

Commissioners' Journal
December 22, 2020

The Geauga County Board of Commissioners met in session on December 22, 2020 at 9:00 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 Vice President of the Board, Ralph Spidalieri opened the meeting at 9:01 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

**Commissioner Lennon was absent from today's meeting.*

Commissioner Dvorak read the following prayer:

Christmas Prayer

I said a prayer for you

Because the season's near

I didn't ask for riches

But for gifts so much more dear

I asked for quiet moments

In your heart on Christmas morn

For a special time to celebrate

The savior who was born

I ask for friends to send their best

That you might know they care

I ask for peace and love and hope

And I know God heard my prayer

Have a Blessed Christmas

Amen

FINANCIALS

County Administrator Gerard Morgan reported on financials from December 16, 2020, Resolution #20-178 that included various transfers from multiple departments to true up payroll and benefits accounts to the end of the year, and a Cash transfer from the General Fund to Transit for 2020 operations commitment; as approved by the County Administrator pursuant to Resolution #20-005 approved January 7, 2020 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 2020, as authorized by O.R.C. 305.30.

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on December 21, 2020 that included for Transit to approve hiring Randall Peterson to the position of Part-time Driver (#2210-1) to be effective January 6, 2021 at the rate of \$14.54 per hour with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions, for Water Resources approved hiring Jacob Pitchler to the position of Full-time Maintenance Worker (#2330) to be effective January 11, 2021 at the rate of \$18.58 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 granted permission to advertise for the position of Full-time Wastewater Treatment Plant Supervisor (#2301) internally for a period of five days, if no qualified candidate it found, then externally until the position is filled; as authorized by Resolution #20-005 under the direction and supervision of the County Commissioners that was approved January 7, 2020 pursuant to O.R.C. 305.30.

MEETING MINUTES

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of November 10, 2020.

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

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of November 17, 2020.

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

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of December 3, 2020.

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

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of December 8, 2020.

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

COMMISSIONERS OFFICE – RESOLUTION – ACCEPTANCE APPROVING CARES ACT EXPENDITURES

Budget and Finance Manager Adrian Gorton explained the total amount \$4,563.35 for reimbursement for the Maintenance Department.

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve and execute Resolution #20-179 of Acceptance Approving CARES Act Expenditures.

Board of County Commissioners, Geauga County, Ohio

Date: December 22, 2020
Resolution: #20-179

RESOLUTION OF ACCEPTANCE APPROVING CARES ACT EXPENDITURES

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in House Bill 481 of the 133rd General Assembly (HB 481); and

WHEREAS, the Governor signed HB 481, which was effective June 19, 2020; and

WHEREAS, HB 481 requires subdivisions receiving funds under Section 1 of the Act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, the Board of Commissioners passed Resolution #20-068 affirming that funds so received would be expended only to cover costs of the County consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, the County Auditor has vetted the expenditures as he is statutorily required to do pursuant to R.C. 319.16; and

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WHEREAS, the documents including the assertion of necessity memorandum have been reviewed by the Board for the Board to consider whether said funds can be expended to cover said costs;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners upon review of the itemized list of expenditures and associated documents, affirm that said expenditures are approved and are:

- (1) Necessary expenses incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the County's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

BE IT FURTHER RESOLVED, that those items are in the total amount of \$4,563.35 and include the following:

For Reimbursement \$4,563.35: funds already encumbered on blankets

Maintenance \$4,563.35
 Sanitation Spray and one laptop with accessories for remote working

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

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

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including Appropriation transfer from Veterans and Juvenile/Probate Court to true up payroll accounts to the end of the year, Cash transfers from the Coronavirus Relief Fund to various departments to reimburse them for unbudgeted expenses incurred as a result of the pandemic in accordance with Resolution of Acceptance #20-172 and #20-179, payments from the Coronavirus Relief Fund to various vendors for payment of items including but not limited to vehicles for the Prosecutor's Office, JFS, Transit and the Sheriff as well as website work for the Auditor's, furniture for the Engineer, Building 8 Video conferencing equipment, 9-1-1 dispatch software and hardware and training trailer for the Sheriff in the amount of \$575,100.74, Revenue De-Certifications from the Commissioners' Office for money not received in 2020 in the Liability Self-Insurance Fund and the Hotel/Motel Excise Tax Fund.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #20-180 itemizing the financials for the meeting of December 22, 2020.

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

AUDITOR'S OFFICE / ADP BOARD - STATE OF OHIO SERVICES QUOTATION, OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, MASTER SERVICES AGREEMENT SPECTRUM SERVICE ATTACHMENT #4 FIBER INTERNET ACCESS AND ADDENDUM #1

Mr. Morgan explained that these are five-year contracts with Spectrum for the ELAN circuits that connect 470 Complex, the Annex and the Departments down south, which is a reduction on the monthly charge and the internet service for all the county buildings, which is also a reduction in the monthly cost.

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve and execute the State of Ohio Services Quotation in regards to the Ohio Department of Administrative Services, Master Services Agreement Spectrum Service Attachment #4 Fiber Internet Access between Charter Communications Operating LLC successor in interest to Time Warner Entertainment Company LP for the

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Spectrum ELAN Circuits 1G Fiber interconnects between Geauga sites, including 231 Main Street, Annex, 470 Center Street and Merritt Road to be effective January 1, 2021 for a period of sixty months (5 years) in an annual amount of \$142,200.00 (\$47,400.00 per site).

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve and execute the State of Ohio Services Quotation in regards to the Addendum 1 to Spectrum Service Attachment #4, Fiber Internet Access, Fee Structure and Pricing Schedules to the Ohio Department of Administrative Services, Master Services Agreement Spectrum Service Attachment #4 Fiber Internet Access between Charter Communications Operating LLC successor in interest to Time Warner Entertainment Company LP for 1G Fiber Internet with Static IP Addresses to be effective January 1, 2021 for a period of sixty months (5 years) in an annual amount of \$96,300.00 (\$1,605.00 per month), with an installation fee of \$250.00.

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

CLERK OF COURTS / COMMISSIONERS' OFFICE – RESOLUTION TO APPOINT SHEILA BEVINGTON AS ACTING CLERK OF THE GEAUGA COUNTY COURT OF COMMON PLEAS – APPROVE USE OF COUNTY POLICY IN-LIEU OF SURETY BOND

Current Clerk of Courts Denise Kaminski explained that she was retiring on December 31, 2020 and the term doesn't officially end until January 3, 2021, and Sheila Bevington's term doesn't officially begin until January 4, 2021. This resolution includes acknowledging Ms. Kaminski's retirement and the appoint of Ms. Bevington as Acting Clerk of Courts. Mr. Morgan added that the next motion is to then allow the use of the new policy in-lieu of a surety bond for the three days as Acting Clerk of Courts.

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve and execute Resolution #20-181 to Appoint Sheila M. Bevington as Acting Clerk of the Geauga County Court of Common Pleas, effective January 1, 2021 through January 3, 2021, due to current Clerk of Courts, Denise Kaminski retiring effective December 31, 2020 at 11:59 p.m.

Board of County Commissioners, Geauga County, Ohio

<i>Resolution:</i>	<i>#20-181</i>
<i>Date:</i>	<i>December 22, 2020</i>

RESOLUTION TO APPOINT SHEILA M. BEVINGTON AS ACTING CLERK OF THE GEAUGA COUNTY COURT OF COMMON PLEAS, EFFECTIVE JANUARY 1, 2021 AND CONTINUING UNTIL JANUARY 3, 2021

WHEREAS, Denise Kaminski, the Geauga County Clerk of the Court of Common Pleas recently notified the Board of Commissioners ("Board") of her intention to resign from office effective, December 31, 2020 at 11:59 p.m.; and

WHEREAS, the Board hereby acknowledges and accepts the notice of resignation provided by Ms. Kaminski; and

WHEREAS, Sheila M. Bevington was recently elected to the Office of Clerk of the Court of Common Pleas by the voters of Geauga County for a four- year term beginning, January 4, 2021; and

WHEREAS, there will be a vacancy in the Office of the Clerk of Court of Common Pleas from January 1, 2021 until January 3, 2021 due to the resignation of Ms. Kaminski; and

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WHEREAS, pursuant to O.R.C. 305.02(F) the Board of Commissioners desires to appoint Sheila M. Bevington as Acting Clerk of the Court of Common Pleas to perform the duties thereof between the occurrence of the vacancy and the time when Ms. Bevington assumes her full-term on January 4, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners hereby appoints Sheila M. Bevington as Acting Clerk of the Geauga County Court of Common Pleas, effective January 1, 2021 at 12:00 a.m. and continuing until January 3, 2021 at 11:59 p.m.

BE IT FURTHER RESOLVED, that the Board hereby certifies this appointment to the Geauga County Board of Elections and the Office of the Ohio Secretary of State.

BE IT FURTHER RESOLVED, that this Resolution shall become effective upon adoption and becomes part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve the use of the County's Employee Dishonesty and Faithful Performance of Duty Policy under the County's Insurance Policy as the financial insurance in-lieu of providing a surety bond for the appointment of Sheila M. Bevington as Acting Clerk, Clerk of Courts for the Geauga County Court of Common Pleas effective from 12:00 a.m. January 1, 2021 through 11:59 p.m. January 3, 2021.

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

COUNTY ENGINEER'S OFFICE – HIGHWAY EASEMENT – CARRYNN A. MORSE – IMPROVEMENTS TO WASHINGTON STREET

Deputy Engineer Nick Goodrich asked the Board to accept the Highway Easement with Ms. Morse for the Washington Street road project coming up to extend the culvert out of the right of way.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to accept and execute the Highway Easement between the Geauga County Board of Commissioners and Carrynn A. Morse (Parcel No. 01-006400) for Improvements to Washington Street (Culvert #0606-06.874, Easement #5) in Auburn Township in the amount of \$200.00.

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

TRANSIT – OHIO DEPARTMENT OF TRANSPORTATION BUS AND BUS FACILITIES PROGRAM 2021 GRANT PROGRAM YEAR SUBAWARD GRANT AGREEMENT

Operations Manager David Lair, Jr. asked the Board to approve the ODOT bus and bus facilities program 2021 grant subaward grant agreement for Capital projects.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and authorize the Vice President of the Board to execute the Ohio Department of Transportation Bus and Bus Facilities Program 2021 Grant Program Year Subaward Grant Agreement (ODOT Contract #101-CARE-21-0200) for the period January 1, 2021 through December 31, 2021 for Capital Projects in the amount of \$298,241.00.

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

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BOARD OF DEVELOPMENTAL DISABILITIES – RE-APPOINT BOARD MEMBERS - MARK JACKSON, MARTIN MILLER AND USCHY KEIPER

Mr. Morgan explained that the Board of Developmental Disabilities has four positions up for re-appointment, three have asked to be re-appointed and the fourth stepped down, so this is to re-appoint the three members.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to re-appoint Mark Jackson, Martin Miller and Uschy Keiper to the Board for a four-year term January 1, 2021 through December 31, 2024.

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

BOARD OF DEVELOPMENTAL DISABILITIES – APPOINT BOARD MEMBER DAVID J. LAIR

Mr. Morgan explained that Mr. Lair had applied for the fourth position and was recommended to be appointed.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to appoint David J. Lair to the Board for a four-year term January 1, 2021 through December 31, 2024.

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

JOB AND FAMILY SERVICES – RE-APPOINT MEMBERS TO FAMILY SERVICES PLANNING COMMITTEE

Mr. Morgan asked the Board to re-appoint the members to the Family Services Planning Committee for a new one-year term.

*Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to re-appoint the following members to the Family Services Planning Committee for a one-year term ending December 31, 2021, including Kimberly Carter, Teri Malnar, Jessica Boalt, Gerry Morgan, Vicki Clark, Andrea Pollock, Jennifer Felker, Julie Gorenc, Angela Spalsbury, Scott Hildenbrand and Nancy Seelbach (*until retirement).*

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

COMMISSIONERS' OFFICE – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE FINANCIALS DURING THE YEAR 2021

Clerk Christine Blair asked the Board to authorize the County Administrator the ability to approve financials for the Year 2021.

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to authorize the County Administrator the authority 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, and which duties shall be performed under the direction and supervision of the commissioners.

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

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COMMISSIONERS' OFFICE – APPROVE REGULAR MEETING SCHEDULE FOR 2021 WITH ADJUSTMENTS TO START TIME AND FOR HOLIDAYS

Mr. Morgan explained that he had held discussions with each of the Board members regarding the schedule for next year that has adjustments for holidays and to change the start time to 9:30 a.m..

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve the regular meeting schedule for the Year 2021 with adjustments made to the start time and around holidays.

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

PLANNING COMMISSION – RE-APPOINT BOARD MEMBER – DENNIS BERGANSKY

Mr. Morgan explained that the Planning Commission has two board positions up at the end of the year, one being Mr. Bergansky and Mr. Engle, the Board moved to re-appoint Mr. Bergansky and held off at this time on re-appointing Mr. Engle at this time.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to re-appoint Dennis Bergansky for a three-year term, January 1, 2021 through December 31, 2023.

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

COMMISSIONERS' OFFICE – CLOSE OFFICES FRIDAY, NOVEMBER 26, 2021 – IN LIGHT OF THANKSGIVING HOLIDAY

Mr. Morgan inquired if the Board wanted to move forward with closing the County Offices under their hiring authority for the day after Thanksgiving.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to close the Geauga County Offices, under the hiring authority of the Board of Commissioners, on Friday, November 26, 2021 in light of the Thanksgiving Holiday, as paid time off for regular scheduled employees up to eight hours, (non-active work status time). Twenty-four-hour operations will continue to operate as normal. Further, those employees required to work on November 26, 2021 will be entitled to overtime pay in addition to their regular pay for actual hours worked.

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

ACKNOWLEDGEMENTS

- a) Geauga County Board of Developmental Disabilities Board Minutes for October 21, 2020.
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the weeks ending November 18, 2020, November 25, 2020 and December 2, 2020 as required by O.R.C. 955.12.
- c) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the Inmate meals for the month ending November, 2020.
- d) Western Reserve Land Conservancy, Annual Stewardship visit to the Mayer Preserve Conservation Easement Property

OTHER

The Board reviewed upcoming events.

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MEETINGS

- Tue., 12/29 *The Commissioners will hold regular session at 9:00 a.m., Chambers*
- Fri., 1/1 **County Offices will be closed for general business in observance of New Year's Day. Twenty-four hour operations will continue to operate as normal.**
- Tue., 1/5 *The Commissioners' will hold regular session at 9:30 a.m. which will include their Annual Organizational meeting.*
- Mon., 1/11 *Board of Revision, Organizational meeting, 3:00 p.m. Auditor's Office*
- Tue., 1/12 *The Commissioners' will hold regular session at 9:30 a.m.*
- Mon., 1/18 **County offices will be closed for general business due to Martin Luther King Jr. holiday. Twenty-four hour operations will continue to operate as usual.**

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to adjourn the meeting at 9:20 a.m.

Geauga County Board of Commissioners

Timothy C. Lennon

Ralph Spidalieri

James W. Dvorak

Christine Blair, Commissioners' Clerk

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