

Commissioners' Journal
February 9, 2010

The Geauga County Board of Commissioners met in session on February 9, 2010 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, Mary E. Samide 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 Young, seconded by Commissioner Jemison to approve and execute the minutes for the meeting of February 4, 2010.

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

APPROVE FINANCIALS

Budget Specialist Heidi Delaney explained the financials as including a Revenue Certification for Transit Department's Capital Fund (T82) for ARRA funds in the amount of \$500,000.00; a supplemental appropriation to the Board of Mental Health Operating Fund to appropriate tax revenue from the passage of the levy; cash transfers include January 2010 earned interest for Community Development and Board of DD funds, a portion of the 2010 funding for the County Home and Soil and Water Departments; two travel requests for the Public Defender's Office and one for the Department of Water Resources; vouchers for a quarterly payment for 2010 to Portage/Gauga County Juvenile Detention Center in the amount of \$98,820.00; and a payment to the State of Ohio for the purchase of six Sheriff vehicles in the amount of \$119,109.30.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-022 itemizing the financials for the meeting of February 9, 2010.

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

COUNTY TREASURER AND COUNTY AUDITOR – MONTHLY STATEMENT COUNTY FINANCES

Motion: by Commissioner Young, seconded by Commissioner Jemison to accept, execute and file the monthly Statement of County Finances filed by the County Treasurer for the month of January 2010 pursuant to O.R.C. 319.15.

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

Motion: by Commissioner Young, seconded by Commissioner Jemison to accept, execute and file the monthly Statement of County Finances filed by the County Auditor for the month of January 2010 pursuant to O.R.C. 319.15.

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

AUDITOR'S OFFICE – REFUND FEE – TROY OAKS PARK MANUFACTURED HOME TRANSFER

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize a refund for the fee from the transfer of a Manufactured Home, number 00992, conveyance number M005, issued to Troy Oaks Park on Homestead for

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the correct amount of \$1.00 per \$1,000.00 instead of \$4.00, in the amount of \$117.00.

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

SHERIFF'S OFFICE – EQUITABLE SHARING AGREEMENT – USDOJ/DEA JOINT CLEVELAND TASK FORCE

Sheriff Dan McClelland explained that they participate in a federal task force and as a result they get to share in the monies and proceeds that are confiscated from criminals. There are restrictions how the funds can be used, this report shows the usage. They mostly use the proceeds for training and some equipment needs, which are permissible uses. This task force deals particularly with a lot of narcotic movements.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the annual Equitable Sharing Agreement and Certification form (OMB 1123-0011) documenting the Federal Funds received and expended as part of the USDOJ/DEA Joint Cleveland Task Force.

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

ENGINEER'S OFFICE – RESOLUTION TO PARTICIPATE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING

County Engineer R.L. Phillips explained that this will be used strictly for upgrading signs to high intensity. This will include speed limit, stop signs and curve signs. The department is replacing signs now on all the roads that they resurface. By 2017 the street signs have to be changed as well. Mr. Phillips added that they have made some of these signs available to the townships.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-023 to Participate in the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program.

Board of County Commissioners, Geauga County, Ohio

Resolution: 10-023
Date: February 9, 2010

**RESOLUTION TO PARTICIPATE IN THE
ODOT COOPERATIVE PURCHASING PROGRAM**

WHEREAS, Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners and the Geauga County Engineer hereby requests authority in the name of Geauga County to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby authorized by the Board of County Commissioners to be bound by all the terms and conditions as the Director of Transportation prescribes.

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BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby authorized by the Board of County Commissioners to directly pay vendors, under each such contract of the Ohio Department of Transportation in which Geauga County participates, for items it receives pursuant to the contract.

BE IT FURTHER RESOLVED that the Board of County Commissioners agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The Board releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which Geauga County may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

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

ENGINEER'S OFFICE – STABLE CONSTRUCTION COMPANY UNIT PRICE CONTRACT

Mr. Phillips stated that their share of this project is currently \$41,000 but they hope to get it reduced with the credit bridge program. If they build a bridge themselves with their money they can sometimes turn that into credit to be used against a federal project such as this one. Mr. Phillips added that this is one of the few truss bridges left in the county, there may be about three others. These bridges are no longer a good structure to use in this climate. Commissioner Young commented that he likes the truss bridge on Dines Road.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute a Unit Price Contract (BR-144-1.72-10) Stable Construction Company LLC for the Replacement of the Dines Road Bridge (Structure #144-1.72) in Russell Township, in the amount of \$515,453.00.

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

ENGINEER'S OFFICE – RESOLUTION, TITLE SHEET, BID OPENING –GEORGIA ROAD RECONSTRUCTION

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-024 to Order the Reconstruction of Georgia Road (CH 40, Sections A&B) in Burton Township.

This resolution also requests the Board approve and execute the title sheet for plans for the same.

Further, the resolution sets a bid opening on Wednesday, March 10, 2010 at 2:00 p.m. Notice of the bid opening will be advertised on February 18, 2010 and posted on the county web site.

Board of County Commissioners, Geauga County, Ohio

Resolution: 10-024
Date: February 9, 2010

**RESOLUTION TO ORDER THE IMPROVEMENT OF SECTIONS A AND B OF
GEORGIA ROAD (CH 40) IN BURTON TOWNSHIP**

WHEREAS, the Board of County Commissioners of Geauga County has determined by Resolution #07–207 that the public convenience and welfare require the improvement of Georgia Road (CH 40) from Tavern Road (SR 168) to Old State Road (SR 608) in Burton and Middlefield Townships by constructing and reconstructing culverts, performing drainage improvements, cement stabilizing, asphalt paving and improving the shoulders as necessary in accordance with Section 5555.022 of the Ohio Revised Code; and,

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WHEREAS, the Geauga County Engineer has determined that this project be built in phases to better serve the public and that the westerly section of the Georgia Road project has been designed; and

WHEREAS, to date, there has been no objections from owners for the easements and lands needed to be taken relative for this improvement to Georgia Road; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and

WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans and specifications with the County Engineer in public session for the improvement of Sections A and B of Georgia Road, is satisfied that the public convenience and welfare require that said improvement be made.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Board of County Commissioners in accordance with Section 5555.022 of the Ohio Revised Code hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from local funding sources in accordance with Section 5555.43 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners is hereby ordered to let this project for bids in accordance with Section 5555.61 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 P.M. and opened at 2:00 P.M. on Wednesday, March 10, 2010 at which time the bids shall be read aloud.

BE IT FURTHER RESOLVED that the Clerk of the Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to the Board of Trustees of Middlefield Township, the Board of Trustees of Burton Township and the Geauga County Engineer.

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

ENGINEER'S OFFICE – GEORGIA ROAD HIGHWAY AND DRAINAGE EASEMENTS

Mr. Phillips explained that they are replacing the culvert where the dip is in the road which will be long enough to eliminate the guardrail. Commissioner Jemison added that this is what the residents wanted in that area.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute an Easement for Highway Purposes with Erwin E. Gingerich, Jr. and Ida E. Gingerich (part of parcel #04-050100) for the Georgia Road (CH 40, Sections A&B) Project in Burton Township in the amount of \$1.00.

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

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute an Easement for Drainage Purposes with Erwin E. Gingerich, III and Barbara Gingerich (part of parcel #04-033300) for the Georgia Road (CH 40, Sections A&B) Project in Burton Township in the amount of \$100.00.

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

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute an Easement for Drainage Purposes with John Kawalec and Jacquelyn

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Ann Kawalec (part of parcel #04-129701) for the Georgia Road (CH 40, Sections A&B) Project in Burton Township in the amount of \$165.00.

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

DEPARTMENT OF WATER RESOURCES – SUSZYNSKI CONSTRUCTION INCORPORATED SERVICE CONTRACT

Motion: *by Commissioner Young, seconded by Commissioner Jemison to approve and execute a service Contract Agreement with Four Seasons Construction and Roofing, Incorporated to perform construction and roofing services as needed at various county buildings within the department for the 2010 Year, in an amount not to exceed \$2,500.00.*

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

DEPARTMENT OF EMERGENCY SERVICES – FY 2009 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT APPLICATION

Secretary Dale Wedge and Chief Deputy and Chairman of the Terrorism, Planning and Mitigation Committee Scott Hildenbrand were present for this discussion. Chief Deputy Hildenbrand explained that the committee met and of the available \$98,738.12 funds 25% of those funds (\$24,684.53) had to be used for planning, training and exercises. Chief Deputy Hildenbrand explained the projects that were selected and the approximate amounts: Structural Collapse Operations Course - \$8,000.00, GIS Update Interior Photo Mapping - \$ 37,238.12, Multi-Gas Meter Project - \$18,000, Rehab Unit Project - \$7,000, Confined Space Rescue Project - \$5,000.00, Geauga County Sheriff's Communications Unit Support Project - \$5,000, Equipment Maintenance Project - \$6,000, K-9 Unit Support Project - \$6,000, and Incident Command Post and EOC Support Project - \$6,000.

Motion: *by Commissioner Young, seconded by Commissioner Jemison to approve the submission of the FY 2009 State Homeland Security Program (SHSP) Grant application, in the amount of \$98,738.12 with no local match and to authorize the Department of Emergency Services Director to execute the appropriate application forms.*

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – ARRA PROJECT CERTIFICATION – OHIO WATER POLLUTION CONTROL LOAN

Program Coordinator Rhea Benton explained that last summer they were awarded \$180,000 through Ohio EPA to install septic systems in the county. They were able to find eleven households that could take advantage of this grant. The key was to find households with low income, 200% of the poverty level, and households that could contribute 25% of the project cost. They were able to utilize \$135,000 of the grant.

Motion: *by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Ohio Environmental Protection Agency American Recovery and Reinvestment Act of 2009 (ARRA) Project Certification form and the Ohio Water Pollution Control Loan Fund (WPCLF)/ARRA Funds form (Exhibit 1) to decrease the amount of WPCLF/ARRA assistance to the amount of \$135,028.77.*

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

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OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – REVOLVING LOAN FUND
REVIEW REPORT – ZIMCO LLC

Director Anita Stocker explained that this is one of the initial review reports and is not a binding document. Zimco is looking to lease a small place in Middlefield to begin production for their company. This has been reviewed by the Revolving Loan Committee. Ms. Stocker added that she is trying to clear up some items, such as environmental clearances, with the state before presenting the letter of commitment.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Revolving Loan Fund Loan Review Report Form for Zimco, LLC for a loan in the amount of \$35,000.00 from the Revolving Loan Fund for 48 months.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – 2010 SURFACE WATER
IMPROVEMENT FUND (SWIF) GRANT APPLICATION

Ms. Stocker stated that EPA has opened another opportunity for a grant for a variety of things. One of the opportunities in it is septic system replacement. The department filed for this grant because there was no income disqualification, however, you still must put in 25% of the cost of the project. They have been working the Health Department on this grant. The Chagrin River Watershed was found to have the most failing systems. They may be able to do six systems that are averaging around \$12,000. This will be first come first served and everyone on the Chagrin River Watershed list will receive information on the grant. Commissioner Samide added that the paperwork only indicates Chester, Russell, Auburn and Bainbridge but there are others in the Chagrin River Watershed like Munson, Newbury, Chardon, South Russell and Claridon, albeit little pieces. Ms. Stocker will update the document to include all the townships touched by the Chagrin River Watershed.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Ohio EPA Division of Surface Water 2010 Surface Water Improvement Fund (SWIF) Grant Application for the replacement of failing septic systems in the Chagrin River Watershed located in Geauga County, in the amount of \$75,000.00.

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

COMMISSIONERS' OFFICE – RESOLUTION HONORING JOSEPH H. WEISS JR.

Arch Kimbrew Jr., Director Board of Elections was present for the reading of the resolution and invited everyone to the celebration on February 23. Commissioner Jemison commented that Mr. Weiss did a great job and did not stay in political lines, he represented all the residents of Geauga County. Commissioner Samide added that he will be missed. Mr. Kimbrew stated that Mr. Weiss has seen a lot of changes over the years and added that Mr. Weiss did what was best for everyone.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-025 Honoring Joseph H. Weiss Jr.

Board of County Commissioners, Geauga County, Ohio

Resolution: 10-025
Date: February 9, 2010

A RESOLUTION HONORING JOSEPH H. WEISS, JR.

WHEREAS, Joseph H. Weiss, Jr. after graduating from St. Ignatius High School, went on to college at John Carroll University and John Marshall Law School of Cleveland State University; and

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WHEREAS, Joseph H. Weiss, Jr. has served the people of Geauga County in many ways, as a Chester Township Trustee, Assistant Prosecutor, Public Defender, Acting Judge and Magistrate for the Chardon Municipal Court as well as through his own private law practice; and

WHEREAS, Joseph H. Weiss, Jr. is a Life member of the Geauga County Bar Foundation, a member and currently President of the Geauga Bar Association, member of the Geauga Bar Association Grievance Committee, along with the Ohio State and the Cleveland Bar Association; and

WHEREAS, Joseph H. Weiss, Jr. continues his dedication by serving on the Board of Trustees and as President of the Famicos Foundation, the Board of Commission on Character and Fitness, along with the last twenty-eight (28) years on the Board of Elections; and

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby celebrate and honor Joseph H. Weiss, Jr. for his service and dedication to the Board of Elections, his community and his county; and

BE IT FURTHER 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 Young</i>	<i>Aye</i>
	<i>Commissioner Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>

OTHER

The Board reviewed calendars and events.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

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

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

The Board returned from executive session at 11:15 a.m. No action was taken as a result of this executive session:

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending February 2, 2010 as required by O.R.C. 955.12.*
- b) 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 2010, pursuant to ORC 135.35(L).*

MEETINGS

Thu., 2/11 The Commissioners will hold regular session.

Thu., 2/11 Chagrin River Watershed Partners Board of Trustees Meeting 4:00 p.m., Mayfield Village Civic Center

Fri., 2/12 CIC 2010 Economic Update with Dr. Ken Mayland, ClearView Economics, LLC at the Red Maple Inn at 7:30 a.m.

Fri., 2/12 Some of the Commissioners will attend the Leadership Geauga lunch meeting

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Fri., 2/12 NOACA Governing Board meeting

*Mon., 2/15 **The County Offices will be closed in honor of Presidents Day.***

*Tues., 2/16 **The Commissioners' regular session is cancelled.***

Thu., 2/18 The Commissioners will hold regular session.

Tue., 2/23 The Commissioners will hold regular session.

Thu., 2/25 The Commissioners will hold regular session.

Tue., 3/2 The Commissioners will hold regular session.

Thu., 3/4 The Commissioners will hold regular session.

Thu., 3/4 A public hearing on the proposed amendment to the County Subdivision Regulations will be held on March 4, 2010 at 10:30 a.m. in the Commissioners' Chambers.

Tue., 3/9 The Commissioners will hold regular session.

Tue., 3/9 Planning Commission meeting at 7:30 p.m. at Building #1C, 470 Center Street

Fri., 3/12 NOACA Governing Board meeting at 10:00 a.m. at NOACA Offices

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER SAMIDE ADJOURNED THE MEETING AT 11:15 A.M.

Geauga County Board of Commissioners

William S. Young

Tracy A. Jemison

ABSENT
Mary E. Samide

Claudine Kozenko, Commissioners' Clerk