

Commissioners' Journal
June 9, 2009

The Geauga County Board of Commissioners met in session on June 9, 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 10:05 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 4, 2009.

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

**Commissioner Samide was absent from this session.*

COMMISSIONERS' OFFICE – AGRICULTURAL SOCIETY REIMBURSEMENT – 2009 CAPITAL IMPROVEMENTS

Commissioners' Clerk Claudine Kozenko explained this request needed to go before the financials as it is included in today's financials.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the expenditure of \$35,000.00 in reimbursement to the Geauga County Agricultural Society for 2009 capital improvement projects, pursuant to O.R.C. 1711.15 and 1711.16.

<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 Heidi Delaney explained the financials as including a cash transfer for May interest and portions of operating transfers to the County Home Fund and the Courthouse Technology Fund; a purchase order for the Geauga County Agricultural Society in the amount of \$35,000.00 and one travel request. Commissioner Jemison inquired if the Court Technology item was for the whole year. Ms. Delaney replied this is a partial, it is the first third.

Motion: by Commissioner Jemison, seconded by Samide to approve and execute Resolution 09-108 itemizing the financials for the meeting of June 9, 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>

ENGINEER'S OFFICE – RONYAK PAVING, INCORPORATED CHANGE ORDER #1 - RESURFACE OF BASS LAKE ROAD NEWBURY

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Change Order #1 and final decreasing the contract amount with Ronyak Paving, Incorporated for The Asphalt Resurfacing of Bass Lake Road, (CH 23, Section A) in Newbury Township (Contract #RS-23A-09), in the amount of \$4,545.11.

<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' Journal
June 9, 2009

DEPARTMENT OF WATER RESOURCES – MUTUAL RELEASE AND SETTLEMENT AGREEMENT – WATERLINE EASEMENT - DANGELO LIMITED AND OHIO VALLEY GROUP INCORPORATED

Director Douglas Bowen explained this is the final release. Originally they tried to make a deal for \$12,000.00-\$13,000.00 and the owners decided to go to court to try to get \$50,000.00 to \$100,000.00. After going to court it came back to the original offer of \$13,000.00 and they had to pay a lot for lawyer fees and court costs. Mr. Bowen added that he received an email that the department will receive \$600,000.00 of stimulus money. The department sent a letter complaining that they had shovel ready projects. This is for the McFarland Inflow and Infiltration rehabilitation work. Mr. Bowen is trying to combine the stimulus money with Issue II monies (interest free) for this project.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Mutual Release and Settlement Agreement between the Geauga County Board of Commissioners, Department of Water Resources, Dangelo Limited and Ohio Valley Group Incorporated for the waterline easement on the Dangelo property in Bainbridge Township, in the amount of \$13,000.00.

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

PLANNING COMMISSION – 2009 FARM AND RANCH LANDS PROTECTION PROGRAM CERTIFICATION

Director Dave Dietrich explained this is federal paperwork. If they elect to submit a grant under FRPP then this form indicates that they will not use grant money from another source as a match for this grant. FRPP wants them to use their own funds as the match.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the certification for the 2009 Farm and Ranch Lands Protection Program (FRPP) Use of Matching Funds Certification 2009 Applicants certifying that the proposed funds used to match the funds provided by the Natural Resources Conservation Service do not come from Federal Funds of any type from any source.

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

DEPARTMENT OF EMERGENCY SERVICES – SUBSCRIPTION RENEWAL AGREEMENT

Director Dale Wedge explained this is the software used by the Sheriff's Office to notify responders of events such as the Perry drill. The responders then call in; this frees up dispatchers' time. This is being used for Hazmat Team and the Fire Investigation Unit. Ms. Kozenko asked Mr. Wedge to explain legal counsel's comments dealing with this agreement. Mr. Wedge replied that the Board should know that if there is litigation it will not be in a Geauga County court and the terms and conditions are subject to change. As long as this is in one year increments legal counsel did not have a problem with it.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute a Subscription Renewal Agreement for a web-based notification system for emergency responders for the period of one year beginning June 5, 2009, in the amount \$800.00.

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

GEAUGA COUNTY AIRPORT AUTHORITY – FAA GRANT PRE-APPLICATION – AIP PROJECT # 3-39-0054-1309 – RUNWAY REHABILITATION PHASE 1

Patty Fulop, Secretary/Treasurer/Manager explained the more urgent need was to do runway rehabilitation as the winter cold temperatures made the runway heave more than expected. The FAA airport liaison encouraged them to apply for \$415,000.00; their entitlements are \$150,000.00. Funds were expected to be available but it was then decided these funds were no

Commissioners' Journal
June 9, 2009

longer available. This is for basic repairs and engineer work and next year they plan to resurface. The county puts up the match of 5% on FAA grants. In the past year they have changed their FAA liaison and this liaison has decided that two grants can't be combined as they were in the past. If the airport were to get a grant to finish the runway without using FAA entitlement funds they would have to match 20% plus the engineering and that would be about \$100,000.00, which would be the county match. According to the agreement with the county the match can only be up to 25%. Ms. Fulop stated that the airport applied for a \$700,000.00 grant for stimulus funds for T-hangars but they have not heard anything on that. Ms. Fulop added that she may write a letter as Water Resources did and see what happens. Louise Stienbarger, from the audience, inquired if they are going to have another Airport Day to which Ms. Fulop that they do them every other year and are scheduled to do one in September of this year.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Federal Aviation Administration (FAA) Grant Pre-application for AIP Project # 3-39-0054-1309 for runway rehabilitation, Phase 1 construction in the amount of \$157,895.00 with \$150,000.00 as the FAA share and \$7,895.00 local match. The previous request under this grant number in the amount of \$415,000.00 was denied, this is reapplying for a more urgent need.

<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 – ORDER DITCH IMPROVEMENT – KENSTON LAKE DRIVE
County Engineer R.L. Phillips commented that the airport runway was built out of granulated slag, which sets up like concrete in slab type areas and then cracks, so there will always be a problem with the runway. It was built in 1969, part of Governor Rhodes' "An Airport in Every County".

Mr. Phillips stated he hopes to give a set of final plans to Bainbridge Township on the Kenston Lake Project by June 22. They will approve them and hopefully get all the easements worked out and then get the project moving forward. Ms. Kozenko added that the County Engineer's invoice for engineering service for the public hearing on Kenston Lake ditch petition will be forwarded to budget for payment.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to acknowledge execution of the Order for Ditch Improvement at Kenston Lake Drive, Culvert #299-0.20 Pursuant to O.R.C. 6131.

BEFORE THE GEAUGA COUNTY COMMISSIONERS
GEAUGA COUNTY, OHIO

<i>IN RE:</i>)	
)	
<i>PETITION FOR DITCH IMPROVEMENT</i>)	
<i>AT KENSTON LAKE DRIVE, CULVERT</i>)	
<i>#299-0.20 PURSUANT TO O.R.C. 6131.</i>)	<u>ORDER</u>
)	

A Petition for a Ditch Improvement at Kenston Lake Drive, Culvert # 299-0.20, Bainbridge Township, Geauga County, Ohio, was filed with the Clerk of the Geauga County Board of Commissioners (hereinafter referred to as "Board") by Petitioner Donna Patz, through a Power of Attorney provided to her by the property owner Anna Schulz (hereinafter referred to as "Petitioner") on September 19, 2008. An amended Petition was filed by the Petitioner on November 24, 2008, January 26, 2009 and March 24, 2009. The filing of the

Commissioners' Journal
June 9, 2009

Amended Petitions was allowed by the Board on March 24, 2009. A formal view of the proposed improvement was held by the Board on April 21, 2009 at 6:30 p.m. The first hearing before the Board was held on May 5, 2009 at 6:30 p.m. At the close of the public hearing the Board began the deliberative process. Unable to conclude their deliberations on that date, the Board continued the public hearing to June 4, 2009 at 6:30 p.m. at which time the Board was to continue with their deliberations.

Prior to the date of the continued public hearing to be held on June 4, 2009, the Bainbridge Township Board of Trustees (hereinafter referred to as "Township") passed Resolution No. TR 2009-0528-A entitled: "RESOLUTION OF CONVENIENCE AND NECESSITY FOR THE REPLACEMENT OF STRUCTURE # 299-0.20 ON KENSTON LAKE DRIVE, Bainbridge Township, Geauga County, Ohio", a copy of which is attached. A copy of the Resolution was forwarded to the County Engineer by the Township instructing the Engineer to undertake the repair and/or replacement of the Culvert # 299-0.20 as a Township project.

In light of the declaration by the Township that the repair and/or replacement of Structure # 299-0.20 on Kenston Lake Drive (TR 299) will be performed under the direction and at the cost of the Township, the Board finds the Petition for Ditch Improvement filed by the Petitioner to be moot and hereby dismisses the Petition.

The Board further finds that the bond filed by the Petitioner shall be applied to the costs incurred by the County Engineer in making his preliminary report, and any costs remaining in excess of the bond shall be paid by the county.

IT IS SO ORDERED.

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

OTHER

The Board reviewed upcoming events and their calendars.

Ms. Kozenko showed the Board the new format she found for the booklet for the pictures of the members of the various boards, and mentioned they are moving forward with this project.

RECESS

Motion: by Commissioner Jemison, seconded by Commissioner Samide to move into recess until 11:00 a.m. for the Public Hearing.

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

The Board returned from recess at 11:03 a.m.

Commissioners' Journal
June 9, 2009

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING #2

Commissioner Young opened Public Hearing #2 to discuss Geauga County's application to the Ohio Department of Development, Office of Housing and Community Partnerships for funding under the Fiscal Year 2009 Small Cities Community Development Block Grant (CDBG) Formula Program grant #B-F-09-026-1 to be held in conjunction with public hearing #2 for CDBG Microenterprise Program.

Director Anita Stocker stated that the grant is for \$242,000.00 and of that amount \$193,600.00 can be used for projects and the rest is for administration. Of the \$193,600.00 they can select six projects or less. There are thirteen projects this year.

Geauga Metropolitan Housing Authority – GMHA - presenter: Dawn Farrell – public rehabilitation of five bathrooms located at Murray Manor and Harris House in Chardon, converted to walk-in showers for the benefit of seniors and disabled living in the units - \$25,500.00 – CDBG Request \$20,400.00

City of Chardon – presenter: Randy Sharpe - Public Rehabilitation at Chardon City Hall by installing automatic entry to the main double doors and the vestibule double doors for ease of entry for seniors and disabled visitors - \$32,500.00 – CDBG Request \$27,500.00

Restful Lake – presenter: Jim Guyette - Parks and Recreation and Street Improvements including a gazebo with ramp and bench seating, picnic tables, benches, Yacht play station gym, stop signs, private property signs, speed limit signs, rules sign and Restful Lake signs \$15,500.00 – CDBG Request \$15,400.00

Maple Leaf Community – presenter: Keith Weirbach - Private Rental Rehabilitation to kitchens in two MLCR homes in Burton and Hambden, ADA upgrades include replacement of cabinets, flooring and wheelchair accessible countertops - \$23,250.00 - CDBG Request \$21,000.00

Kiwanis Lake Community – presenters: Cindy and John Chambers – Neighborhood Facilities to rehabilitate the Kiwanis Lake Community Center including replacement of fourteen windows, new roof and four trash pick up days - \$15,820.00 – CDBG Request \$15,820.00

Geauga Historical Society – presenter: Cheryl McNulty – Sidewalk Improvement within Century Village to extend the sidewalk from the Log Cabin to Military Exhibit Hall - \$6,300.00 - CDBG Request \$6,000.00

Nero Nature Preserve Trail – presenter: Trustee Irene McMullen – Parks and Recreational facilities to construct 2700 lf of asphalt paved walking trails in Munson Township - \$66,100.00 - CDBG Request \$66,100.00

Geauga Habitat for Humanity Chagrin Falls Park – presenter: Christine Bucknell - New Construction of one 1,300 sf single family house to be located on Dayton Street in Chagrin Falls Park - \$75,000.00 – CDBG Request \$20,000.00

DDC Clinic – presenter: Patti Gallagher – Public Service to perform 400 DNA testing for mostly Amish residents for cardiomyopathy and other genetic diseases - \$60,000.00 - CDBG Request \$30,000.00

Geauga County Agricultural Society – Sidewalk Improvements and Parking Facilities at Gate 8 and sidewalk improvements only at Gate 9 - \$63,000.00 – CDBG Request \$63,000.00

Geauga Lyric Cultural Arts Center – presenter Greg Pribulsky and Chris Cipriani – Public Rehabilitation at the “Nolan” building to upgrade the current bathrooms to ADA standards including demolition, drywall, tile, paint and fixtures - \$36,900.00 – CDBG Request \$36,900.00

Geauga County Maintenance – Public Rehabilitation to provide ADA renovation to public bathrooms in buildings #5 and #2, including demolition, new fixtures, flooring, doors and tile- \$90,000.00 – CDBG Request \$90,000.00

Aquilla Village – presenter: Bill Conti – Parks and Recreation Facilities to provide fencing to existing ballfield in Aquilla Village for surrounding area children and groups \$33,700.00 – CDBG Request \$33,700.00

Commissioners' Journal
June 9, 2009

Ms. Stocker added that this hearing is also for the Microenterprise Program, if the Board should ever decide to do this program. There is a maximum of \$25,000.00 to a qualified business for loans without bank participation. This would be for small start up companies. The Board would waive the funds from the CDBG Revolving Loan Fund to set up that program.

Ms. Stocker, in conclusion, explained to the Board that she is looking for a decision by Thursday, June 9. Some things the Board may want to consider in deciding on the projects is if some of these projects could wait another year and which ones need to come before other projects. Ms. Stocker added that the State requires a maximum of only six projects basically to make sure they all get done as scheduled and the grant gets completed. The Board could make the recommendation at the next session. The grant is due to the State by June 26. Commissioner Young asked if they could still give less money than the presenter requested. Ms. Stocker said it can be broken up and if the Board will inform her she will run the amount by the requester to make sure they can make up the difference and to still be able to accept the grant funds.

Being no further comments Commissioner Young closed the public hearing at 12:10 p.m.

COMMISSIONERS' OFFICE - EXECUTIVE SESSION

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

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

The Board returned at 12:51 a.m. No action was taken as a result of this executive session.

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.*
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending June 3, 2009 as required by O.R.C. 955.12.*
- c) The Monthly Inventory Report, Consolidated Investment Portfolio and Obligations and Securities monthly reports filed by the Treasurer's Office for Geauga County for the Month of March 2009, pursuant to ORC 135.35(L).*
- d) The Portage-Gauga juvenile Detention Center 2010 Proposed Tax Budget.*

MEETINGS

- Tue., 6/9 Planning Commission meeting at 7:30 p.m.*
- Thu., 6/11 The Commissioners will hold regular session.*
- Fri., 6/12 NOACA 10th Annual Summit*
- Mon., 6/15 Board of Revisions at 8:45 a.m.*
- Tue., 6/16 The Commissioners will hold regular session.*
- Thu., 6/18 The Commissioners will hold regular session.*
- 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.*

Commissioners' Journal
June 9, 2009

- 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-Geauga 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 12:51 P.M.

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

William S. Young

Claudine Kozenko, Commissioners' Clerk