBLIC HEARING - IMPROVEMENT OF  
VARIOUS ROADS – INSTALLING OR REPLACING GUARDRAILS**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge Receipt of Plans for The Improvement of Various Sections of County Roads by Installing and /or Replacing Guardrails per Resolution #09-005 approved January 12, 2009. This will set a public hearing to be held April 7, 2009 at 10:30 a.m. Notice of this hearing will be published on March 12 and March 19, 2009.*

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

**SOIL AND WATER CONSERVATION DISTRICT – FINDING OF VIOLATION – RSR  
RUSSELL LLC – CYPRESS POND SUBDIVISION - RUSSELL TOWNSHIP**

*Commissioner Jemison inquired as to the process before issuing a violation. Shannon Mullins, Urban Stormwater Specialist responded that she conducted a site inspection analysis (EPA was on site as well) and sent them the notice and received no reply. There was a complaint from a neighbor who is taking the water from this pond that is causing channelization rather than a direct flow, which is not corrected. There still has been no response. Commissioner Jemison asked if they have had sufficient time since the notice to correct the situation. Ms. Mullins replied that they had more than a week to fix the situation. RSR Russell LLC never called to say they will get this fixed. With the Prosecutors letter they have fourteen days to clear up the situation.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to issue a “Finding of Violation” against RSR Russell LLC, regarding construction occurring on the Cypress Pond Subdivision, in Russell Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached “Site Inspection Report” (section 7.05) and to forward the “Finding of Violation” to the Geauga County Prosecutor for further action as necessary to secure required compliance.*

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

**OTHER**

*Ms. Kozenko informed the Board that, at the Director’s meeting, she suggested that those directors or their representative be present at session, when they have an item on the agenda to answer questions. The Board has a new Commissioner who may want further information on items that are presented at session and often has questions. Commissioner Jemison commented that he has been working for the county for 27 years, but not as a commissioner. Commissioner Jemison asked about the County Engineer presentation usually done in spring or late winter on upcoming projects. Ms. Kozenko will contact the Engineer.*

**BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES  
(MRDD) – CHANGE ORDER #1 – EASTON LEASING  
INCORPORATED**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Change Order #1 decreasing the contract with Easton Leasing Incorporated for the Transportation Drive, Bessie Benner Metzenbaum Center Project, in the amount of \$43,611.02, (new contract amount of \$53,794.12).*

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

**BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES (MRDD) –  
CERTIFICATE OF SUBSTANTIAL COMPLETION – EASTON LEASING INCORPORATED –  
TRANSPORTATION DRIVE PROJECT**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Certificate of Substantial Completion with Easton Leasing Incorporated for the Transportation Drive, Bessie Benner Metzenbaum Center Project, per Easton Leasing Incorporated payment request and approval by R.J. Associates, Architect, in the amount of \$53,794.12.*

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

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**BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES (MRDD) -  
RELEASE BID BOND – EASTON LEASING INCORPORATED – TRANSPORTATION DRIVE  
PROJECT**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to release the bid bond for the Transportation Drive Project at Metzenbaum Center for Easton Leasing Incorporated, as all specifications have been met.

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

**BUILDING DEPARTMENT – RESOLUTION TO ADOPT SPECIAL PURPOSE FLOOD  
DAMAGE REDUCTION UPDATED REGULATIONS AND ADVERTISE NOTICE OF  
ADOPTION**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve Resolution 09-031 to Adopt the Special Purpose Flood Damage Reduction Updated Regulations pursuant to O.R.C. 307.37 and 307.39, as adopted on March 3, 2009 with public hearings held on February 19, 2009 and February 26, 2009 at regular meetings of the Geauga County Board of Commissioners, authorization contained in O.R.C. Sections 307.37 and 307.85, and to further grant permission to advertise a Notice of Adoption and Availability on March 12, 2009 and the county web site.

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

**MAINTENANCE DEPARTMENT – RELEASE BID BOND – ACCEPT PERFORMANCE BOND  
– GARDINER SERVICE COMPANY – HVAC SERVICES PROJECT**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to release the bid bond and accept a performance bond for Gardiner Service Company the HVAC Services for County Buildings (HVAC 2008-2011) Project, for the periods 2008-2009, 2009-2010 and 2010-2011, as all specifications have been met.

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

**COMMISSIONERS' OFFICE – ADVERTISE PUBLIC HEARING – PROPOSED VACATION  
OF SO-CALLED BURTON ROAD – PARKMAN TOWNSHIP**

*Ms. Kozenko explained that a resident presented a petition to vacate this road but in the meantime the Engineer's Office began working with the township on this item so the petition was not needed.*

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to set a public hearing on the proposed vacation of So-Called Burton Road, from Main Market Road to Tavern Road, in Parkman Township on Thursday, April 2, 2009 at 10:30 a.m. Notice of this hearing will be published on March 12, 2009 and the county website.

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

**COMMISSIONERS' OFFICE – ADVERTISE PUBLIC HEARING – VACATION OF  
UNIMPROVED PORTION EDWARD STREET – PARKMAN TOWNSHIP**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to set a public hearing on the proposed vacation of Unimproved Portion of Edward Street, Section A, from so-called Burton Road to Smith Street, in Parkman Township on Thursday, April 2, 2009 at 10:40 a.m. Notice of this hearing will be published on March 12, 2009 and the county website.

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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>Absent</i>

**OTHER**

*The Board reviewed calendars.*

**ACKNOWLEDGEMENTS**

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending February 25, 2009 as required by O.R.C. 955.12.*

**MEETINGS**

*Tue., 3/10      The Commissioners will hold regular session.*

*Tue., 3/10      Planning Commission meeting at 7:30 p.m.*

*Thu., 3/12      The Commissioners will hold regular session.*

*Fri., 3/13      NOACA meeting at 10:00 a.m.*

*Tue., 3/17      The Commissioners will hold regular session.*

*Thu., 3/19      The Commissioners will hold regular session.*

*Fri., 3/20      NOACA Transportation Advisory Committee at 10:00 a.m.*

*Tue., 3/24      The Commissioners will hold regular session.*

*Tue., 3/24      Public Hearing on the petition for Ditch Improvement under Kenston Lake Drive at 6:30 p.m. at the Bainbridge Township Hall.*

*Thu., 3/26      The Commissioners will hold regular session.*

*Thu., 3/26      Board of Revision meeting at*

*Tue., 3/31      The Commissioners will hold regular session.*

*Tue., 3/31      Connect Ohio meeting at 2:00 p.m.*

***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 10:25 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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***ABSENT***  
*William S. Young*

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*Claudine Kozenko, Commissioners' Clerk*