

Commissioners' Journal
July 20, 2021

The Geauga County Board of Commissioners met in session on July 20, 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 9:41 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

A prayer for strength

*Our father,
Sometimes the cares of the day seem to multiply while the blessings fade so quickly.
Our bodies grow tired and our minds even more tired.*

*Jesus, help us.
Give us strength you've promised in your word
Give us the power to take the next step
Give us your grace...for we know that in our weaknesses
Your strength is revealed.
May we receive it today
Amen*

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on July 14, 2021 that included for Transit to approve a medical leave without pay for Andrea Scheid, Full-time Driver beginning July 11, 2020 (Payroll #15) through August 7, 2021 (Payroll #16). Accrued sick leave shall be exhausted before being placed in unpaid status. The employee may elect to substitute accrued vacation leave for any period of unpaid medical leave at any reasonable time during the leave of absence; approved and executed the Ohio Motor Fuel Tax Refund Claim for Transit Buses for the period April 1, 2021 through June 30, 2021 in the amount of \$4,280.50 (\$391.00 Diesel and \$3,889.50 Gasoline); and for Water Resources approved and executed the Ohio Water Development Authority Fund Payment Request #7 for Technical Services (Loan #8983) by GPD Group, Incorporated for the Chardon Township Wastewater Treatment Plant and Sewers Project (Henning Road) in the amount of \$22,983.52; and accepted the resignation of Brien Croff, Assistant Sanitary Engineer (#2303) to be effective August 13, 2021; as authorized by Resolution #21-003 under the direction and supervision of the County Commissioners that was approved January 7, 2020 pursuant to O.R.C. 305.30.

FINANCIALS

County Administrator Gerard Morgan reported on financials from July 15, 2021, Resolution #21-093 that included a Supplemental Appropriation for the Juvenile Court in the Care and Custody fund for Materials and Supplies as well as various payroll accounts needed to complete the processing of pay period #14; 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.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including a Cash transfer out of the General Fund to the Sheriff's 800 Communications fund for the first half 2021 support; a Cash transfer out of the General Fund to the Board of Developmental Disabilities for gas well proceeds from April – June 2021; a Cash transfer out of the General Fund to the County Facility Bond Retirement Fund for future debt payments; a Cash transfer out of the General Fund to Family First for July – September 2021 commitment; a Then and Now encumbrance from Community Development to Neighborhood Development Services

Commissioners' Journal
July 20, 2021

Incorporated for payment of services not previously encumbered; a payment for the Commissioners Office to Ohio State University for our 3rd Quarter 2021 commitment in the amount of \$69,165.25; a payment for the Commissioners Office to ThenDesign Architecture LTD for services related to the new County Office Building in the amount of \$49,869.52; a payment for the County Engineer's Office to Junction Buick for 2021 a GMC Sierra 1500 4WD Double Cab truck for the Highway Managers responsible for emergency response and 24 hour call out operations in the amount of \$32,771.00; and a Revenue Certification for the Sheriff's Office in their Law Enforcement Assistance Fund for additional revenue received this year.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-094 itemizing the financials for the meeting of July 20, 2021.

<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>

JOB AND FAMILY SERVICES – APPROVE SUBMISSION OF PY2022 HOME ENERGY ASSISTANCE PROGRAM (HEAP)

Executive Director Craig Swenson asked the Board to approve the submission for the PY2022 Home Energy Assistance Program (HEAP) grant.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the submission of the PY2022 Home Energy Assistance Program (HEAP) Administrative Operating Grant.

<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>

JOB AND FAMILY SERVICES – OHIO DEPARTMENT OF JOB AND FAMILY SERVICES SUBGRANT AGREEMENT

Mr. Swenson asked the Board to execute the Ohio Department of Job and Family Services subgrant agreement which allows them to receive the funding for all the programs they administer that serve the residents of the County.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Ohio Department of Job and Family Services Subgrant Agreement (#G-2223-11-6929), upon the recommendation of the Executive Director, establishing the terms, conditions and requirements governing the administration and use of Federal Funds by Geauga County Job and Family Services for the period July 1, 2021 through June 20, 2023.

<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>

MAINTENANCE – SERVICE CONTRACT AGREEMENT – GARDINER SERVICE COMPANY, LLC – HVAC MAINTENANCE AND SERVICE

Director Glen Vernick asked the Board to approve the contract with Gardiner Service Company to do HVAC maintenance and repairs throughout the county.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the service Contract Agreement with Gardiner Service Company, LLC to provide HVAC Related Maintenance and Services per the Maintenance Director for a period of one year in an amount not to exceed \$45,000.00.

<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>

Commissioners' Journal
July 20, 2021

TRANSIT – ACCEPT RESIGNATION – JENNIFER RICE, FULL-TIME DRIVER

Director JoAnna Santilli introduced Kim Sass, Road Supervisor to the Board. Ms. Santilli asked the Board to accept the resignation of Full-time Driver Jennifer Rice.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to accept the resignation of Jennifer Rice, Full-time Transit Driver (#2210) to be effective July 23, 2021.

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

TRANSIT – ADVERTISE FULL-TIME DRIVER – INTERNALLY FIVE DAYS

Ms. Santilli asked the Board to advertise internally for the Full-Time Driver position.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise for the position of Full-time Transit Driver (#2210), internally, for a period of five days with applications accepted from July 26, 2021 through 4:30 p.m. on July 30, 2021.

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

TRANSIT – INCREASE CURRENT POSTING – PART-TIME DRIVER – INCREASE TO THREE POSITIONS

Ms. Santilli asked the Board to increase the current posting for Part-time Drivers, with a Part-time moving to Full-time she needs to ensure she has enough drivers.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to increase the current posting for the position of Part-time Transit Driver (#2210-1) from two to three positions. These positions 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 #7 – OWDA CONTRACTORS ESTIMATE AND FUND PAYMENT REQUEST #7 – TRAX CONSTRUCTION – CHARDON TOWNSHIP SEWER PROJECT

Director Steven Oluic asked the Board to authorize the President to execute the Ohio Water Development Authority partial pay request, contractors estimate and fund payment request #7 for TRAX Construction for the Chardon Township Sewer Project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Request for Partial Payment #7, Ohio Water Development Authority Contractor's Estimate and Fund Payment Request #7 for TRAX Construction Company for the Chardon Township Wastewater Treatment Plant and Sewer Project in the amount of \$353,161.48.

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

DEPARTMENT OF WATER RESOURCES – REQUEST FOR PARTIAL PAYMENT #8 – OWDA CONTRACTORS ESTIMATE AND FUND PAYMENT REQUEST #8 – TRAX CONSTRUCTION – CHARDON TOWNSHIP SEWER PROJECT

Dr. Oluic asked the Board to authorize the President to also sign the payment requests #8 for TRAX Construction on the Chardon Township Sewer project.

Commissioners' Journal
July 20, 2021

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Request for Partial Payment #8, Ohio Water Development Authority Contractor's Estimate and Fund Payment Request #8 for TRAX Construction Company for the Chardon Township Wastewater Treatment Plant and Sewer Project in the amount of \$317,403.54.

<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>

COMMISSIONERS' OFFICE – RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO MAKE APPLICATION FOR THE AMERICAN RESCUE PLAN ACT OF 2021 FUNDS – SUBMIT REQUIRED REPORTS AND PLACE FUNDS IN APPROPRIATE SUB-FUNDS

Mr. Morgan explained that this resolution directs the Auditor to make application for the American Rescue Plan Act funds, to submit the reports necessary and deposit the funds into sub-funds for Capital Improvements, Utilities and Third-Party requests and those are just initial deposits and can be moved around and adjusted as needed.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-095 Authorizing the County Auditor to make application for the American Rescue Plan Act of 2021 Funds, to submit any required reports, and to place the funds in the appropriate county sub-funds.

Board of County Commissioners, Geauga County, Ohio

Resolution: #21-095
Date: July 20, 2021

RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO MAKE APPLICATION FOR THE AMERICAN RESCUE PLAN ACT OF 2021 FUNDS, TO SUBMIT ANY REQUIRED REPORTS, AND TO PLACE THE FUNDS IN THE APPROPRIATE COUNTY SUB-FUNDS

WHEREAS, The President of the United States signed into law the American Rescue Plan Act of 2021 (ARP) on March 11, 2021; and

WHEREAS, ARP provides money to States, Counties and Municipalities to address the continuing impact of COVID-19 on the economy, public health, state and local governments, individuals and businesses; and

WHEREAS, Geauga County is scheduled to receive around \$18 million from ARP; and

WHEREAS, Usage of the money is limited to certain areas per ARP; and

WHEREAS, Geauga County is required to request the money and to perform regular reporting of the usage of the money;

THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners authorizes the County Auditor to make the application for the ARP money; and

BE IT FURTHER RESOLVED, that the Geauga County Board of Commissioners authorizes the County Auditor to submit any and all reports required by ARP and/or the United States Treasury Department; and

BE IT FURTHER RESOLVED, that the Geauga County Board of Commissioners directs the County Auditor to place the funds received into the appropriate sub-funds in the county fund for ARP at the following rates for usage

- Capital Improvements – 75%*
- Utilities – 15%*
- Third Party requests – 10 % ;and*

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

Commissioners' Journal
July 20, 2021

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

COMMISSIONERS' OFFICE – RESOLUTION OBJECTING TO EXEMPTION FOR NUMBER OF YEARS IN EXCESS OF TEN AND EXEMPTION FOR PERCENTAGE OF IMPROVEMENT EXEMPTED IN EXCESS OF SEVENTY-FIVE PERCENT – PROPOSED TIF ORDINANCE – REDWOOD-CHARDON AREA

Mr. Morgan explained that the City of Chardon has notified us that they are attempting to TIF the Redwood Development, senior apartment complex and this resolution expresses that the Commissioners are objecting to it and seek discussion on how to move forward. Mr. Morgan stated that the TIF is on the property tax, but this is a senior development and that would affect JFS and Aging taxes and doesn't seem right to take taxes away from those departments when the residents would be using those services. Assistant Prosecutor Laura LaChapelle stated that we are objecting to the term and the percentage since they want thirty years at 100%.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-096 Objecting to the Exemption for the Number of Years in Excess of Ten and the Exemption for the Percentage of the Improvement to be Exempted in Excess of Seventy-five Percent relating to the Proposed TIF Ordinance for the Redwood-Chardon Area (PP No. 10-165803) in Accordance with R.C. 5709.40 (E)(1).

Board of County Commissioners, Geauga County, Ohio

Date: July 20, 2021
Resolution: #21-096

RESOLUTION OBJECTING TO THE EXEMPTION FOR THE NUMBER OF YEARS IN EXCESS OF TEN AND THE EXEMPTION FOR THE PERCENTAGE OF THE IMPROVEMENT TO BE EXEMPTED IN EXCESS OF SEVENTY-FIVE PERCENT RELATING TO THE PROPOSED TIF ORDINANCE FOR THE REDWOOD-CHARDON AREA (PP No. 10-165803) IN ACCORDANCE WITH R.C. 5709.40(E)(1)

WHEREAS, on or about June 21, 2021, the Geauga County Board of Commissioners ("County") received formal notice from the City of Chardon ("City") of the City's intention to consider the passage of the TIF Ordinance ("Ordinance") pursuant to Section 5709.40(E)(1) of the Ohio Revised Code; and

WHEREAS, the passage of the Ordinance by the City would exempt from real property taxes 100% of the incremental increase in assessed value of certain parcels of real property identified in the Ordinance for thirty (30) years pursuant to Section 5709.40(C) of the Ohio Revised Code; and

WHEREAS, the Ordinance further provides that, in accordance with Ohio Revised Code Section 5709.40(E), in years 11 through 30 of the exemption, the County shall receive a portion of the service payments in lieu of taxes in an amount equal to 50% of the property tax payments the County would have received had the improvement not been exempted pursuant to the Ordinance; and

WHEREAS, ninety-one (91) residential apartment units are proposed for construction within the area proposed for tax exemption and the true value in money of the improvements is estimated to be approximately \$ 17,622,739; and

WHEREAS, the City anticipates that service payments in lieu of taxes created by the improvements will be used to pay for public infrastructure improvements which will serve properties exempted by the Ordinance; and

WHEREAS, Section 5709.40(E)(2) of the Ohio Revised Code permits a board of county commissioners of a county within which an incentive district and real property tax exemption

Commissioners' Journal
July 20, 2021

pursuant to Section 5709.40(C) of the Ohio Revised Code will be located, to object to the exemption for the number of years in excess of ten and the exemption for the percentage of the improvement to be exempted in excess of seventy-five percent; and

WHEREAS, if a board of county commissioners objects, the board may negotiate a mutually acceptable compensation agreement with the legislative authority of the municipality and the compensation provided to the board cannot exceed the property taxes foregone due to the exemption; and

WHEREAS, if a board and legislative authority for the municipality fail to negotiate a mutually acceptable compensation agreement, the ordinance adopted by the legislative authority shall provide to the board compensation in the eleventh and subsequent years of the exemption period equal in value to not more than fifty percent of the taxes that would be payable to the county; and

WHEREAS, if a board's objection includes an objection to the exemption percentage in excess of seventy-five per cent, compensation equal in value to not more than fifty percent of the taxes that would be payable to the county on the portion of the improvement in excess of seventy-five percent, were that portion to be subject to taxation.

NOW THEREFORE BE IT RESOLVED, that the County objects to the exemption for the number of years in excess of ten and the exemption for the percentage of the improvement to be exempted in excess of seventy-five percent, as provided in Section 5709.40(E)(2) of the Ohio Revised Code.

BE IT FURTHER RESOLVED, that the County requests the City enter into discussions with the County for purposes of negotiating a mutually acceptable compensation agreement for the County.

BE IT FURTHER RESOLVED, that the County does not otherwise waive any rights, including but not limited to, its right under Section 5709.913 of the Ohio Revised Code to receive a portion of the service payments made each year equal to the amount calculated under Section 5709.913(C)(4) of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this Resolution to the Chardon City Council no later than thirty (30) days after the County's receipt of the City's notice.

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 Spidalieri</i>	<i>Aye</i>
	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Dvorak</i>	<i>Aye</i>

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to move into Executive Session for the purpose of discussing the dismissal of a public employee.

<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>

The Board moved into Executive Session at 9:52 a.m. with Assistant Prosecutor Laura LaChapelle and Human Resources Administrator Kathy Hostutler. The Board returned at 10:19 a.m. and as a result the following actions were taken for the Department on Aging:

Commissioners' Journal
July 20, 2021

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve an Involuntary Disability Separation for Shaunna Gyorki from her position as Recreation and Education Assistant, as the employee is unable to perform the essential job duties of the position, to be effective July 21, 2021.

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and issue the Notice to Employee of Involuntary Disability Separation to Shaunna Gyorki and further authorize the County Administrator to execute the letter.

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and issue the Order of Involuntary Disability Separation (ADM-4055) to Shaunna Gyorki and further execute the Order of Involuntary Disability Separation form.

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

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending July 7, 2021 as required by O.R.C. 955.12.*
- b) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the Inmate meals for the month ending June, 2021.*
- c) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the Prisoner Transport for the month ending June, 2021 as required by O.R.C. 325.07.*
- d) 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 June, 2021 pursuant to ORC 135.35(L).*

OTHER

The Board reviewed upcoming events.

MEETINGS

- Tue., 7/20 Gauga Trumbull Solid Waste Management District, Board of Directors meeting, 1:00 p.m. Warren, District Office*
- Mon., 7/26 Board of Revision, 9:00 a.m. Auditor's Office*
- Tue. 7/27 The Commissioners will hold regular session at 9:30 a.m.*
- Tue., 8/3 The Commissioners will hold regular session at 9:30 a.m.*
- Tue. 8/10 Planning Commission, 7:30 a.m. 470 Center Street, Building #8 meeting room*
- Tue., 8/10 The Commissioners will hold regular session at 9:30 a.m.*
- Tue., 8/10 The Commissioners will tour the County Building Site*
- Fri., 8/13 NOACA, Finance & Audit 8:30 a.m., Governance 10:00 a.m. and Executive 11:30 a.m., Cleveland*

Commissioners' Journal
July 20, 2021

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adjourn the meeting at 10:23 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

Commissioners' Journal
July 20, 2021

THIS PAGE INTENTIONALLY LEFT BLANK