

**Commissioners' Journal**  
**October 1, 2009**

*The Geauga County Board of Commissioners met in session on October 1, 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 10:00 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Young was absent from this session.*

**APPROVE FINANCIALS**

*Fiscal Specialist Heidi Delaney explained the financials as including Revenue Certifications for the Community Development Block Grant and Neighborhood Stabilization Program Funds and the Board of Developmental Disabilities Residential Services Funds; cash transfer for the October 2009 medical, dental and life insurance payments; a contract for Electrical Design in the amount of \$158,000.00 for the Wireless Tower Modifications; and five travel requests for various departments.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-173 itemizing the financials for the meeting of October 1, 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>

**SHERIFF'S OFFICE – VICTIM OF CRIME ACT AND STATE VICTIM ADVOCACY ACT GRANT AWARD – PROSECUTOR VICTIM/WITNESS PROGRAM**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the Vice President of the Board to execute the Geauga County's Victim of Crime Act (VOCA) and State Victim Advocacy Act (SVAA) 2009-2010 grant award for the Geauga County Sheriff's Office Victim/ Witness Program in the amount of \$48,827.00. As part of this grant, \$34,174.00 is being requested from federal VOCA funds (#2010VAGENE554) with a local match from the County General Fund of \$10,355.00, \$3,261.00 from SVAA (#2010SAGENE554) with no local match and \$1,037.00 from the Sheriff's Office Law Enforcement Trust Fund. This grant is for the period of October 1, 2009 through September 30, 2010.*

<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>

**PROSECUTOR'S OFFICE – AMEND MOTION – ADJUST GRANT AMOUNTS – VOCA / SVAA 2009-2010 GRANT APPLICATION**

*Victim Witness Director Cindi Haycox Wellman reported this is to make an adjustment to the fund amount.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to amend the motion of July 28, 2009 to adjust the grant amounts to read: approve and authorize the Vice President of the Board to execute the Geauga County's Victim of Crime Act (VOCA) and State Victim Advocacy Act (SVAA) 2009-2010 grant application for the Geauga County Prosecutor Victim/ Witness Program in the amount of \$68,329.33. As part of this grant, \$46,747.00 is being requested from federal VOCA funds (#2009VAGENE005) with a local match from the County General Fund of \$15,582.33 and \$4,461.00 from SVAA (#2009SAGENE005) with no local match. This grant is for the period of October 1, 2009 through September 30, 2010.*

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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>

**TRANSIT DEPARTMENT – ACCEPT RESIGNATION – JOHN E. MARTIN**

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to accept the resignation of John E. Martin, Part-time Driver, to be effective immediately.*

<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>

**TRANSIT DEPARTMENT – INCREASE PART TIME DRIVER POSTING**

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to approve the increase of the current posting from two (2) Part-time Driver (#2210) positions to three (3) positions.*

<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>

**TRANSIT DEPARTMENT – FY 2010 GRANT CONTRACT – ODOT ELDERLY AND DISABLED FARE ASSISTANCE PROGRAM**

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the Vice President of the Board to execute Geauga County's FY 2010 Grant Contract between the Geauga County Board of Commissioners and the State of Ohio Department of Transportation (EHTA-0028-010-101) for the Elderly and Disabled Transit Fare Assistance Program for the period of July 1, 2009 through June 30, 2010, in the amount of \$77,409.00.*

<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 – EXECUTIVE SESSION**

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to move into executive session for the purpose of discussing imminent litigation.*

<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>

*The Board reconvened at 10:28 a.m. No action was taken as a result of this executive session.*

**DEPARTMENT OF WATER RESOURCES – C.U.E. EXCAVATING CONTRACTORS LLC - CONTRACT AGREEMENT**

*Director Doug Bowen explained that this contract is put in place in case of an emergency main sewer break in the next few months. The agreement with a previous contractor for this year is already used up.*

*Motion:*        *by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a service Contract Agreement between the Geauga County Board of Commissioners and C.U.E. Excavating Contractors, LLC to perform general excavating services as needed at various locations within the County for the 2009 Year, in an amount not to exceed \$5,000.00.*

<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>

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**DEPARTMENT OF WATER RESOURCES – CHIEF EXECUTIVE OFFICER – OHIO PUBLIC WORKS – THOMPSON SEWER PROJECT**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve and appoint the President of the Board, William S. Young, as the Chief Executive Officer and Certifying Representative for the Ohio Public Works Commission (OWPC) State Capital Improvement Program (SCIP) Application as it relates to the funding of the Thompson Sewer Project (#P0310).

<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>

**DEPARTMENT OF WATER RESOURCES – OHIO PUBLIC WORKS CAPITAL IMPROVEMENT APPLICATION – THOMPSON SEWER PROJECT**

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board, Chief Executive Officer, William S. Young, to execute the Ohio Public Works Commission State Capital Improvement Program Application for Financial Assistance for the Thompson Sewer Project (#P0310).

<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>

**DEPARTMENT OF WATER RESOURCES – RESOLUTION TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND**

*Mr. Bowen explained that this is using stimulus money and WPCLF is the loaning agency. The forms to execute this are actually loan forms but they are calling it 'Principle Forgiveness' since it is stimulus funds.*

*Motion:* by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-180 Authorizing the President of the Board to Apply for, Accept, and Enter into a Water Pollution Control Loan Fund (WPCLF) Principle Forgiveness Agreement on Behalf of the County of Geauga for Planning, Design and/or Construction of Wastewater Facilities.

*Board of County Commissioners, Geauga County, Ohio*

*Resolution:* 09-180  
*Date:* October 1, 2009

**A RESOLUTION AUTHORIZING THE PRESIDENT, GEAUGA COUNTY BOARD OF COMMISSIONERS, TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND PRINCIPLE FORGIVENESS AGREEMENT ON BEHALF OF THE COUNTY OF GEAUGA FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES:**

*WHEREAS, the County of Gauga seeks to upgrade its existing wastewater facilities; and*

*WHEREAS, the County of Gauga intends to apply for Water Pollution Control Loan Fund (WPCLF) for the planning, design and or construction of the wastewater facilities; and*

*WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of and the execution of a Principle Forgiveness Agreement; now therefore,*

*BE IT RESOLVED by the Board of Commissioner of the County of Gauga, Ohio:*

*SECTION 1. That the President, Gauga County Board of Commissioners be and is hereby authorized to apply for WPCLF funds, sign all documents for and enter into a Water Pollution Control Loan Fund Principle Forgiveness Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of wastewater facilities on behalf of the County of Gauga, Ohio.*

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*SECTION 2. That the dedicated source of repayment will be principle forgiveness.*

*SECTION 3. That is resolution shall take effect and be in force from and after the earliest period allowed by law.*

<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>

**DEPARTMENT OF WATER RESOURCES – WATER POLLUTION CONTROL LOAN FUND APPLICATION – MCFARLAND CREEK SEWER SYSTEM REHABILITATION PROJECT**

*Motion:*       *by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board, William S. Young execute the Water Pollution Control Loan Fund (WPCLF) Construction Application as it relates to the funding of the McFarland Creek Sewer System Rehabilitation Project.*

<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>

**ENGINEER'S OFFICE – TERMINATE KOKOSING CONSTRUCTION UNIT PRICE CONTRACT – RESURFACE BURTON WINDSOR ROAD**

*County Engineer R.L. Phillips explained that after the bidding process pre-discussions were held regarding what actually needed to happen with this project. The determination was mutually made what was really needed was not the way the project was bid and any resolution to resolve this would exceed the change order limits. Therefore it was determined to terminate this contract and rebid it next year with the new design.*

*Motion:*       *by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the Agreement to Terminate Unit Price Contract (#RS-14DE-09) between the Geauga County Board of Commissioners and Kokosing Construction Company Incorporated for the Asphalt Resurfacing of Burton Windsor Road (CH 14, Sections D&E) Project in Middlefield and Huntsburg Townships, due to a lack of an acceptable, legally implantable alternative within the current contract.*

<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>

**ENGINEER'S OFFICE – RESOLUTION TO IMPROVE AUBURN ROAD**

*Mr. Phillips commented that this may or may not be a project next year but they are starting the process early to find available funding.*

*Motion:*       *by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-174 to Improve Auburn Road (CH 4, Sections N&O) in Munson Township.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution:*    09-174  
*Date:*           October 1, 2009

**RESOLUTION TO IMPROVE SECTIONS N&O OF  
AUBURN ROAD (CH 4) IN MUNSON TOWNSHIP**

*WHEREAS, the Board of County Commissioners of Geauga County has determined that the public convenience and welfare require the improvement of Auburn Road between Mayfield Road (US 322) and Wilson Mills Road (CH 8) in Munson Township by grading, paving, draining, widening, constructing and reconstructing the bridges and culverts as necessary or otherwise improving the same in accordance with Section 5555.06 of the Ohio Revised Code; and*

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*WHEREAS, the Board of County Commissioners of Geauga County wishes to pursue the utilization of federal aid funding to help fund a project for the limits of Auburn Road as described; and*

*WHEREAS, the Geauga County Engineer wishes to administer this project locally in order to ensure compliance with local construction standards and methods considered acceptable by the County.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Geauga County that public convenience and welfare require the improvement of Auburn Road between Mayfield Road (US 322) and Wilson Mills Road (CH 8) in the Township of Munson, County of Geauga by grading, paving, draining, widening, constructing and reconstructing the bridges and culverts as necessary.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer may enter into an agreement with the Ohio Department of Transportation to administer this project locally under the LPA policy as adopted by the Ohio Department of Transportation.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be apportioned as follows:*

*The preliminary engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction and inspection costs shall be paid from federal sources in the amount of approximately 80% of the total construction and inspection costs. The remaining construction and inspection costs (approximately 20% of the total) will be paid from local roadway improvement funds.*

*BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way of Auburn Road, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to cause to be published in a newspaper with a general circulation throughout the county, once a week for two consecutive weeks, a notice that a resolution has been adopted providing for said improvement, and that copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement are on file in the office of the board for the inspection of persons interested therein. The notice shall further state the time and place for hearing objections to the improvement.*

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

<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>

**ENGINEER'S OFFICE – RESOLUTION TO RECONSTRUCT TAYLOR WELLS ROAD BRIDGE**

*Mr. Phillips stated that the County Engineers are a project manager for a certain pot of money from the State. Sometimes at the end of June they find out there is money left over and Geauga will be prepared with a shovel ready project.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-175 to Reconstruct the Taylor Wells Road Bridge (Structure #113-2.03) in Claridon Township.*

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*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 09-175*

*Date: October 1, 2009*

**RESOLUTION TO RECONSTRUCT THE TAYLOR WELLS ROAD BRIDGE,  
STRUCTURE #113-2.03 IN CLARIDON TOWNSHIP**

*WHEREAS, the Board of County Commissioners of Geauga County has determined that the public convenience and welfare require the reconstruction of the bridge over the West Branch of the Cuyahoga River on Taylor Wells Road, and the grading, paving, widening, and draining of a portion of Taylor Wells Road in the immediate vicinity of the bridge in accordance with Section 5555.06 of the Ohio Revised Code; and*

*WHEREAS, Geauga County has secured federal aid funding to help fund a project for the replacement of this structure; and*

*WHEREAS, the Geauga County Engineer wishes to administer this project locally in order to ensure proper compliance with local construction standards and methods acceptable to Geauga County.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Geauga County that public convenience and welfare require the replacement and reconstruction of the Taylor Wells Road Bridge, Structure #113-2.03 over the West Branch of the Cuyahoga River in the Township of Claridon, County of Geauga and State of Ohio by the removal of the existing bridge structure, installation of a new bridge structure at mile marker 2.03 and the grading, paving, widening, and draining of Taylor Wells Road in the immediate vicinity of the bridge as required.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer may enter into an agreement with the Ohio Department of Transportation to administer this project locally under the Local Project Administration policy as adopted by the Ohio Department of Transportation.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be apportioned as follows:*

*The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from federal sources utilizing the balance amount of the federal county bridge credit. If the county bridge credit balance will not cover the entire construction cost or any portion of the construction cost is deemed ineligible for federal funding, the remaining construction cost will be paid from local roadway improvement funds.*

*BE IT FURTHER RESOLVED that if preliminary designs for the project show the project cannot be built within the current right of way of Taylor Wells Road, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to cause to be published in a newspaper with a general circulation throughout the county, once a week for two consecutive weeks, a notice that a resolution has been adopted providing for said improvement, and that copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement are on file in the office of the board for the inspection of persons interested therein. The notice shall further state the time and place for hearing objections to the improvement.*

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

<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>

**ENGINEER'S OFFICE – RESOLUTION TO IMPROVE WILSON MILLS ROAD – CHARDON AND MUNSON TOWNSHIPS**

*Mr. Phillips reported that this project is from Heath Road to Thwing Road, and they are hoping to get some funding from Representative Steve LaTourette's Office.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-176 to Improve Wilson Mills Road (CH 8, Sections G-L) in Chardon and Munson Townships.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 09-176*  
*Date: October 1, 2009*

**RESOLUTION TO IMPROVE SECTIONS G-L OF  
WILSON MILLS ROAD (CH 8) IN MUNSON & CHARDON TOWNSHIPS**

*WHEREAS, the Board of County Commissioners of Geauga County has determined that the public convenience and welfare require the improvement of Wilson Mills Road between Heath Road (TR 105) at the Chester/Munson township line and the City of Chardon corporation line in Munson and Chardon Townships by grading, paving, draining, widening, constructing and reconstructing the bridges and culverts as necessary or otherwise improving the same in accordance with Section 5555.06 of the Ohio Revised Code; and*

*WHEREAS, the Board of County Commissioners of Geauga County wishes to pursue the utilization of federal aid funding to help fund a project for the limits of Wilson Mills Road as described; and*

*WHEREAS, the Geauga County Engineer wishes to administer this project locally in order to ensure proper compliance with local construction standards and methods as considered acceptable to the County;*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Geauga County that public convenience and welfare require the improvement of Wilson Mills Road between Heath Road (TR 105) at the Chester/Munson township line and the City of Chardon corporation line in the Townships of Munson and Chardon, County of Geauga by grading, paving, draining, widening, constructing and reconstructing the bridges and culverts as necessary.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer may enter into an agreement with the Ohio Department of Transportation to administer this project locally under the LPA policy as adopted by the Ohio Department of Transportation.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be apportioned as follows:*

*The preliminary engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction and inspection costs shall be paid from*

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*federal sources in the amount of approximately 80% of the total construction and inspection costs. The remaining construction and inspection costs (approximately 20% of the total) will be paid from local roadway improvement funds.*

*BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way of Wilson Mills Road, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to cause to be published in a newspaper with a general circulation throughout the county, once a week for two consecutive weeks, a notice that a resolution has been adopted providing for said improvement, and that copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement are on file in the office of the board for the inspection of persons interested therein. The notice shall further state the time and place for hearing objections to the improvement.*

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

<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>

**ENGINEER'S OFFICE – RESOLUTION TO ORDER THE REPLACEMENT OF TRAFFIC SIGNAL – WASHINGTON STREET AND SNYDER ROAD – BAINBRIDGE – SET BID OPENING**

*Mr. Phillips explained that this mechanical signal was inherited from ODOT from the early 1980's and is in need of spare parts that are very difficult to find. The plan is to install a new updated, electronic signal.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-179 to Order the Replacement of the Traffic Signal at the Intersection of Washington Street and Snyder Road in Bainbridge Township.*

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

*Further, the resolution sets a bid opening on Wednesday, November 4, 2009 at 2:00 p.m. Notice of the bid opening will be advertised on October 15, 2009 and posted on the county web site.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 09-179*  
*Date: October 1, 2009*

**RESOLUTION TO ORDER THE REPLACEMENT OF A TRAFFIC SIGNAL AT THE INTERSECTION OF WASHINGTON STREET AND SNYDER ROAD IN BAINBRIDGE TOWNSHIP**

*WHEREAS, the Board of County Commissioners of Geauga County has determined by Resolution No. 09-006 that the public convenience and welfare require the replacement and improvement of a traffic control signal device at the intersection of Washington Street (CH 606) and Snyder Road (TR 192) in Bainbridge Township in accordance with Section 5555.22 of the Ohio Revised Code; and*

*WHEREAS, no lands are needed to be taken relative for this improvement; 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*



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*WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans and specifications with the County Engineer in public session for the replacement of a traffic signal at the intersection of Washington Street and Snyder 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. on Wednesday, November 4, 2009. Bids shall be opened and read aloud at 2:00 P.M.*

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

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

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – PAYMENT INSTRUCTION FORM – ELECTRONIC TRANSFER FUNDS – WATER POLLUTION CONTROL PROGRAM FUNDS**

*Director Anita Stocker explained that this is an EPA grant with a 75% grant to eligible home owners to have their failing septic systems replaced.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the Vice President of the Board to execute the Ohio Water Development Authority Payment Instruction Form for Home Sewage Treatment System Program to allow for electronic transfer of Water Pollution Control Fund Program Funds.*

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

**MAINTENANCE DEPARTMENT – TERMINATE CONTRACT – ARTISAN CLEANING COMPANY INCORPORATED**

*Director Glenn Vernick explained that the contractors approached him stating they could not handle the job for the price, they were losing people and could not handle the job.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to terminate the two year Contract with Artisan Cleaning Company Incorporated to provide custodial services for the Geauga County Prosecutors 3<sup>rd</sup> floor (213 Main Street) per their request as they are no longer able to provide the cleaning service, to be effective September 4, 2009.*

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

**MAINTENANCE DEPARTMENT – BRENDA SEILER CONTRACT AGREEMENT – CUSTODIAL SERVICES – PROSECUTOR' S OFFICE**

*Mr. Vernick stated that this contract is for a little more than the previous contract of \$315.00 per month. The bids ranged from to \$346.00 to \$395.00.*

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*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a two (2) year Contract Agreement for Custodial Cleaning Services between the Geauga County Board of Commissioners and Brenda Seiler for the Geauga County Prosecutor's Office (Third Floor Annex) in the amount of \$3,119.94 (\$346.66 per month) for the first year period of October 1, 2009 through June 30, 2010 and \$4,159.92 (\$346.66 per month) for the second year period of July 1, 2010 through June 30, 2011), in the total amount of \$7,279.58*

<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 – THYSSEN KRUPP ELEVATOR CORPORATION  
CONTRACT AGREEMENT – MAINTAIN EQUIPMENT – COURTHOUSE ELEVATOR*  
*Mr. Vernick explained that this is for a Thyssen Elevator that went in around 2007.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a service Contract Agreement between the Geauga County Board of Commissioners and Thyssen Krupp Elevator Corporation to maintain the Courthouse Elevator equipment described in the agreement for a three (3) year period of September 1, 2009 through December 31, 2012, in an amount not to exceed \$15,000.00 (\$235.00 a month).*

<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 – STATE ISSUE 2, OHIO LIVESTOCK CARE STANDARDS BOARD*

*Chuck Lausin was present to discuss Issue 2, creating an Ohio Livestock Care Standards Board. This is a constitutional amendment creating a board of twelve to set standards for care of livestock in the State of Ohio. A number of states have already had a number of resolutions passed by outside interest Humane Society of the United States (HSUS). There is no connection between them and the local Animal Protective League and the local Humane Society. This Humane Society of the United States is a very well funded and smoothly run organization. They are “nibbly” around the edges, their real agenda is to create a vegan society and eliminate animal agriculture (meat, milk and eggs) out of our diet. They started in Florida and then Arizona, who have very few animal enterprises so it was not difficult to get their issue passed. They used the emotional side by showing animals in cages and crates. Mr. Lausin added that he could maybe understand if someone didn't understand the reality of animal agriculture but in reality it was taken beyond the reality of animal agriculture. Mr. Lausin used the example of tethering a calf (just like you would a puppy) and explained that once they understand the tether they understand and they do not suffer. This organization will put the laying hen business right out of business now in California. Mr. Lausin wanted people to know what is at risk today. If the farmers that produce food for this nation as well as the world are continually challenged there could be a time when there will be nothing on the shelf at the food markets. Ohio wants to be proactive and establish a board through the Department of Agriculture to set some standards for a common sense approach to livestock care. The Board will consist of three family farmers, two veterinarians, a food safety expert, the local humane society, two statewide farm organizations, the dean of an Ohio agriculture college and two Ohio consumers. The governor will appoint ten members and the House and Senate will each appoint one member. They expect HSUS to challenge the State of Ohio in 2010. The Ohio farmers will not ask the State of Ohio for funding, the farmers of Ohio along with the Department of Agriculture are promoting and funding this issue and they are asking for the support of Issue 2 via a resolution.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-177 Supporting State Issue 2, To Create the Ohio Livestock Care Standards Board.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 09-177  
Date: October 1, 2009*

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**A RESOLUTION SUPPORTING STATE ISSUE 2,  
TO CREATE THE OHIO LIVESTOCK CARE STANDARDS BOARD**

*WHEREAS, Agriculture is the number-one contributor to Ohio's economy and has more than 75, 000 farms, about half of which have livestock; and*

*WHEREAS, Ohio's farmers have cared for their flocks and herds for generations and provide Ohioans with safe, quality, affordable food; and*

*WHEREAS, Ohioans want to know more about how their food is produced; and*

*WHEREAS, Decisions about farm animal care should be made by Ohio experts; and*

*NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby support State Issue 2 to create the Ohio Livestock Care Standards Board because it will:*

*Protect the safety of Ohio's food supply; Leverage the best available Ohio animal care and food safety expertise in our state; Enhance consumer confidence in Ohio-raised food; Ensure that decisions about Ohio farming and food are made by Ohio experts; Maintain the viability of Ohio's agriculture economy; and Sustain Ohio's family livestock and poultry farms for generations to come; 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 Jemison</i>	<i>Aye</i>
	<i>Commissioner Samide</i>	<i>Aye</i>
	<i>Commissioner Young</i>	<i>Absent</i>

**DEPARTMENT ON AGING – MODIFY SENIOR FARMERS MARKET NUTRITION PROGRAM  
DISTRIBUTION AGREEMENT – ADDITIONAL AWARD**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the Vice President of the Board to execute the modification to the Senior Farmers' Market Nutrition Program Distribution Agent Agreement between Western Reserve Area Agency on Aging and the Geauga County Board of Commissioners, Geauga County Department on Aging to include an additional award of 50 coupon sets valued at \$2,500.00 to be distributed to additional consumers as described in the original agreement.*

<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 – RESOLUTION HONORING EAGLE SCOUT – ROSARIO  
JOSEPH CERAOLO, JR.**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-178 Honoring Eagle Scout Rosario Joseph Ceraolo, Jr.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 09-178  
Date: October 1, 2009*

**A RESOLUTION HONORING ROSARIO JOSEPH CERAOLO, JR.  
FOR ACHIEVING EAGLE SCOUT THE HIGHEST AWARD OF ADVANCEMENT  
BESTOWED UPON A BOY SCOUT**

*WHEREAS, the Boy Scouts is a nationally acclaimed organization known for training young men to build character, citizenship, and leadership; and*

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WHEREAS, each scout must prove to his adult leaders the basics of outdoor survival including nature study, first aid, life saving and other activities that provide leadership qualities; and

WHEREAS, the Eagle Scout Rank is an accomplishment that only four percent of all those who start Boy Scouting ever attain; and

WHEREAS, Rosario Joseph Ceraolo, Jr. is a member of Boy Scout Troop 91, Munson Township, Geauga County, and has excelled in his search for knowledge, leadership, planning and community support; and

WHEREAS, Rosario Joseph Ceraolo, Jr. provided leadership at meetings and on campouts and has done an excellent job in all aspects of scouting; and

WHEREAS, Rosario Joseph Ceraolo, Jr.’s Eagle Scout project consisted of building and installing benches in Munson and Hambden Township parks; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Rosario Joseph Ceraolo, Jr. for service to his community and the Scouts of America; and

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

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

COMMISSIONERS’ OFFICE – UPDATE TO BUDGET HEARING SCHEDULE

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve the update to the budget hearing schedule.

October		
Time	Tue - 6	Thu - 8
11:00	Treasurer	Soil & Water
1:00	JFS	Clerk of Cts
1:45	Juvenile / Probate	Prosecutor
2:30	Recorder	Archives/ Records Ctr
DES		

October		
Time	Tue -20	Thu - 22
1:00	Transit	Sheriff
1:45	Engineer	Mental Health
2:30	Public Defender	Maintenance
3:15	Water Resources	Common Pls / Court Tech
4:00	Coroner	Prosecutor

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

COMMISSIONERS’ OFFICE – LIQUOR LICENSE – MAJESTIC CATERING LLC – MUNSON TOWNSHIP

Motion: by Commissioner Jemison, seconded by Commissioner Samide to concur with the Munson Township Trustees in not requesting a hearing on the liquor license

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*requested by Majestic Catering LLC (d.b.a. Majestic Catering) located at 9760 Mayfield Road, Munson Township (C NEW 5421037).*

<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>

**VETERANS SERVICES – VETERANS MEMORIAL PARK**

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-181 authorizing the lease of an 0.8 acre portion of permanent parcel no. 13-705013 located on Ravenwood Drive in Claridon Township to the Geauga County Veterans Memorial Incorporated, for the purpose of establishing the Geauga County Veterans Memorial park and authorizing a donation by the Board of County Commissioners to the Geauga County Veterans Memorial Incorporated for the Improvement of the park.*

<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>

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a Lease between Geauga County Board of Commissioners and Geauga County Veterans Memorial Incorporated, an Ohio Non-Profit Corporation for an approximate .8 acre portion of Permanent Parcel No. 13-705013 located on Ravenwood Drive in Claridon Township for the purpose of establishing the Geauga County Veterans Memorial Park.*

<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 and upcoming events.*

*First Energy Corporation is responding to a PUCO requirement to reduce the electric load within the Ohio service territory. By doing that First Energy will be delivering two compact fluorescent lamps to each home and business within the service territory. This will begin on October 12 and will be delivered by a contractor in Akron. These will be 12to 15 watt bulbs and will reduce the energy use by 75% and have a 10,000 hour life.*

**ACKNOWLEDGEMENTS**

- a) A plan review Notice of Compliance, for KSU – Geauga, Phase 2 SW, Plan Review Submittal No. 2, submitted by Geauga Soil and Water Conservation District.*
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending September 23, 2009 as required by O.R.C. 955.12*

**MEETINGS**

*Thu., 10/1 Records Commission meeting at 11:00 a.m. at the Records Center.*

<i>Thu., 10/1</i>	<i>Budget Hearings:</i>	<i>Auditor / ADP</i>	<i>1:00 p.m.</i>
		<i>Community Development</i>	<i>1:45 p.m.</i>
		<i>MRDD</i>	<i>2:30 p.m.</i>
		<i>Veterans</i>	<i>3:15 p.m.</i>
		<i>Municipal Court</i>	<i>4:00 p.m.</i>

*Tue., 10/6 The Commissioners will hold regular session.*

*Tue., 10/6 4-H Volunteer Banquet at St. Mary's in Chardon at 6:30 p.m.*

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*Tue., 10/6 Budget Hearings: Treasurer 1:00 p.m.*  
*Juvenile/Probate 1:45 p.m.*  
*Recorder 2:30 p.m.*  
*JFS 3:15 p.m.*  
*Planning Commission 4:00 p.m.*

*Wed., 10/7 Department on Aging Elected Officials Day*

*Thu., 10/8 The Commissioners will hold regular session.*

*Thu., 10/8 Budget Hearings: Soil & Water Conserv Dstrct 1:00 p.m.*  
*Clerk of Courts 1:45 p.m.*  
*Prosecutor 2:30 p.m.*  
*Archives 3:15 p.m.*  
*DES 4:00 p.m.*

*Fri., 10/9 Community Development Program: Free Business Resources at the County Library.*

*Fri., 10/9 NOACA*

*Mon., 10/12 The County Offices will be closed in observance of the Columbus Day Holiday.*

*Tue., 10/13 **The Regularly scheduled Commissioners' meeting is cancelled.***

*Tue., 10/13 Planning Commission meeting at Building #8 at 7:30 p.m.*

*Thu., 10/15 House Bill 9 Certified Training at Lakeland Community College 1:00 p.m.*

*Thu., 10/15 The Commissioners will hold regular session.*

*Thu., 10/15 Soil and Water Conservation District's 65<sup>th</sup> Annual Dinner and Election at 6:00 p.m.*

**BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 11:28 A.M.**

*Geauga County Board of Commissioners*

\_\_\_\_\_  
*Tracy A. Jemison*

\_\_\_\_\_  
*Mary E. Samide*

\_\_\_\_\_  
*ABSENT*  
*William S. Young*

\_\_\_\_\_  
*Claudine Kozenko, Commissioners' Clerk*