

Commissioners' Journal
October 14, 2010

The Geauga County Board of Commissioners met in session on October 14, 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 10:04 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 October 7, 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 Administrator Heidi Delaney explained the financials as including an appropriation transfer from the Contingency account for additional postage appropriations needed for the remainder of 2010; cash transfers out of the General Fund for September 2010 earned interest for Community Development and Board of Developmental Disabilities funds and the fourth quarter funding for Community Development; a cash transfer into the General Fund for payment of the fourth quarter cost allocation for Water Resources; travel requests for Common Pleas Court and Department of Job and Family Services; and a purchase order for Pictometry International for the purchase of critical 360 pictometry equipment for the Department of Emergency Services in the amount of \$22,649.00.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-193 itemizing the financials for the meeting of October 14, 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>

ENGINEER'S OFFICE – AMEND MOTION OF OCTOBER 5, 2010 – EDWARDS LANDING MORTGAGE DEEDS

Commissioners' Clerk Claudine Kozenko stated that this motion is being amended because apparently subplot #25 was omitted on the original motion request.

Motion: by Commissioner Young, seconded by Commissioner Jemison to amend the motion of October 5, 2010, "approve , accept and execute the Mortgage Deed for sub lot #26 in Edwards Landing for the performance guaranty for the remaining work to be completed for Canyon Lakes Colony Subdivision Phase 13A in Bainbridge Township and for the acceptance of all sanitary sewers, waterlines and appurtenances that have been constructed in accordance with the Geauga County Department of Water Resources standards within the public right-of-way or easements platted on the final plat" to read: " approve, accept and execute the Mortgage Deeds for sub lots #25 and #26 in Edwards Landing for the performance guaranty for the remaining work to be completed for Canyon Lakes Colony Subdivision Phase 13A in Bainbridge Township and for the acceptance of the maintenance guaranty and all sanitary sewers, waterlines and appurtenances that have been constructed in accordance with the Geauga County Department of Water Resources standards within the public right-of-way or easements platted on the final plat".

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

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Commissioner Samide Aye

ENGINEER'S OFFICE – CAMINO CONSTRUCTION CHANGE ORDER – GEORGIA ROAD A&B

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Change Order #1 and final decreasing the contract amount with Camino Construction, Incorporated for the Reconstruction of Georgia Road (CH 40, Sections A & B) in Burton Township, in the amount of \$26,535.50.

<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 – RESCIND MOTION OF NOTICE OF AWARD – EARTH EXCAVATING

Program Coordinator Rhea Benton reported that there were several bids out at the same time and this contractor had bid on the wrong property. This project had to be rebid and the department is entering into a contract with another bidder.

Motion: by Commissioner Young, seconded by Commissioner Jemison to rescind the motion of August 17, 2010 “to approve and authorize the President of the Board to execute a Notice of Award to Earth Excavating for demolition of a structure at 10721 Mulberry Road, Munson Township under the Revolving Loan Infrastructure Program, as they represented the lowest and best proposal, in the amount of \$4,900.00”, the contractor has requested that their proposal be withdrawn.

<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 – SAUNDERS EXCAVATING NOTICE OF AWARD – 10721 MULBERRY ROAD PROPERTY

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute a Notice of Award to Saunders Excavating for demolition of a structure at 10721 Mulberry Road, Munson Township as they represented the lowest and best proposal, in the amount of \$5,200.00 utilizing Program Income Funds.

<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 – CHANGE ORDER – EXTEND COMPLETION DATE

Ms. Benton explained that the change order is to extend the completion date. The homeowner was charged with having to remove electric lines which they did not remove in a timely fashion so the contractor will be given more time.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute Change Order #2 extending the completion date from October 12, 2010 to October 19, 2010 for demolition of a structure at 8838 Washington Street, Bainbridge Township as C.E.I. had not been called to remove electrical lines from the structure prior to the date the contractor was to begin demolition. This structure is owned by Michael and Tracy Brent and is utilizing Program Income Funds.

<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 – INCREASE ADVERTISEMENT FOR MAINTENANCE WORKER

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Assistant Sanitary Engineer Gerard Morgan explained that Mr. Januska has submitted his resignation and as a result there is an open supervisor position at the McFarland Creek plant. The department would also like to post internally for the position of a maintenance worker as they believe a current McFarland employee is capable of taking the supervisor position and will apply for the position which will leave a maintenance worker vacancy.

Motion: by Commissioner Young, seconded by Commissioner Jemison to increase the number of advertised Full-time Maintenance worker (#2330) positions it authorized in its previous motion of September 23, 2010 from one to two positions with the second position location being McFarland Waste Water Treatment Plant. The additional position will be advertised as such as both positions will remain open until filled.

<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 – RETIREMENT RESIGNATION - ROBERT JANUSKA

Motion: by Commissioner Young, seconded by Commissioner Jemison to accept the retirement resignation of Bob Januska, McFarland Waste Water Treatment Plant Supervisor to be effective October 31, 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>

DEPARTMENT OF WATER RESOURCES – INTERNAL POSTING MCFARLAND SUPERVISOR

Motion: by Commissioner Young, seconded by Commissioner Jemison to grant permission to advertise internally for a period of five (5) days for the position of McFarland Supervisor (#2301). The Department is electing to advertise internally in hopes that the position can be filled from within the department. This is not required by the Union contract as this is a non-union position.

<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 – RETIREMENT RESIGNATION – RICHARD MOORE

Motion: by Commissioner Young, seconded by Commissioner Jemison to accept the retirement resignation of Richard Moore, Construction Inspector, to be effective October 30, 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>

DEPARTMENT OF WATER RESOURCES – RESOLUTION DEBBIE FRY – THIRTY YEARS OF SERVICE

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution #10-194 honoring Debbie Fry, Utility Billing Coordinator on the occasion of attaining thirty (30) years of service.

<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>

BOARD OF DEVELOPMENTAL DISABILITIES – HUMMEL CONSTRUCTION CHANGE ORDER – TRANSPORTATION FACILITY

Supervisor of Business Affairs, Cheryl Moster explained that the excavator was installing the sanitary sewer line and crushed the storm water line as it was not as deep as listed on the

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blueprints and therefore he crushed the sewer line. It has to be replaced and will be put in deeper so the storm line can pass over top of the sewer line.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Change Order #3 increasing the contract with Hummel Construction Company for the Transportation Facility at the Metzenbaum Center to lower the grade of the existing 12" storm sewer pipe for new 8" sanitary sewer pipe to pass over the top, in the amount of \$1,921.85.

<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>

SOIL AND WATER CONSERVATION DISTRICT – FINDING OF VIOLATIONS

Robert A. Griesmer, District Technician stated that "it is that time of year" to get things tidied up. Due to the economy the Coldwater Reserve project isn't finished up yet and now there are some sediment and erosion control issues. The other two are residential properties and sediment and erosion control issues are needed there also, especially at this time of year.

Motion: by Commissioner Young, seconded by Commissioner Jemison to issue a "Finding of Violation" against Mr. Ryan Sommers, Coldwater Reserve subdivision in Hambden Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached "Site Inspection Report" (Section 7.09) and to forward the "Finding of Violation" to the Geauga County Prosecutor for further actions as necessary to secure required compliance.

<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 issue a "Finding of Violation" against Loncar Construction at 11280 Sutton Place (Nottingham subdivision) in Munson Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached "Site Inspection Report" (Section 7.03 and 7.15) and to forward the "Finding of Violation" to the Geauga County Prosecutor for further actions as necessary to secure required compliance.

<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 issue a "Finding of Violation" against Enzoco Construction at 11330 Sutton Place (Nottingham subdivision) in Munson Township for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the attached "Site Inspection Report" (Section 7.03 and 7.15) and to forward the "Finding of Violation" to the Geauga County Prosecutor for further actions as necessary to secure required compliance.

<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 – THOMAS SHIRK – 800 MHZ AGREEMENT, EASEMENT, RIGHT OF WAY

Sheriff Dan McClelland explained that this property came up for tower location renewal and a new lease has been negotiated. The new lease is for \$25,000 for a twenty five year lease that was paid in one payment. The tower is in good shape and to take it down and move it and reinstall would be more expensive.

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Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the following documents (Agreement, Right-of-way and Easement Agreements, and Subordination Agreement) between the Geauga County Board of Commissioners and Thomas N. Shirk for the 800 MHz radio tower located on Thomas Shirk's property at 16914 Madison Road, Parkman.

<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 – FREQUENCY RECONFIGURATION AGREEMENT AMENDMENT

Sheriff McClelland explained that this is a continuation of rebanding which is being paid for by Nextel with no cost to the county.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Frequency Reconfiguration Agreement Amendment (FRAA) between the Geauga County Board of Commissioners and Nextel Corporation. This agreement will move the process from planning to actual rebanding of the county 800 MHz system. There is no cost to county for this project.

<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>

PLANNING COMMISSION – WETLAND AND STREAM PRESERVATION CREDITS – EAST OHIO GAS

Director Dave Dietrich stated there are five remaining stream credits. The next phase will be additional restoration credits. Mr. Dietrich added that we are in the black as far as these credits are concerned, and no money has been spent this year on preservation credits.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and accept the balance from the East Ohio Gas (d.b.a. Dominion East Ohio) per the Purchase Agreement for Wetlands Mitigation Credits for the purchase of 1.3 wetlands preservation credits in the amount of \$10,530.00 (Copy of check #0514 received on October 8, 2010) from the Geauga County Upper Cuyahoga Consolidated Wetlands Mitigation Bank, "Pope Home Site" in Troy Township. The ten percent (10%) down payment of \$1,170.00 was received on June 15, 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>

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and accept the balance from the East Ohio Gas (EOG) per the Purchase Agreement for Wetlands Mitigation Credits for the purchase of sixty-three (63) stream preservation credits in the amount of \$4,252.00 (Copy of check #0515 received on October 8, 2010) from the Geauga County Upper Cuyahoga Consolidated Wetlands Mitigation Bank, "Pope Home Site" in Troy Township. The ten percent (10%) down payment of \$473.00 was received on October 5, 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>

COMMISSIONERS' OFFICE – DISBAND CRIMINAL JUSTICE ADVISORY BOARD

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve disbanding the Criminal Justice Advisory Board (CJAB) as it was created to review proposed construction plans for the new safety center project which is complete and therefore no longer needed.

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

COMMISSIONERS' OFFICE – BUDGET HEARING SCHEDULING UPDATES

The changes include changing Transit and the Airport back a little on the schedule.

Motion: by Commissioner Young, seconded by Commissioner Jemison to approve the update to the Budget Hearing Schedule.

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

OTHER

Ms. Kozenko reviewed some upcoming events with the Board. The Board reviewed calendars and events.

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 September 2010.*
- b) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the prisoner transport for the month ending September 2010 as required by O.R.C. 325.07.*
- c) The Monthly Financial Report from the County Building Department for the month of September 2010.*

MEETINGS

Tue., 10/19 The Commissioners will hold regular session.

Thu., 10/21 The Commissioners will hold regular session.

Thu., 10/21 The Commissioners will attend Geauga Soil and Water Conservation District's 66th Annual Dinner and Election

Fri., 10/22 Ribbon Cutting Ceremony for the Incredible Edible Art Show at the Department on Aging beginning at 10:00 a.m.

Tue., 10/26 The Commissioners will hold regular session.

Thu., 10/28 The Commissioners will hold regular session.

*Tue., 11/2 **The Regularly scheduled Commissioners' meeting is cancelled.***

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

Tue., 11/9 The Commissioners will hold regular session.

*Thu., 11/11 **The Regularly scheduled Commissioners' meeting is cancelled.***

Tue., 11/16 The Commissioners will hold regular session.

Thu., 11/18 The Commissioners will hold regular session.

Tue., 11/23 The Commissioners will hold regular session.

*Thu., 11/25 **The Regularly scheduled Commissioners' meeting is cancelled.***

Tue., 11/30 The Commissioners will hold regular session.

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***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER
SAMIDE ADJOURNED THE MEETING AT 10:47 A.M.***

Geauga County Board of Commissioners

William S. Young

Tracy A. Jemison

Mary E. Samide

Claudine Kozenko, Commissioners' Clerk

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