

Commissioners' Journal
September 14, 2021

The Geauga County Board of Commissioners met in session on September 14, 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 9:37 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

A prayer for today

Father, then you for fresh grace and a week full of promise

Lead me in your ways and fill my heart with your love and joy

Help me to see others as you see them

Father, I ask that you guide every decision, response, effort and conversation I have

All for your Glory

In Jesus name I pray

Amen

MEETING MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of August 3, 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>

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of August 10, 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>

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on September 13, 2021 for the Department on Aging to approve hiring Shari Palumbo to the position of Full-time Recreation and Education Assistant (31005) to be effective September 20, 2021 at the rate of \$14.83 per hour 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.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including an Appropriation Transfer from the Commissioners Contingency Account to Municipal Court criminal prosecution account to pay for an increase in indigent defendants requiring representation; a payment for the Commissioners to ThenDesign Architecture LTD for services related to the new County Office Building in the amount of \$60,228.55; a payment for the County Engineer's Office to Eclipse Company, LLC for pay request #2 on the Asphalt Resurfacing of Washington Street, Sections F-J in the amount of \$68,662.50; and a payment for the Maintenance Department to Michael J Bardzicauskas for concrete work at the maintenance barn in the amount of \$14,000.00.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-115 itemizing the financials for the meeting of September 14, 2021.

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

COUNTY ENGINEER'S OFFICE – OHIO PUBLIC WORKS COMMISSION APPENDIX E – DISBURSEMENT REQUEST #1 – RELEASE FUNDS FOR AUBURN - BELL RESURFACING IN NEWBURY TOWNSHIP

Deputy Engineer Nick Gorris asked the Board to authorize Commissioner Lennon to execute the Ohio Public Works Commission disbursement #1 for the Auburn-Bell Resurfacing project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize Timothy C. Lennon, member and Chief Executive Officer to execute the Ohio Public Works Commission (OPWC) Appendix E – Disbursement Request Form and Certification #1 in order to release funds from the State portion of our OPWC Grant for the Auburn - Bell Resurfacing in Newbury Township in the amount of \$267,804.65.

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

COUNTY ENGINEER'S OFFICE – OHIO PUBLIC WORKS COMMISSION APPENDIX E – DISBURSEMENT REQUEST #2 – FINAL – RELEASE FUNDS FOR BELL RESURFACING IN NEWBURY TOWNSHIP

Mr. Gorris asked the Board to authorize Mr. Lennon to execute the Ohio Public Works Commission disbursement #2 and final for the Auburn-Bell Resurfacing, the Board has previously signed the final change order this is for payment.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize Timothy C. Lennon, member and Chief Executive Officer to execute the Ohio Public Works Commission (OPWC) Appendix E – Disbursement Request Form and Certification #2 and Final in order to release funds from the State portion of our OPWC Grant for the Auburn - Bell Resurfacing in Newbury Township in the amount of \$132,195.35.

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

DISCUSSION – WASHINGTON STREET

There was a brief discussion on the resurfacing project for Washington Street and how the project is coming along. Mr. Gorris stated that the project could be farther along but the project is coming along. Mr. Gorris stated that Washington Street will be done in project phases, the current project is being done in phases. The current project is Bainbridge and Washington (Auburn Point) and goes to State Route 44. There are projects in the planning phase for Washington Street.

SOIL AND WATER CONSERVATION DISTRICT – FIRST AMENDMENT – AGREEMENT FOR 2020 LOCAL AGRICULTURAL EASEMENT PURCHASE PROGRAM – COOPERATIVE AGREEMENT – ESCROW AGREEMENT – JERRY R. AND JAMIE R. DAVIS – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE ASSIGNMENT OF PAYMENT FORM – DAVIS EASEMENT

Director Carmella Shale explained that the next three items are relating to the Davis property for their easement, noting that we need to amend the agreement to extend the time for completion, the title paperwork for the closing and the assignment of payment form to sign escrow over to the title company. This property is a horse farm on Rapids Road.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the First Amendment to Agreement for 2020 Local Agricultural Easement Purchase Program (LAEPP) Cooperative Agreement between the Ohio Department of Agriculture and the Geauga County Board of Commissioners, to extend the expiration date of the contract.

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

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Escrow Agreement (LAEPP 2020) between Title Professionals Group, Limited, Jerry R. and Jamie R. Davis and the Geauga Board of County Commissioners for the Ohio Department of Agriculture for the Davis Easement.*

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

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize Gerard Morgan, County Administrator to execute the Ohio Department of Agriculture Assignment of Payment form for the 2020 Local Agricultural Easement Program for the Davis Easement.*

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

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – LETTER TO OHIO DEVELOPMENT SERVICES AGENCY – AMEND CDBG #B-F-19-1AZ-1 GRANT

Mr. Morgan asked the Board to execute a letter to amend the CDBG #B-F-19-1AZ-1 to request to move funds within the grant between projects, this will decrease the DDC Clinic and increase the amount for the Womensafe project.

Motion: *by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute a letter to the Ohio Development Services Agency to amend the CDBG #B-F-19-1AZ-1 Grant to decrease the amount of the DDC Clinic project and increase the Womensafe project in the amount of \$8,500.00.*

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

DEPARTMENT OF WATER RESOURCES – APPROVE REVISED ORGANIZATIONAL CHART – INCLUDE PART-TIME LABORATORY SUPERVISOR – MOVE MAINTENANCE WORKER

Mr. Morgan explained that Ms. Cavallaro, the Laboratory Supervisor has obtained another position elsewhere but has agreed to remain with us Part-time until a replacement can be found, we are asking to add a Part-time Laboratory Supervisor to the Organizational Chart, then reclassify Ms. Cavallaro to Part-time and then advertise for the Full-time position. Mr. Morgan added that the update to the organization chart does include moving a maintenance worker position around.

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the revised Organizational Chart to include the addition of a Part-time Laboratory Supervisor (#2306-1), and move a Maintenance Worker (#2330) from under the Supervisor M&O to under the McFarland Wastewater Treatment Plant Supervisor to be effective September 14, 2021.*

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

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DEPARTMENT OF WATER RESOURCES – ACKNOWLEDGE REQUEST AND APPROVE RECLASSIFICATION FROM FULL-TIME TO PART-TIME FOR DANA CAVALLARO – LABORATORY SUPERVISOR

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to acknowledge the request from Dana Cavallaro, Full-time Laboratory Supervisor (#2306) for a reduction of hours, and further approve a reclassification to Part-time Laboratory Supervisor (#2306-1) to be effective September 26, 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>

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise for the position of Full-time Laboratory Supervisor (#2306). This position will remain posted until filled.

<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>

REQUEST FOR PROPOSALS – OUTSIDE REPRESENTATION – BOARD OF ELECTIONS

Mr. Morgan explained that the request for proposals that was sent out, a proposal was received from McTigue and Columbo Law Firm for the Board of Elections for outside counsel, adding that this is the same firm that was brought to the Board from the Board of Elections, however, the hourly rate was reduced by \$50, at \$250.00 per hour and a cap was included or \$5,000.00. Ms. Blair stated that six requests were sent and the only one received was from McTigue on the last day. Ms. Blair read a portion of the proposal regarding the rates and noted that there was a cap if litigation was necessary at \$25,000.00. Mr. Lennon expressed that he still has not heard a clarification on what this is for, that the request was very broad in nature. Mr. Lennon expressed his frustration with all the continued changes from the Board of Elections in the new building, but the building is going up and we are on a schedule. Mr. Lennon stated that he hopes the public is paying attention, we have done what we need to and they still aren't happy, the ORC says the Commissioners get to decide on their space. Mr. Morgan expressed that the offices will move in 2022 and the Board of Elections will move after the general election is complete.

Mr. Lennon stated that they have not clearly given a reason as to what the intent of this outside counsel is for. Mr. Morgan explained that he had been to the Board of Elections meeting to discuss the recent changes and when he left the meeting they approved the resolution that was sent requesting the outside counsel.

Assistant Prosecuting Attorney Laura LaChapelle inquired if they were just discussing the application or are they going to sign the application to submit to the Court, if it's acceptable. Mr. Lennon doesn't understand why they can't use their APA from the Prosecutor's Office. Ms. LaChapelle expressed that the application needs to be joint with the Commissioners and the Prosecutor's Office and is concerned about losing another week.

Discussion continued with Ms. LaChapelle in regards to the language within in the application along with what Board of Elections put in their resolution, Mr. Morgan inquired about approving the first part of the discussion with the cap of \$5,000.00 and remove the litigation portion of \$25,000.00. Mr. Morgan expressed that his hope is that their legal counsel can explain what we have been trying to explain all along.

Mr. Dvorak inquired if they could change the cap from \$5,000.00 to \$1,000.00. Ms. Blair noted that you could set a cap once they did the engagement letter unless prior to the Board, and noted the first paragraph of the RFP being the language that was in correlation of the resolution from the Board of Elections.

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve and execute the Application of Prosecuting Attorney and Geauga County Board of Commissioners for Appointment of Legal Counsel to employ the firm of McTigue and Columbo, LLC to represent the Board of Elections.

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<i>Roll Call Vote:</i>	<i>Commissioner Spidalieri</i>	<i>No</i>
	<i>Commissioner Lennon</i>	<i>No</i>
	<i>Commissioner Dvorak</i>	<i>Aye</i>

The motion failed.

Mr. Dvorak asked for any public comment.

A question was asked about the site visit being rescheduled.

The Board moved into Recess at 10:18 a.m.

The Board reconvened at 10:34 a.m.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to move into Executive Session to consider 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 10:34 a.m. with Assistant Prosecutor Laura LaChapelle, Director of Transit JoAnna Santilli and the employee for a Hearing. The Board returned at 11:20 a.m. and as a result the following actions were taken:

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

<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>

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve an Involuntary Disability Separation for Andrea Scheid from her position as Full-time Driver, as the employee is unable to perform the essential job duties of the position, to be effective September 15, 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>

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

<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>

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the weeks ending August 25, 2021 and September 1, 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 August, 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 August, 2021 as required by O.R.C. 325.07.*

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- 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 August, 2021 pursuant to ORC 135.35(L).*

OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 9/14 Planning Commission, 7:30 a.m. 470 Center Street, Building #8 meeting room

Tue., 9/14 The Commissioners visit to the County Office Building Site – cancelled

Mon., 9/20 Family First Council, 1:30 p.m. at the Mental Health Offices (location changed – in person)

Tue., 9/21 The Commissioners will hold regular session at 9:30 a.m.

Tue., 9/21 Geauga Trumbull Solid Waste Management District, Board of Directors, 1:00 p.m. Warren, District Office

Mon., 9/27 Board of Revision, 9:00 a.m. Auditor's Office

Tue., 9/28 The Commissioners will hold regular session at 9:30 a.m. that includes a Public Hearing at 10:00 a.m. for the Proposed Public Rights-of-Way Vacations of Hambden Hills Drive and Wildwood Drive in Hambden Township

There was a brief discussion about the panels being put on the building and the site tour being rescheduled in October. Mr. Lennon inquired about appointing an alternate for the Planning Commission.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adjourn the meeting at 11:24 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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