

Commissioners' Journal
October 5, 2021

The Geauga County Board of Commissioners met in session on October 5, 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 9:32 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

Lord

You are so good to us.

We give you thanks for your ongoing faithfulness

Your peace that passes understanding

And your immeasurable love,

And love of all, we thank You for the abundant blessings that are ours because of the life we share in Jesus.

Amen

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on September 30, 2021 for the Department on Aging to approve an unpaid leave of absence for Shari Palumbo, Recreation and Education Assistant for the period September 27, 2021 through September 28, 2021 due to illness. This will extend her probationary period by two days; for the Department of Water Resources approved the reclassification of Dana Cavallaro Clark from Part-time to Full-time Laboratory Supervisor (#2306) to be effective immediately, September 30, 2021 at her current rate of \$31.48 per hour; and two Liquor Licenses, the first was to concur with the Chester Township Trustees in not requesting a hearing on the Liquor License being requested by Danyaal Properties Co., LLC d.b.a. Caves Road Sunoco located at 7820 Mayfield Road, Chesterland, Ohio (C NEW 1926340) and to concur with the Huntsburg Township Trustees in requesting a hearing to be held in the County seat on the Liquor License being requested by Outdoor Recreations, LLC d.b.a Highland Acres RV Resort located at 15560 Mayfield Road, Huntsburg, Ohio (C NEW 6650871); 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 October 1, 2021, Resolution #21-120 that included a payment for the Juvenile Court to the Ohio CASA Association for travel to the 2021 Ohio CASA Celebrate Kids! Conference in the amount of \$1,850.00; 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.

MEETING MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of August 17, 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 24, 2021.

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

**Commissioner Spidalieri was absent from this meeting.*

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including a Cash transfer from Water Resources Auburn Corners Sewer Project Fund to their operating fund for a partial refund of seed money for the project; Travel requests for Job and Family Services, Probate Court, Recorder's Office and Water Resources, a Then and Now for the Municipal Court to Ibold and Obrien for appointed counsel fees not previously encumbered; a payment for the Auditor's Office to IWORQ Systems, Incorporated for public works package of facility management software in the amount of \$41,000.00, a payment for the Commissioners' Office to Donley's Independence LLC for pay request #11 for the new office building in the amount of \$1,217,559.81; a payment for the Department of Development (Community & Economic) to Burton Scot Contractors, LLC for the CDBG #B-F-19 grant for the DDC Clinic parking lot in the amount of \$34,950.00; a payment for the County Engineer's Office to Ronyak Paving, Incorporated for the Asphalt Resurfacing of Butternut Road, Sections D-E in the amount of \$147,871.93; and a Revenue Certification for Water Resources for additional revenue to be received in 2021.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-121 itemizing the financials for the meeting of October 5, 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>

AIRPORT AUTHORITY – EXECUTE CLOSING DOCUMENTS RELATED TO PURCHASE / CONVEYANCE OF FEDERAL IMPROVEMENT COMPANY PROPERTY

Airport Manager Ric Blamer asked the Board to authorize the President of the Board to execute any and all closing documents related to the purchase of land from the Federal Improvement Company property.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute any and all closing documents related to the purchase/ conveyance of the Federal Improvement Company property in Middlefield, 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>

There was a brief discussion about the progress of the T-Hanger project.

BOARD OF DEVELOPMENTAL DISABILITIES – REJECT BID – GEAUGA DD PLAYGROUND REPLACEMENT

Director of Business Operations asked the Board to reject the bid submitted for the Playground Replacement as the only bid received was from the company that did the specifications and they want no question of impropriety. Mr. Carlson noted that they will look at a design build option.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to reject the bid submitted for the Geauga DD Playground Replacement, due to the fact that the bid received was from the firm that drafted the specifications for the project.

<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>

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COUNTY ENGINEER'S OFFICE – OHIO PUBLIC WORKS COMMISSION APPENDIX E – DISBURSEMENT REQUEST FORM #1 – BUTTERNUT ROAD RESURFACING

Deputy Engineer Nick Gorris asked the Board to authorize Mr. Lennon, as the CEO to execute the Ohio Public Works Commission Disbursement request #1 for the Butternut Road project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize Timothy C. Lennon, Board member and Chief Executive Officer to execute the Ohio Public Works Commission Appendix E – Disbursement Request Form and Certification #1 in order to release funds from the state portion of our OPWC grant for the Butternut Road Resurfacing (Sections D-E) in Munson and Newbury Townships in the amount of \$147,871.92.

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

DEPARTMENT OF WATER RESOURCES – AWARD BID – WOODFORD EXCAVATING, LLC – BAINBRIDGE TOWNSHIP WATERLINE EXTENSION

Director Steven Oluic asked the Board to award the Bid to Woodford Excavating for the Bainbridge waterline loop closure project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to award the Bid to Woodford Excavating, LLC for the Bainbridge Township Waterline Extension in the amount of \$1,315,237.00 as they represented the lowest and best bid. The Bid Bond submitted shall be held to serve as the Performance Bond for this project.

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

Commissioner Dvorak inquired about the contractor being in the apprentice program, to which Mr. Morgan noted that it would be determined in the prevailing wage. Mr. Morgan noted that this is a straight forward project and there aren't usually multiple sub-contractors on a project.

DEPARTMENT OF WATER RESOURCES – REQUEST FOR PARTIAL PAYMENT #10 – OHIO WATER DEVELOPMENT AUTHORITY CONTRACTORS ESTIMATE #10 – OHIO WATER DEVELOPMENT AUTHORITY FUND PAYMENT REQUEST #10 – TRAX CONSTRUCTION COMPANY – CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT

Dr. Oluic asked the Board to authorize the President of the Board to execute the request for partial payment #10, contractors estimate #10 and fund payment request #10 for TRAX Construction on the Chardon Township Wastewater Treatment Plant and 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 #10, Ohio Water Development Authority Contractor's Estimate #10, and the Ohio Water Development Authority Fund Payment Request #10 for TRAX Construction Company for the Chardon Township Wastewater Treatment Plant and Sewer Project in the amount of \$187,698.20.

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

DEPARTMENT OF WATER RESOURCES – OHIO WATER DEVELOPMENT AUTHORITY FUND PAYMENT REQUEST #10 – WORKMAN INDUSTRIAL SERVICES – AUBURN CORNERS TROY OAKS WASTEWATER TREATMENT PLANT UPGRADES

Dr. Oluic asked the Board to authorize the President to execute the Ohio Water Development Authority Payment request #10 for Workman Industrial for the retainage payment on the Auburn Corners Troy Oaks upgrade project. There was a brief discussion on the project being operational for ten months and that a maintenance bond is still in place.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Ohio Water Development Authority Fund Payment Request #10 for Workman Industrial Services for the Auburn Corners Wastewater Treatment Plant Upgrade and Troy Oaks Wastewater Treatment Plant Conversion project for the retainage payment in the amount of \$231,420.82.

<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>

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – PHILLIPS WASTEWATER SOLUTION, LLC

Dr. Oluic asked the Board to execute the service Contract Agreement with Phillips Wastewater Solution, LLC for the McFarland plant.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the service Contract Agreement with Phillips Wastewater Solution, LLC to perform MBR based wastewater treatment plant system design, planning, troubleshooting, inspection, repairs and emergency operation support services at the McFarland Wastewater Treatment Plant for a one-year period in an amount not to exceed \$12,000.00.

<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' OFFICE – RESOLUTION TO PROCEED -VACATION OF PUBLIC RIGHTS OF WAY UPON ALL OF HAMB DEN HILLS DRIVE AND WILDWOOD DRIVE (NO ROAD NUMBERS) – HAMB DEN TOWNSHIP

Clerk Christine Blair noted that Deputy Engineer Andy Haupt was here for any questions, but today is the resolution to proceed for the vacation of the Hambden Hills Drive and Wildwood Drive in Hambden Township which requests the Engineer's Office to prepare the plat and survey.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-122 to Proceed with the Vacation of the Public Rights-of-Way upon All of Hambden Hills Drive (No Road Number) and Wildwood Drive (No Road Number), in Hambden Township, Geauga County, Ohio, pursuant to Section 5553.045 of the Revised Code.

Board of County Commissioners, Geauga County, Ohio

Date: October 5, 2021
Resolution: #21-122

RESOLUTION TO PROCEED WITH THE VACATION OF THE PUBLIC RIGHTS-OF-WAY UPON ALL OF HAMB DEN HILLS DRIVE (NO ROAD NUMBER) AND WILDWOOD DRIVE, (NO ROAD NUMBER), IN HAMB DEN TOWNSHIP, GEAUGA COUNTY, OHIO, PURSUANT TO SECTION 5553.045 OF THE REVISED CODE

WHEREAS, the Geauga County Board of Commissioners ("Board") received a resolution from the Hambden Township Board of Trustees on or about August 23, 2021, petitioning the Board to proceed with the vacation of public rights-of-way on all of Hambden Hills Drive and Wildwood Drive in Hambden Township, Geauga County, Ohio, pursuant to Section 5553.045 of the Ohio Revised Code; and

WHEREAS, the Board passed Resolution #21-109, a Resolution of Convenience and Necessity for the Proposed Vacation of the Public Rights-of-Way upon all of Hambden Hills Drive and Wildwood Drive in Hambden Township, Geauga County, Ohio, as further described in said Resolution; and

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WHEREAS, the County Engineer issued to the Board of Commissioners a written report pursuant to Ohio Revised Code Section 5553.06 stating that the Engineer believes the vacation of all of Hambden Hills Drive and Wildwood Drive, in Hambden Township is for the public convenience and welfare; and

WHEREAS, the Board of Commissioners held a public hearing on the proposed vacations of the public rights-of-way of all of Hambden Hills Drive and Wildwood Drive, in Hambden Township and heard any evidence bearing upon the necessity of the vacations for the public convenience or welfare and offered either for or against proceeding with the vacations by any interested person.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners, in accordance with Section 5553.045 of the Ohio Revised Code, hereby orders the vacation of the public rights-of-way on all of Hambden Hills Drive and Wildwood Drive in Hambden Township, Geauga County, Ohio to proceed.

BE IT FURTHER RESOLVED that a survey plat and an accurate detailed description of the rights-of-way to be vacated shall be prepared by the County Engineer reflecting the following route and termini:

Hambden Hills Drive beginning at a point where the centerline of said Hambden Hills Drive intersects the northerly right-of-way of State Route 166, (66 feet wide, now known as Rock Creek Road), said point being located approximately 33.50' northerly of the intersection of the centerlines of Hambden Hills Drive and S.R. 166, said centerline / centerline intersection being approximately 1026.84 feet southwesterly, along the centerline of S.R. 166 from the Hambden / Thompson Township Line. Hambden Hills Drive to be vacated extends from the aforesaid beginning point located at the north margin of State Route 166, northerly approximately 1596.41 feet to the existing terminus of said Hambden Hills Drive located on a southerly line of land owned by Donald G. and Michelle D. Carrigan by deed recorded in Volume 1960, Page 2280 of the Geauga County Records of Deeds.

Wildwood Drive beginning at a point located at the intersection of the centerlines of Hambden Hills Drive and Wildwood Drive, said point being located approximately 997.55 feet northerly from the aforesaid beginning point of said Hambden Hills Drive, and proceeds northeasterly along the centerline of Wildwood Drive, approximately 1111.09 feet to a point located at its existing terminus, said point also being a northerly line of Hambden Hills Estates Subdivision No. 2, and the Geauga County / Lake County Line.

BE IT FURTHER RESOLVED that the abutting properties and owners are identified as:

- 1) Donald G. & Michelle D. Carrigan, Sumner Road, Hambden,*
- 2) John E. & Sharon L. Brink & Ronald & Tina Bender, 15098 Rock Creek Road, Chardon Ohio 44024*
- 3) Charles M. Cox TOD & Lois M. Cox TOD, 15112 Rock Creek Road, Chardon Ohio 44024*
- 4) BASP LLC, 8855 Clay Street, Montville Ohio 44064*

BE IT FURTHER RESOLVED that it is the opinion of the Board that the vacation of all of Hambden Hills Drive and Wildwood Drive is in the interest of the public convenience and welfare, and that the rights-of-way to be vacated are public roads.

BE IT FURTHER RESOLVED that Hambden Hills and Wildwood Drives are not used to calculate distribution of the auto registration distribution fund under R.C. 4501.04(E) and are not roads certified by the board of township trustees to the director of transportation as mileage in the township used by and maintained for the public in accordance with R.C. 5553.045(A).

BE IT FURTHER RESOLVED that the order of this Board does not extinguish the rights of ingress and egress reserved to the abutting property owners named herein.

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 Hambden Township Board of Trustees and the Geauga County Engineer.

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

COMMISSIONERS' OFFICE – ADVERTISE AND GIVE PUBLIC NOTICE – REQUEST FOR STATEMENT OF QUALIFICATIONS – PROFESSIONAL DESIGN SERVICES – DESIGN, RENOVATION AND CONSTRUCTION OF COUNTY BUILDINGS

Mr. Morgan asked the Board to grant permission to advertise and give public notice for Statements of Qualifications for Professional Design Services for phase II.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise and give Public Notice of a Request for Statement of Qualifications for Professional Design Services related to the design, renovation and construction of County Buildings. Notice of this Request for Statement of Qualifications will be advertised on Friday, October 8, 2021 and on the county website.

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

COMMISSIONERS' OFFICE – ADVERTISE AND GIVE PUBLIC NOTICE – REQUEST FOR STATEMENT OF QUALIFICATIONS – OWNERS REPRESENTATIVE PROFESSIONAL SERVICES – DESIGN, RENOVATION AND CONSTRUCTION OF COUNTY BUILDINGS

Mr. Morgan asked the Board to grant permission to advertise and give public notice for Statements of Qualifications for Owners Representative Services for phase II.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise and give Public Notice of a Request for Statements of Qualifications for Owners Representative Professional Services related to the design, renovation and construction of County Buildings. Notice of this Request for Statement of Qualifications will be advertised on Friday, October 8, 2021 and on the county website.

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 weeks ending September 22, 2021 and September 29, 2021 as required by O.R.C. 955.12.

OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 10/5 The Commissioners will hold Budget Hearings, beginning at 12:00 p.m.

Thu., 10/7 The Commissioners will hold a Public Viewing at 10:00 a.m. regarding the proposed vacation of the public right-of-way upon a portion of Wisner Road (TR-0084), All of Section C, near the intersection of Mitchells Mills Road and Wisner Road, in Chardon Township

Mon., 10/11 County offices will be closed for general business due to Columbus Day. Twenty-four hour operations will continue to operate as usual.

Thu., 10/14 Planning Commission, 7:30 a.m. Building #8 meeting room, 470 Center St., Chardon

Thu., 10/14 The Commissioners will hold regular session at 9:30 a.m. that includes a Public Hearing at 10:00 a.m. for the Proposed Vacation of the Public Right-of-Way upon a portion of Wisner Road (TR-0084), All of Section C, in Chardon Township

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Fri., 10/15 Emergency Operations Center Training, Department of Emergency Services, 8:30 a.m. – 1:30 p.m.

Mon., 10/18 Family First Council, 1:30 p.m. at Mental Health Offices

Tue., 10/19 The Commissioners will hold regular session at 9:30 a.m. with a Public Viewing at 11:00 a.m. regarding the proposed vacation of the public right-of-way upon a portion of Washington Street (TR-0047) at the adjacent location of 17759 Valley Road, in Auburn Township

Tue., 10/19 Geauga Trumbull Solid Waste Management District, Board of Directors meeting, 1:00 p.m. Warren, District Office

Mon., 10/25 Board of Revision, 9:00 a.m. Auditor's Office

Tue., 10/26 The Commissioners will hold regular session at 9:30 a.m. that includes a Public Hearing at 10:00 a.m. regarding the proposed vacation of the public right-of-way upon a portion of Washington Street (TR-0047), in Auburn Township

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adjourn the meeting at 9:48 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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