

Commissioners' Journal
September 1, 2009

The Geauga County Board of Commissioners met in session on September 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 President of the Board, William S. Young opened the meeting at 10:05 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE MINUTES

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute the minutes for the meeting of August 27, 2009.

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

APPROVE FINANCIALS

Fiscal Specialist Heidi Delaney explained the financials as including an appropriation transfer from the Contingency account for postage for the remainder of 2009 and January 2010; cash transfers for medical, dental and life insurance for September 2009; voucher payment to DLZ Ohio in the amount of \$52,312.36 for inspection services and contract administration for the Parkman Pump Station Project; and three travel requests. Commissioner Jemison asked what the Contingency balance was to which Ms. Delaney replied that after today it is \$558,000.00.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-160 itemizing the financials for the meeting of September 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>Aye</i>

JOB AND FAMILY SERVICES – LEASE AGREEMENT – WELLINGTON H. CHAPMAN BUILDING AND APPURTENANCES

County Administrator Dave Lair explained that this is to address the issues as to how JFS depreciates its buildings.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute a Lease Agreement between the Geauga County Board of Commissioners and Geauga County Department of Job and Family Services, pursuant to ORC 133.07(c)(5), for the use of the Wellington H. Chapman Building, the parking lot facilities and all necessary appurtenances thereto located at 12480 Ravenwood Drive in order to house the offices, facilities and operations of the Geauga County Job and Family Services for the term beginning July 1, 2009 for a period of three years, with the annual rent of \$63,475.00 plus any interest expense incurred by the County of Geauga associated with the financing cost of debt secured for the purpose of the construction or renovation of the building facilities on the property.

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

MAINTENANCE – FAMILY MEDICAL LEAVE OF ABSENCE – JOE MUKICS

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve a Family Medical Leave of Absence (FMLA), unpaid medical related leave of absence for Joe Mukics, Senior Trades Mechanic, as he will have exhausted all accrued sick and vacation leave before the end of his FMLA on approximately

Commissioners' Journal
September 1, 2009

September 21, 2009, pursuant to Section 6 of the Geauga County Personnel Policy.

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

There was a brief discussion on volunteer contributions of sick time. Commissioner Jemison suggested looking at the Erie County model for this type of program.

**DEPARTMENT ON AGING –INTERMITTENT FAMILY MEDICAL LEAVE OF ABSENCE –
MILLISSA BROSCH**

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve an unpaid intermittent Family Medical Leave of Absence (FMLA) unpaid medical related leave of absence for Millissa Brosch, an Assistant Site Coordinator for the Department on Aging, for the time not covered by accrued sick and vacation leave during the period August 28, 2009 through September 30, 2009, pursuant to Section 6 of the Geauga County Personnel Policy.

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

OTHER

Director Sally Bell informed the Board of the Non Perishable Food Item Art Show on October 16-17. The art sculpture is to be made out of at least 300 non perishable food items because the pantries are bare and all the food will be donated to Hunger Task Force. Ms. Bell invited everyone in the audience to enter the art show as well.

**DEPARTMENT OF WATER RESOURCES – CENTER STREET GARAGE LEASE
AGREEMENT**

Director Doug Bowen explained that this is a repeat of last year's agreement with the City of Chardon.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a Lease Agreement between the Geauga County Board of Commissioners and the City of Chardon for use of the Geauga County Department of Water Resources garage located at 223 Center Street, Chardon for the period October 15, 2009 through April 15, 2010, in the rental amount of \$2,500.00 per 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>Aye</i>

**DEPARTMENT OF WATER RESOURCES – CUMMINS BRIDGEWAY, LLC SERVICE
CONTRACT**

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute a service Contract Agreement with Cummins Bridgeway, LLC to perform services included in the quarterly planned equipment maintenance agreement for the generator located at the McFarland Creek Waste Water Treatment Plant for a period of one year, in an amount not to exceed \$3,864.57.

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

**DEPARTMENT OF WATER RESOURCES – DESIGN AND CONSTRUCTION ASSISTANCE
AGREEMENT – THOMPSON SEWER PROJECT**

Mr. Bowen explained that most of the match has already been paid by Thompson Township by paying for the soil bores and aerial photography as well as other things with a possible reimbursement for the township at the completion of the project.

Commissioners' Journal
September 1, 2009

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Agreement (including the Certification Regarding Lobbying documentation) between the Department of the Army and the Geauga County Board of Commissioners for Design and Construction Assistance for the Thompson Sewer Project between the Department of the Army and Geauga County and for design and construction assistance for the Thompson Sewer Project for grant funds in the amount of \$300,000.00 with a match from the Department of Water Resources of \$100,000.00.

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

COMMISSIONERS' OFFICE – PUBLIC HEARING - TRANSIT DEPARTMENT CY 2010 ODOT CAPITAL AND OPERATING GRANT PROPOSAL

Commissioner Young opened the Public Hearing at 10:30 a.m. for the Calendar Year 2010 ODOT Operating Grant Proposal and the Calendar Year 2010 ODOT Capital Grant Proposal by asking Commissioners' Clerk Claudine Kozenko if the hearing was properly advertised to which Ms. Kozenko replied it was.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to waive reading of the advertisement for the public hearing.

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

Director Kristina Reider explained that next year's proposal was based on the tax budget. The total grant proposal is \$1,485,495.00. With stimulus funds they are getting reimbursed for a line item capitalized maintenance that pays for benefits and salaries for mechanic, a portion of operations manager and the person who cleans the vehicles and the office. A two year commitment was made by the federal government to keep this line item reimbursement for next year at 90%. This means that only \$20,324.00 will come out of Transit's actual budget for salaries and benefits (they were allowed to also include parts and tires). In 2011 the reimbursement will go down to 80% with 20% from the Transit Department. They are very pleased as this is new funding that they have never received before. For the capital portion they are requesting \$199,778.00 which is 90% of the cost to replace three vehicles with \$22,198.00 that will come out of their internal local funds. On the operating side they are requesting \$606,884.00 from the federal portion, \$114,445.00 is the state's portion, and the elderly and disabled portion is \$60,394.00. They are asking for \$53,045.00 from the general fund that was approved in the tax budget. Hopefully they will get what they request and Ms. Reider added that she is very hopeful they will get what they have asked for.

Being no further comments or any comments from the public Commissioner Young closed the public hearing at 10:50 a.m.

TRANSIT DEPARTMENT – RESOLUTION AUTHORIZING CY 2010 ODOT CAPITAL AND OPERATING GRANT PROPOSAL

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-161 Authorizing the Filing of a Proposal with the Ohio Department of Transportation for Grants through the US DOT Federal Transit Administration (FTA) as Authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Financial Assistance for Other Than Urbanized Areas and Funds Available from the Ohio Public Transportation Grant Program and Executing a Contract with the Ohio Department of Transportation upon Grant Proposal Approval. The CY 2010 Grant Application to the Ohio Department of Transportation is requesting Operating funds in the amount of \$781,723.00 and the CY 2010 Grant Application to the Ohio Department of Transportation for Capital funds in the amount of \$199,778.00 for the period January 1, 2010 through December 31, 2010. This grant requests \$806,662.00 in federal funds, \$174,839.00 in state funds and \$75,243.00 in local funds from the County general fund in the amount of \$53,045.00 and the Local Transit Capital Set-aside Funds of \$22,198.00.

Commissioners' Journal
September 1, 2009

Board of County Commissioners, Geauga County, Ohio

Date: September 1, 2009

Resolution: 09-161

RESOLUTION AUTHORIZING THE FILING OF A PROPOSAL WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR GRANTS THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) AS AUTHORIZED UNDER FEDERAL TRANSIT LAWS, AS CODIFIED, 49 USC SECTION 5311, FINANCIAL ASSISTANCE FOR OTHER THAN URBANIZED AREAS AND FUNDS AVAILABLE FROM THE OHIO PUBLIC TRANSPORTATION GRANT PROGRAM AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT PROPOSAL APPROVAL

WHEREAS, the Director of the Ohio Department of Transportation is authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the proposer, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of a proposal for assistance under 49 USC Section 5311 the proposer give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Proposer that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY the Geauga County Board of Commissioners

- 1. That the President of the Board is authorized to execute and submit (a) proposal(s) on behalf of the Geauga County Board of Commissioners with the Ohio Department of Transportation to aid in the financing of capital and operating assistance projects pursuant to 49 USC Section 5311 and the Ohio Public Transportation Grant Program.*
- 2. The President of the Board is authorized to execute and file with such proposal and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.*
- 3. That President of the Board is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the proposal for the program of projects submitted to FTA.*
- 4. That the President of the Board is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.*
- 5. That the President of the Board is authorized to execute grant agreements on behalf of the Geauga County Board of Commissioners with the Ohio Department of Transportation for aid in the financing of operating and capital assistance projects.*

BE IT FURTHER RESOLVED, that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to Geauga County Transit.

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

Commissioners' Journal
September 1, 2009

AIRPORT AUTHORITY – FAA GRANT AGREEMENT – AIP PROJECT #3-39-0054-1309

Patty Fulop, Secretary/Treasurer/Manager explained that this is accepting the grant award. They were able to save about \$10,000.00 which will be carried over for next year to be used towards their resurfacing of the runway through a bidding process. Commissioner Young asked what the resurfacing cost would be to which Ms. Fulop replied it would be about \$300,000.00.

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and authorize the President of the Board to execute the Federal Aviation Administration (FAA) Grant Agreement for AIP Project #3-39-0054-1309 Rehabilitate Runway 11-29 (Design of Major Rehabilitation and Crack Repair); Rehabilitate Apron (Design of Major Rehabilitation, Slab and Crack Repair) in the amount of \$140,071.00 (Federal share of \$133,067.00 and the county match of \$7,004.00).

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

TREASURER'S OFFICE – RESOLUTION DESIGNATING TRI STATE CAPITAL BANK – PUBLIC DEPOSITORY

Motion: by Commissioner Jemison, seconded by Commissioner Samide to approve and execute Resolution 09-162 designating Tri State Capital Bank as an additional public depository for the remainder of the four (4) year designation period through October 11, 2012.

Board of County Commissioners, Geauga County, Ohio

Date: September 1, 2009

Resolution: 09-162

**A RESOLUTION DESIGNATING AN ADDITIONAL
GEAUGA COUNTY PUBLIC DEPOSITORY**

WHEREAS, Chapter 135 of the Ohio Revised Code sets forth the procedure to establish public depositories; and

WHEREAS, the Geauga County Treasurer has estimated that during the period to be contracted, there will be an estimated aggregate maximum of seventy five million dollars (\$75,000,000) in public funds for the period October 12, 2008 through October 11, 2012, in active and interim funds and there will be no inactive funds designated. See Resolution #08-135 of the Geauga County Board of Commissioners dated September 16, 2008; and

WHEREAS, the Geauga County Commissioners received a depository application from Tri State Bank, which application was received after the specified due date, pursuant to the legal notice which was faxed to all banking and financial institutions with principal or branch offices within the boundaries of the County on August 1, 2008 soliciting applications from financial institutions for Public Depositories for the County's active and interim funds, to be received by the Board no later than 2:00 p.m. on August 15, 2008; and

NOW THEREFORE BE IT RESOLVED, the Geauga Board of County Commissioners establishes a ratio of deposits in accordance with the capital funds of the financial institutions(s) applying for depository of public funds, and that said Board shall award for the remainder of the four (4) year designation period, to wit: August 1, 2009 through October 11, 2012 a contract to Tri State Bank as a depository of active funds or interim funds, or any part thereof of the amount of \$75,000.00 pursuant to the Treasurer's estimate; and

BE IT FURTHER RESOLVED, that all deposits are subject to the limitations specified in applicable sections of ORC Chapter 135, Uniform Depository Act.

AND BE IT FURTHER RESOLVED, that the Board hereby authorizes the Treasurer to execute the necessary Depository Agreement for Active and Interim Public Funds with Tri State Bank, pursuant to this Resolution.

**Commissioners' Journal
September 1, 2009**

AND BE IT FURTHER RESOLVED, that the Board directs the Commissioners' Clerk to certify copies of this Resolution and copy of the signed Depository Agreement for Active, and/or Interim Funds to the County Treasurer and the applicant financial institution so designated.

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

COMMISSIONERS' OFFICE – SET 2009 BUDGET HEARINGS

Motion: by Commissioner Jemison, seconded by Commissioner Samide to set the 2009 budget hearings for Geauga County Offices as listed on the attached form. The budget hearings will be held in the Commissioners= Office at 470 Center Street, Building #4 in Chardon.

September					
Time	Thu - 10	Tue - 15	Tue - 15	Thu - 17	Tue - 29
1:00	County Home	Aging	Aging	BOCC	Unavailable
1:45	Building Dept	Water Resources	Water Resources	Board of Elections	Unavailable
2:30	Dog Warden	Coop Ext	Coop Ext	Unavailable	Planning
3:15	Law Library	Unavailable	Unavailable	Unavailable	Airport
4:00					Coroner

October					
Time	Thu - 1	Tue - 6	Thu - 8	Tue - 20	Thu - 22
1:00	Auditor / ADP	Treasurer	Soil & Water	Transit	Sheriff
1:45	Comm Dev	Juvenile / Probate	Clerk of Cts	Engineer	Mental Health
2:30	MRDD	Recorder	Prosecutor	Public Defender	Maintenance
3:15	Veterans	JFS	Archives/ Records Ctr		Common Pls / Court Tech
4:00	Muni Court		DES		

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

OTHER

The Board reviewed and discussed the events of the upcoming session, "Gauga Learn" program and Senior Day all being held at the Geauga County Fair on September 3, 2009.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

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

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

The Board returned from executive session at 11:36 a.m. The following action was taken as a result of this executive session:

Motion: by Commissioner Jemison, seconded by Commissioner Samide to request the President of the Board send a letter to ODNR inviting the representatives that attended the July 31, 2009 meeting at Punderson to attend executive session on September 10, 2009, pertaining to the installation of a water line in Bainbridge Township.

Commissioners' Journal
September 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>Aye</i>

MEETINGS

- Thu., 9/3* **The Commissioners will hold regular session to be held at the Geauga County Fairgrounds Junior Fair stage. NOTE DIFFERENT LOCATION.**
- 9/3 thru 9/7* *The Great Geauga County Fair.*
- Mon., 9/7* *County offices will be closed for general business due to the Labor Day holiday.*
- Tue., 9/8* **The Regularly scheduled Commissioners' meeting is cancelled.**
- Thu., 9/10* *The Commissioners will hold regular session.*
- Fri., 9/11* *NOACA*
- Fri., 9/11* *Patriot Day Ceremony on the Geauga County Court House at 8:15 a.m.*
- Tue., 9/15* *The Commissioners will hold regular session.*
- Tue., 9/15* *Advisory Committee meeting after session.*
- Tue., 9/15* *The Board will meet at the County Home cemetery for an Eagle Scout flag pole ceremony at 3:30 p.m.*
- Thu., 9/17* *The Commissioners will hold regular session.*
- Mon., 9/21* *Family First meeting at 2:00 p.m. at Job and Family Services.*
- Tues. 9/22* *The Commissioners will hold regular session.*
- Thu., 9/24* *The Commissioners will hold regular session.*
- Tue., 9/29* *The Commissioners will hold regular session.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER YOUNG ADJOURNED THE MEETING AT 11:37 A.M.

Geauga County Board of Commissioners

Tracy A. Jemison

Mary E. Samide

William S. Young

Claudine Kozenko, Commissioners' Clerk