

Commissioners' Journal
January 28, 2021

The Geauga County Board of Commissioners met in session on January 28, 2021 at 9:30 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, James W. Dvorak opened the meeting at 9:31 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

**Commissioner Lennon was running late for the meeting.*

Commissioner Dvorak read the following prayer:

Hope

May the Lord show us the greatness of his goodness, that you overflow with thanks every day. May the Lord bless you abundantly, with rest for the heart, power for virtue, wisdom for life and patience in suffering. May the Lord bless you with joyful Hope, and one day with the inexpressible joys of eternal life.

Amen

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on January 25, 2021 that included for the Department of Water Resources to amend the motion from December 21, 2020 to correct the rate of pay to be in accordance with the Union Contract to read: Approve hiring Jacob Pitchler to the position of Full-time Maintenance Worker (#2330) to be effective January 11, 2021 at the rate of \$18.54 per hour with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions; and on January 27, 2021 for the Department of Water Resources approved hiring Linda Parinish to the position of Full-time Accounts Payable Assistant (#2331) to be effective February 8, 2021 at the rate of \$16.93 per hour (Grade 7, Step 3) with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions; as authorized by Resolution #21-003 under the direction and supervision of the County Commissioners that was approved January 5, 2021 pursuant to O.R.C. 305.30.

FINANCIALS

County Administrator Gerard Morgan reported on financials from January 26, 2021, Resolution #21-008 that included Cash transfer from the General Fund to Community Development, Board of Elections and Metzenbaum for the 4th Quarter 2020 interest transfer; Cash transfer out of the General Fund to Public Assistance for the January – March 2021 mandated share; Cash transfer from the Juvenile Court General Fund travel account to the Care and Custody fund for reimbursement of travel expenses per grant agreement; Then and Nows for the Common Pleas Court to various lawyers for appointed counsel fees not previously encumbered; a payment for ADP to Logilcalis, Incorporated for CISCO Smartnet System license renewals for 2021 in the amount of \$77,965.43; and a payment for the Engineer's Office to Krystowski Tractor Sales, Incorporated for a 2020 Bandit 15XP Chipper in the amount of \$70,562.39; as approved by the County Administrator pursuant to Resolution #21-003 approved January 5, 2021 to authorize the County Administrator to execute, in the case of a lack of quorum of Commissioners and / or if session is cancelled on a regular financial day or on a day when financials need to be approved, the required approvals for county financials on behalf of the Board during the Year 2021, as authorized by O.R.C. 305.30.

**Commissioner Lennon arrived at the meeting.*

AUDITOR'S OFFICE – RESOLUTION EXTENDING THE PERIOD FOR FILING AND APPLICATION FOR THE REGISTRATION OF DOGS IN GEAUGA COUNTY WITHOUT PENALTY

Pam McMahan and Mary Beth Armao on behalf of Auditor Walder who is requesting the Board extend the filing of applications for the Registration of Dog licenses. Ms. McMahan expressed that due to COVID residents have been requested to stay home and limit contact along with delays with the postal service.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-009 Extending the Period for Filing and Application for the Registration of Dogs in Geauga County without Penalty, Pursuant to Ohio Revised Code 955.01.

Board of County Commissioners, Geauga County, Ohio

Resolution: #21-009

Date: January 28, 2021

**RESOLUTION EXTENDING THE PERIOD FOR FILING AN APPLICATION FOR THE
REGISTRATION OF DOGS IN GEAUGA COUNTY WITHOUT PENALTY,
PURSUANT TO OHIO REVISED CODE 955.01**

WHEREAS, the Geauga County Auditor's Office administers the registration of dogs under Ohio Revised Code, Chapter 955; and

WHEREAS, O.R.C. Section 955.01 requires every person who owns, keeps, or harbors a dog more than three months of age to file an application for registration on or after the first day of the applicable December, but before the thirty-first day of the applicable January; and

WHEREAS, O.R.C. Section 955.01 explicitly authorizes the Board of County Commissioners (Board) to extend the period for filing applications for registration of dogs by resolution; and

WHEREAS, unless extended by resolution, a penalty must be assessed by the County Auditor for applications filed after the thirty-first day of the applicable January equal to the cost of a one-year dog license; and

WHEREAS, the Auditor's Office recommends only for the Year 2021 that the Board temporarily extend the deadline to file an application without penalty by five months, to the first day of July, 2021 to allow for the extension of registrations as provided in H.B. 404; and

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners, pursuant to the Board's explicit authority under O.R.C. Section 955.01, hereby extend the January deadline for the filing of applications for the registration of dogs with the Office of County Auditor by five months to the first day of July 2021 and that the extension shall be in effect only during the Year 2021; and

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

<i>Roll Call Vote:</i>	<i>Commissioner Spidalieri</i>	<i>Aye</i>
	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Dvorak</i>	<i>Aye</i>

REAL ESTATE TAXES

Commissioner Spidalieri expressed that he has received several phone calls from residents regarding their property taxes that they just received that had an almost 14% increase that was about \$3,000.00 that they never had any notification of and wanted to know what we are doing about this. Ms. McMahan explained that they were putting a release via the newspaper, on Facebook, and the website on how to appeal via Board of Revision. Mr. Spidalieri stated that people have been out of work, unemployment benefits have run out and residents are struggling, and wants to know what they can do to extend this out, adding the Board of Revision will never be able to hear all of these cases. Mr. Spidalieri expressed appraisals being done in a year with hardship, and raise taxes on people, that it's irresponsible, understanding that they have laws to follow, but it's difficult to listen to residents calling about the increases in their taxes. Ms. McMahan stated she will take it back to Mr. Walder, that he is aware, having talked to several residents himself along with talking to Mr. Hitchcock. Mr. Spidalieri asked for humanity on this. Commissioner Dvorak mentioned the idea of a 90-180-day extension on the increase to give people time, but that it would have to come from the state.

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PLANNING COMMISSION – REPLAT AND CONSOLIDATION OF SUBLOT 1a, 2a and 3 –
COMMUNITY SERVICE CENTER SUBDIVISION – MUNSON AND CLARIDON TOWNSHIPS

Director Linda Crombie explained that this is a lot consolidation for University Hospitals, as they own numerous parcels in Munson and Claridon Townships. This consolidation will put ten parcels together, excluding a few that they wanted to leave separate for tax purposes.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Replat and Consolidation of Sublot 1a, 2a, and 3 of the Community Service Center Subdivision, Plat Volume 26, Page 7 and other Lands, Final Plat located in Munson and Claridon Townships.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

SHERIFF'S OFFICE – LABORATORY SERVICES AGREEMENT – UNIVERSITY HOSPITALS,
GEAUGA MEDICAL CENTER

Sheriff Scott Hildenbrand explained that this agreement is with University Hospitals to do laboratory testing for inmates if ordered, noting that the amount set as the State Medicare Rate.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Laboratory Services Agreement with University Hospitals, Geauga Medical Center to perform medical laboratory testing services for inmates, when ordered by medical staff with pricing set by the Medicare Fee Schedule for OHIO, for a one-year period with automatic renewal in a not to exceed per year amount of \$9,000.00.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

SHERIFF'S OFFICE – ANNUAL FEDERAL EQUITABLE SHARING AGREEMENT AND
CERTIFICATION FOR 2020

Sheriff Hildenbrand explained that this was the Equitable Sharing Agreement for 2020 and that while 2020 was a great amount they anticipate 2021 higher due to increased seizures.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Annual Federal Equitable Sharing Agreement and Certification for FY ending December 31, 2020.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

SHERIFF'S OFFICE - OFFICE OF CRIMINAL JUSTICE SERVICES MDT REPLACEMENT,
PRE-AWARD CONDITIONS AND STANDARD ASSURANCES

Sheriff Hildenbrand explained that this is a grant from the Ohio Office of Criminal Justice Services to replace their MDT's. This grant will cover the replacement of ten units, explaining that they like to stagger replacement so they don't all have to be done once. Sheriff Hildenbrand explained that their units are plugged into the cars so they don't use the batteries in them, but found out that Fujitsu pushed out an upgrade that won't fully charge the batteries, which is really a push to replace them. This grant does include a local match from the General Fund.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Office of Criminal Justice Services (OCJS) MDT Replacement, Pre-award Conditions and Standard Assurances for Grant #2017-JG-A02-6468A for the purchase of ten (10) additional MDT's in the amount of \$34,980.00 with \$26,235.00 from OCJS and \$8,745.00 from the County General Fund. This grant is for the period of January 1, 2021 through September 30, 2021.

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MAINTENANCE – APPROVE THE CREATION, TITLE AND JOB DESCRIPTION FOR THE POSITION OF FISCAL ASSISTANT (#1919) AND TECHNOLOGY MAINTENANCE (#1918) – REVISE ORGANIZATIONAL CHART TO INCLUDE POSITIONS – ADVERTISE POSITIONS UNTIL FILLED

Director Glen Vernick explained that the department anticipates being busy this year including some upcoming retirements so he would like to create two positions, including the Technology Maintenance at the Safety Center since they have a lot of technology and the Fiscal Assistant to learn the functions of the office. Mr. Vernick explained that he anticipates changes in the office in July and December, with an additional retirement during the year. Mr. Vernick explained that he would like to update the organizational chart to include the new positions and then advertise both until filled.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the creation, title and job description for the position of Fiscal Assistant (#1919) to be effective January 28, 2021.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the creation, title and job description for the position of Technology Maintenance (#1918) to be effective January 28, 2021.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the revised Organizational Chart to include the new positions of Fiscal Assistant (#1919) and Technology Maintenance (#1918) to be effective January 28, 2021.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise for the position of Fiscal Assistant (#1919). This position will remain posted until filled.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise for the position of Technology Maintenance (#1918). This position will remain posted until filled.

<i>Roll Call Vote:</i>	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye

DEPARTMENT OF WATER RESOURCES – REQUEST FOR PARTIAL PAYMENT #2, CONTRACTORS ESTIMATE AND OHIO WATER DEVELOPMENT AUTHORITY FUND PAYMENT REQUEST #2 – TRAX CONSTRUCTION – CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT

Director Steven Oluic asked the Board to approve the Request for Partial Payment #2, Contractors Estimate and Ohio Water Development Authority Fund Pay Request for TRAX Construction on the Chardon Township Plant and Sewer project.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Request for Partial Payment #2, Contractor's Estimate and the Ohio Water Development Authority Fund Payment Request #2 for TRAX Construction Company for the Chardon Township Wastewater Treatment Plant and Sewer Project in the amount of \$444,729.84.

*Roll Call Vote: Commissioner Spidalieri Aye
 Commissioner Lennon Aye
 Commissioner Dvorak Aye*

DISCUSSION ITEMS

Mr. Morgan explained that they had received a letter from Mr. Funk the Attorney representing Judge Grendell in the case with the Auditor's Office explaining that the mediation did not work and that the Supreme Court needs to make the decision on this. Mr. Funk expects that with it going to the Supreme Court he will need an increase from the current \$20,000.00 cap of another \$10,000.00. Commissioner Spidalieri inquired about the total amount of the fight, to which it was noted the amount was around \$25,000.00. Mr. Spidalieri stated that he would not make a motion and not vote on this, spending more money on Attorney's than the cost of the bills, someone needs to put their big pants on and figure out what they are doing. Mr. Morgan was going to do some additional research and will come back to the Board.

The other item is in regards to the City of Akron announcing they were considering doing fracking on their properties around LaDue Reservoir. Mr. Morgan stated that the City of Akron purchased property to protect their water system and they are going to do something that could potentially harm the thing they want to protect. Mr. Dvorak inquired about the property they would lease for this could it then be taxed because they are receiving funds for the lease. Mr. Lennon expressed that based on what he had looked into that this was under discussion on the idea, and they have done logging in the past, and different revenue projects and if that is the case they need to put the property back as taxable. Mr. Dvorak noted that the City of Akron owns 27% of the property in Troy and 23% of the property in Burton. Mr. Morgan then asked the Board if they wanted him to draft a letter expressing the Board's concern over this intent and that they should consider putting the properties back onto the tax rolls. Mr. Lennon stated that he was asked if the Commissioners' Office could stop the fracking, and Mr. Morgan expressed that based on what has been done in the past the Commissioners don't have the control to stop them, it's State and Federal.

ACKNOWLEDGEMENTS

- a) Geauga County Board of Developmental Disabilities Board Minutes from November 18, 2020*

OTHER

The Board reviewed upcoming events. There was a brief discussion about the Solid Waste Meeting that needs to be scheduled and what the Board's availability was, the meeting will be virtual.

MEETINGS

- Fri., 1/29 NOACA External Affairs, Policy, Planning and Programming Committees, Cleveland*
- Mon., 2/1 Board of Revision, Auditor's Office, 9:00 a.m.*
- Tue., 2/2 The Commissioners will hold regular session at 9:30 a.m., Chambers*
- Tue., 2/9 Planning Commission meeting at 7:30 a.m., (location to be determined and announced)*
- Tue., 2/9 The Commissioners will hold regular session at 9:30 a.m. Chambers with a Public Hearing at 10:00 a.m. on the issue of the employment of Larry Heiden as Multi-Certified Inspector III (#1111) in the Department of Development (Building) following his retirement from that position.*
- Mon., 2/15 **County offices will be closed for general business due to the President's Day holiday. Twenty-four-hour operations will continue to operate as usual.***

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Thu., 2/18 The Commissioners will hold regular session at 9:30 a.m.

Mon., 2/22 Family First Council, 1:30 p.m. Mental Health Offices (via Zoom)

Tue., 2/23 The Commissioners will hold regular session at 9:30 a.m.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adjourn the meeting at 10:04 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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