

**Commissioners' Journal**  
**June 15, 2010**

*The Geauga County Board of Commissioners met in session on June 15, 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 10:03 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 June 8, 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 cash transfers from the General Fund for a portion of the 2010 funding for CASA and the Youth Center, May, 2010 earned interest for Community Development, and Board of Developmental Disabilities funds; a voucher payment for TRC Landscape Services for the Office of Community and Economic Development Revolving Loan commitment of \$217,400.00.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-119 itemizing the financials for the meeting of 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>

**COUNTY TREASURER AND COUNTY AUDITOR – MONTHLY STATEMENT OF 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 May, 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 May, 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>

**PROSECUTORS' OFFICE AND ENGINEER'S OFFICE – RE-SCHEDULE CONTINUANCE OF ISSUE OF REMOVAL OF ROCK OBSTRUCTIONS – SPERRY ROAD**

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve rescheduling of a continuance on the issue of the removal of the rock obstructions (specifically large rocks) in the Sperry Road right-of-way pertaining to the Todd Tornstrom property located at 13140 Sperry Road, Chesterland, to be re-scheduled for July 22, 2010 at 10:30 a.m. in Commissioners Chambers.*



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ENGINEER'S OFFICE – RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX –  
CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS  
AND BRIDGES

*Mr. Phillips explained that this road/bridge levy is a renewal and is for five years. The current levy is actually up in 2011 but it is easier on everyone to get it done ahead of time. This levy was first passed in 1986 and is the fifth renewal which started out at \$2.7 million and climbed to \$3.3. About \$5 million is spent a year to maintain roads and bridges with \$3.3 million coming from the levy and the balance from state and federal funds.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution #10-120 Declaring it Necessary to Levy a Tax in Excess of the Ten-Mill Limitation and Requesting Certification of the County Auditor of the Dollar Amount Generated, at the request of the County Engineer, for the General Construction, Reconstruction, Resurfacing, and Repair of Streets, Roads and Bridges in Geauga County as Authorized by O.R.C. 5705.19(G), 5705.25, and 5705.26.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: June 15, 2010*

*Resolution: 10-120*

**RESOLUTION NO. 120**

**A RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING CERTIFICATION OF THE COUNTY AUDITOR OF THE DOLLAR AMOUNT GENERATED AT THE REQUEST OF THE COUNTY ENGINEER FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS AND BRIDGES IN GEAUGA COUNTY AS AUTHORIZED BY O.R.C. 5705.19(G), 5705.25, AND 5705.26.**

*Sections 5705.19(G), 5705.25, 5705.26 of the Ohio Revised Code*

*WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Geauga County;*

*NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Geauga, State of Ohio, two-thirds of all members elected thereto concurring, that:*

*Section 1. It is necessary to levy a tax in excess of the ten-mill limitation for the benefit of Geauga County for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Geauga County as authorized by Section 5705.19(G) of the Ohio Revised Code at a rate not exceeding two and five tenths (2.5) mills for each one dollar of valuation, which amounts to twenty-five cents (\$0.25) for each one hundred dollars of valuation, for a period of five (5) years, and which levy is a renewal of an existing levy of 2.5 mills.*

*Section 2. Said levy shall be placed upon the tax list of the current tax year 2011 if a majority of the electors voting thereof vote in favor thereof.*

*Section 3. The Geauga County Board of Elections is hereby directed to submit the question of levying the renewal tax pursuant to this Resolution and Sections 5705.19(G) and 5705.25 of the Ohio Revised Code to the electors of Geauga County at the general election to be held at the usual voting places on the 2<sup>nd</sup> day of November 2010.*

*Section 4. The Clerk of the Board of Commissioners of Geauga County is directed to deliver a certified copy of this Resolution to the Board of Elections not less than 75 days before the general election to be held on November 2, 2010, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.*

*Section 5. The Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.*

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*Upon roll call on the adoption of the Resolution, the vote was as follows:*

<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>

*Commissioner Samide briefly left session at this point.*

**DEPARTMENT OF WATER RESOURCES – WORKMAN INDUSTRIAL SERVICE  
INCORPORATED SERVICE CONTRACT**

*Assistant Sanitary Engineer Gerard Morgan explained that a silencer is needed for the fairly large blower intakes for the membrane system at the McFarland plant. This will help with the noise control.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute a service Contract Agreement with Workman Industrial Service, Incorporated to install a Universal Standard URDY-20 with a 20" inlet flange and an 18" outlet flange inlet silencer at the McFarland Creek Waste Water Treatment Plant for the period of six (6) months, in an amount not to exceed \$24,420.00.*

<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>

**PLANNING COMMISSION – WETLAND MITIGATION CREDITS PURCHASE AGREEMENT  
– EAST OHIO GAS COMPANY**

*Director Dave Dietrich stated that the wetland credits are winding down at the Pope Home site and they want to move forward with the additional restoration credits. More discussion will come in the future on the restoration credits and the preservation credits at the County Home site (which represents about 32 credits). There is a long way to go with these at the state and federal levels. Mr. Dietrich added that they are no longer using a consultant as they are working with Soil and Water Conservation District who is doing the technical components of the program. Planning is trying to keep costs down while still moving forward with the program. Commissioner Samide commented that it's good that this is coming at a time of economic downturn.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the Purchase Agreement for Wetland Mitigation Credits between the Geauga County Board of Commissioners and the East Ohio Gas Company (d.b.a. Dominion East Ohio) for the purchase of 1.3 wetlands preservation credits in the amount of \$11,700.00 (Check #0504 for \$1,170.00 – 10% down payment) from the Geauga County Upper Cuyahoga Consolidated Wetlands Mitigation Bank, "Pope Home Site" (Troy Township).*

<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 ON AGING – SUPPLEMENTAL NUTRITIONAL AWARD FUNDING  
AGREEMENT – WESTERN RESERVE AREA AGENCY ON AGING**

*Director Sally Bell explained that the ARRA funds were received in the form of emergency meals with the distribution being divided between two programs. This request is asking to shuffle those meals around as more are needed for the congregate meal program.*

*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute the modification to the Supplemental Funding Agreement with Western Reserve Area Agency on Aging for the 2009 American Recovery and Reinvestment Act, (ARRA) Supplemental Nutrition Award Attachment A for emergency shelf stable food for the homebound and participants of the congregate meal programs at all five senior centers of the Department on Aging decreasing the home delivered meals portion from 1740 to 1062 and increasing the congregate meals from 5286 to 5964.*

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

DEPARTMENT OF EMERGENCY SERVICES – EMERGENCY ACTION PLANS (EAP)  
PROFESSIONAL CONSULTING SERVICES AGREEMENT – LAURA M. CERRITO

Deputy Director Brian Laney explained that this is part of a current grant with specific stipulations for planning as to where the money could be spent. The contractor will develop specific EAP's for the different municipalities and will develop a draft. The municipalities then have to take the proper steps to implement the draft plan at their legislative meetings.

Motion:           by Commissioner Young, seconded by Commissioner Jemison to approve and execute the Agreement to provide Professional Consulting Services to Geauga County, Ohio between the Geauga County Board of Commissioners and Laura M. Cerrito to complete the allowable Supplemental Emergency Management Performance Grant planning initiatives for Emergency Action Plans (EAP) for the following municipalities: City of Chardon, Middlefield Village, Burton Village, South Russell Village, Aquilla Village and Thompson, Montville, Hambden, Chardon, Huntsburg, Claridon, Munson, Chester, Russell, Newbury, Burton, Middlefield, Parkman, Troy, Auburn and Bainbridge Townships to be completed by December 31, 2010, in the amount of \$14,980.00.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – SET BID OPENING – FAIRGROUNDS SIDEWALK AND PARKING FACILITY IMPROVEMENT PROJECT

Motion:           by Commissioner Young, seconded by Commissioner Jemison to grant permission to advertise for bids for Geauga County Fairgrounds Sidewalk and Parking Facility Improvements Project (Grant #B-F-09-026-1) with a bid opening to be held on Wednesday, July 7, 2010 at 2:00 p.m. Notice of this bid opening will be advertised on June 17, 2010 and the county's web site.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – SET BID OPENING – AQUILLA VILLAGE PARK AND RECREATIONAL FACILITY IMPROVEMENTS PROJECT

Motion:           by Commissioner Young, seconded by Commissioner Jemison to grant permission to advertise for bids for Aquilla Village Park and Recreational Facility Improvements Project (Grant #B-F-09-026-1) with a bid opening to be held on Wednesday, July 7, 2010 at 2:30 p.m. Notice of this bid opening will be advertised on June 17, 2010 and the county's web site.

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

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – RESOLUTION TO SET ASIDE FUNDS IN ACCOUNT T02 FOR CDBG ACTIVITIES

Director Anita Stocker explained that when the CDBG application is submitted the State inquires as to what the balance of the Revolving Loan Fund is. If the balance is over \$100,000, no matter what else has been done with the fund, it is treated as fair game for the state to recapture those unused funds. Ms. Stocker added that it is in the agreement with the State that it is recognized every five years that those funds are the State's and that they have authority over those funds. If the Community Development wants to use the funds for something other than their set purpose they must let the State know in advance. The state then sends their approval and the funds can then be transferred. This process was put into motion a few weeks ago but ran into road blocks about physically transferring funds. At first it appeared they could not be transferred but now appears that maybe they can be transferred. If the department should get more Revolving Loan applications that would get preference to those funds as that is the base of that money.

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*Motion: by Commissioner Young, seconded by Commissioner Jemison to approve and execute Resolution 10-121 to approve the set-aside of \$750,000.00 of funds in account T02 to provide funding for CDBG eligible activities including sewer and septic system repairs, housing and rehabilitation.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: June 15, 2010*

*Resolution: 10-121*

**RESOLUTION**

*This Resolution, made by Geauga County Board of Commissioners, Ohio, a County government with its main offices at 470 Center Street, Building Four, Chardon, Ohio (herein referred to as the "County"),*

**WITNESSETH:**

*WHEREAS, the County recognizes the need in Geauga County to upgrade failing septic systems, make well repairs, install sewer tie-ins and water tie-ins, and address other CDBG eligible activities including; neighborhood facilities, rehabilitation, sewer facilities, new construction, demolitions, etc., and*

*WHEREAS, the Department of Community and Economic Development can provide income verification, bidding, and contracting expertise to implement all of the CDBG compliance requirements, and*

*WHEREAS, the account fund T02 has an unencumbered balance of approximately \$850,000,*

*THEREFORE BE IT RESOLVED, that the Geauga County Board of County Commissioners will obligate up to \$750,000 as a reserve within the T02 Fund to be used as needed to complete CDBG eligible activities contingent upon approval by the Ohio Department of Development, Office of Housing and Community Partnerships.*

*IN WITNESS THEREOF, in Geauga County, Ohio, the Geauga County Board of Commissioners, has caused this instrument to be executed this 10th day of June 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 – CDBG GRANT APPLICATIONS FUNDING**

*Commissioner Samide stated that the Board particularly wanted to go with the City of Chardon project as it is for economic development and felt it was important to clean up that area as well as bring in more jobs. Ms. Stocker stated she will be back next week with the grant paperwork.*

*Motion: by Commissioner Jemison, seconded by Commissioner Samide to accept Geauga County Board of Commissioners recommendation on funding of the following grant applications for the CDBG Grant Formula Grant:*

*Maple Leaf Community – presenter: Keith Weirbach – rental rehabilitation for five different homes to provide replacement energy efficient windows and ADA accessible doors - \$25,000.00*

*Gauga County Agricultural Society – presenter: R.L. Phillips – Parking and Sidewalk Improvements and Parking Facilities enabling access for seniors and disabled visitors at Gate 8 - \$37,200.00*

*Gauga Habitat for Humanity Middlefield – presenter: Christine Bucknell - New Construction of two single family three bedroom homes for LMI households – \$40,000.00*

*DDC Clinic – presenter: Patti Gallagher – Public Service to perform 433 DNA testing for mostly Amish residents for cardiomyopathy and other genetic diseases - \$35,400.00*

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*Chagrin Falls Park – DeAnna Tenney - parking improvement to the Community Center to connect two existing lots and add an additional twenty parking spaces for seniors and ADA clientele - \$37,400.00*

*City of Chardon – presenter: Mayor King and Dale Markowitz – demolition of the south-southwest end of Chardon Rubber, which is deteriorating. Dollars will be matched by Clean Ohio Revitalization Funding to eliminate hazardous materials - \$45,000.00*

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

**GEAUGA COUNTY AIRPORT AUTHORITY – FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT – REHABILITATE RUNWAY 11/29 PHASE 2 (#AIP 3-39-0054-1410)**

*Motion:           by Commissioner Young, seconded by Commissioner Jemison to approve and authorize the President of the Board to execute the Federal Aviation Administration (FAA) Grant Agreement in the amount of \$497,815.00 for the Rehabilitate Runway 11/29 Phase 2 Project (FAA grant #AIP 3-39-0054-1410). The Federal share is \$472,924.00 and \$24,891.00 from the Geauga County General Fund.*

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

**LIQUOR LICENSE – FMGC LLC (D.B.A. FOWLERS MILL GOLF COURSE)**

*Motion:           by Commissioner Young, seconded by Commissioner Jemison to concur with the Munson Township Trustees in not requesting a hearing on the liquor license requested FMGC LLC (d.b.a. Fowlers Mill Golf Course) located at 13095 Rockhaven Road, Munson Township (C TRFO 2600112).*

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

**COMMISSIONERS' OFFICE – CANCEL SESSION**

*There will not be a quorum of Commissioners for this day.*

*Motion:           by Commissioner Young, seconded by Commissioner Jemison to cancel session on Thursday, July 15, 2010.*

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

**COMMISSIONERS' OFFICE – GAPP / WIA AREA 19 – ADMINISTRATIVE REVIEW OF FINAL AUDIT (WIA-08-00007)**

*Motion:           by Commissioner Young, seconded by Commissioner Jemison to concur with Chief Elected Official of WIA Area 19 Ashtabula County Commissioner Daniel Claypool and approve his recommendation that Area 19 continue to pursue from Ohio Department of Job and Family Services (ODJFS), as set forth within Section VII of the Intergovernmental Agreement, an administrative review of the final audit (WIA-08-00007) seeking disallowed costs and to communicate the same to Ashtabula and Portage Counties.*

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

**OTHER**

*The Board reviewed calendars and upcoming events.*

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ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending June 9, 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 May 2010, pursuant to ORC 135.35(L).*

MEETINGS

*Tue 6/15 thru Thu 6/17 Some of the Commissioners will be attending the NOACA Summit and the NARC Conference*

*Thu., 6/17 **The Regularly scheduled Commissioners' meeting is cancelled.***

*Mon., 6/21 Family First Council meeting*

*Mon., 6/21 Board of Revision meeting*

*Tue., 6/22 The Commissioners will hold regular session.*

*Tue., 6/22 Public Hearing #2 for the FY 2010 Small Cities Community Development Block Grant Sewer and Water Grant Application for Thompson Township at 10:30 a.m.*

*Thu., 6/24 The Commissioners will hold regular session.*

*Thu., 6/24 A public hearing continuance on the issue of the removal of the rock obstructions (specifically large rocks) in the Sperry Road right-of-way pertaining to the Todd Tornstrom property located at 13140 Sperry Road, Chesterland, at 10:00 a.m. in Commissioners Chambers. (SEE PENDING MOTION ABOVE.)*

*Thu., 6/24 The Commissioners will attend a meeting at the County Home at 11:30 a.m.*

*Thu., 6/24 A Tax Budget and Regular Board meeting for the Geauga Portage Joint Detention Center at 1:30 p.m. in Geauga County.*

*Tue., 6/29 The Commissioners will hold regular session.*

*Tue., 6/29 Public Hearing to discuss the Geauga County 2011 Tax Budget to be held at 10:30 a.m.*

*Tue., 7/1 The Commissioners will hold regular session.*

*Mon., 7/5 The County Offices will be closed in honor of July 4<sup>th</sup> Independence Day Holiday.*

*Tue., 7/6 The Regularly scheduled Commissioners' meeting is cancelled.*

*Thu., 7/8 The Commissioners will hold regular session.*

*Thu., 7/8 A public hearing for the proposed rehiring of Karen DeCola as a retirant and employment to the position of County Home Superintendent, to be effective August 1, 2010. This public hearing will be held on July 8, 2010 at 10:30 a.m.*

*Thu., 7/8 Investment Advisory meeting immediately after session.*

*Fri., 7/9 NOACA meeting is cancelled.*

*Tue., 7/13 The Commissioners will hold regular session.*

*Thu., 7/15 The Commissioners will hold regular session.(SEE PENDING MOTION ABOVE)*

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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*

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*William S. Young*

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*Tracy A. Jemison*

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*Mary E. Samide*

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*Claudine Kozenko, Commissioners' Clerk*