

Commissioners' Journal
November 9, 2021

The Geauga County Board of Commissioners met in session on November 9, 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 9:38 a.m. by asking everyone to watch Red Skelton's version of the Pledge of Allegiance, and then lead the Board and audience in reciting the Pledge of Allegiance.

From the Red Skelton Hour, January 14, 1969

I remember this one teacher. To me, he was the greatest teacher, a real sage of my time. He had such wisdom. We were all reciting the Pledge of Allegiance, and he walked over. Mr. Lasswell was his name...He said: "I've been listening to you boys and girls recite the Pledge of Allegiance all semester and it seems as though it is becoming monotonous to you. If I may, may-I recite it and try to explain to you the meaning of each word:

***I** – me, an individual, a committee of one.*

***Pledge** – dedicate all of my worldly goods to give without self-pity.*

***Allegiance** – my love and my devotion.*

***To the Flag** – our standard, Old Glory, a symbol of freedom. Wherever she waves, there is respect because your loyalty has given her a dignity that shouts freedom is everybody's job.*

***Of the United** – that means that we have all come together.*

***States** – individual communities that have united into 48 great states, 48 individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to a common purpose, and that's love for country.*

***And to the Republic** – a state in which sovereign power is invested in representatives chosen by the people to govern. And government is the people and it's from the people to the leaders, not from the leaders to the people.*

For which it stands.

***One nation** – meaning, so blessed by God.*

***Indivisible** – incapable of being divided.*

***With liberty** – which is freedom and the right of power to live one's own life without threats or fear or some sort of retaliation.*

***And justice** – The principle or quality of dealing fairly with others.*

***For all** – which means it's as much your country as it is mine.*

Since I was a small boy, two states have been added to our country and two words have been added to the Pledge of Allegiance – "under God."

MEETING MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of September 21, 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>

PROBATE / JUVENILE COURT – PROCLAIMING NOVEMBER 2021 'NATIONAL ADOPTION MONTH' – CELEBRATE "ADOPTION DAY" NOVEMBER 16TH

Gauga County Probate Court Adoption / Guardianship Coordinator Shawna Myers explained that the Court recognizes all adoptions that take place within a twelve-month period and has them come back for a finalization hearing and celebrate all the kids that have been adopted. They partner with the Jockey Being Family Foundation that provides personalized backpacks for the kids that are filled with things like books, along with working with CASA and Job and Family Services.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-138 Proclaiming November 2021 "National Adoption Month" and Celebrate "Adoption Day" November 16th in Geauga County, Ohio.

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Board of County Commissioners, Geauga County, Ohio

Resolution: 21-138

Date: November 9, 2021

*A RESOLUTION PROCLAIMING NOVEMBER 2021 "NATIONAL ADOPTION MONTH" AND
CELEBRATE "ADOPTION DAY" NOVEMBER 16TH IN GEAUGA COUNTY, OHIO*

WHEREAS, in recognition of NATIONAL ADOPTION MONTH, the Board of Geauga County Commissioners joins the Geauga County Probate Court, the Geauga County Juvenile Court's CASA Program, and Geauga County Children Services, in commemorating the Court's "Love You to Pieces" celebration. The objective of NATIONAL ADOPTION MONTH is to find loving, permanent families for all children. Every child in America and every child in Geauga County, Ohio, deserves the security of a permanent home and a loving, caring family; and

WHEREAS, the Commissioners, Probate Court, Juvenile Court, and Job and Family Services together encourage the community, businesses, groups, schools, faith-based organizations, and families to help secure permanent, loving homes for each and every child in Geauga County, regardless of race, age, gender, health, emotional or behavioral challenge, or past distress; and

WHEREAS, more than 250,000 children are placed into the foster care system in the United States every year. Today in the United States, there are approximately 400,000 children in the foster care system waiting for permanent, loving homes. The average child waits for an adoptive family for more than three years, and more than 23,000 children every year turn 18 and leave the system waiting for a family. Since Adoption Day last year, 26 children have been adopted. Eight children are currently waiting for adoption.

WHEREAS, Judge Timothy J. Grendell and Magistrate Abbey L. King have displayed compassion for children by working extensively on their behalf in the area of adoption as Geauga County Probate Judge and Magistrate, and have promoted adoption as a means of bringing families together in Geauga County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Geauga County Commissioners hereby proclaims NOVEMBER as ADOPTION MONTH and NOVEMBER 16, 2021 as ADOPTION DAY in Geauga County, Ohio.

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>

MAINTENANCE – SERVICE CONTRACT AGREEMENT – SHILOH PAINTING AND HOME SERVICES, LLC

Director Glen Vernick asked the Board to execute the service Contract with Shiloh Painting that will be used for some painting at the Clerk of Courts office over the Thanksgiving weekend but also, at other locations.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the service Contract Agreement with Shiloh Painting and Home Services, LLC to perform Painting Services per the Director for County Properties for a two-year period, beginning November 9, 2021 in an amount not to exceed \$30,000.00.

<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>

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MAINTENANCE – MEMORANDUM OF UNDERSTANDING – BOARD OF DEVELOPMENTAL DISABILITIES – PROPERTY LOCATED AT 8200 CEDAR ROAD, CHESTERLAND – METZENBAUM SHELTERED INDUSTRIES WORKSHOP BUILDING – USE AND CONTROL FOR COUNTY PURPOSES

Mr. Vernick explained that this Memorandum of Understanding with Developmental Disabilities for the Metzenbaum Sheltered Industries Building to formalize operation and control of the building by the County which puts maintenance and utilities on the Commissioners and will be used for the Department on Aging and the rest as the Commissioners wish to use it.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Memorandum of Understanding between the Geauga County Commissioners and the Geauga County Board of Developmental Disabilities in regards to the county property located at 8200 Cedar Road, Chesterland, the Metzenbaum Sheltered Industries Workshop Building, and that use and control of the building will be for county purposes, including the operation of a Geauga County Senior Center and that the Commissioners will be responsible for maintenance, repairs and all utilities.

<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 – LICENSE AGREEMENT – JAKES HUNT CLUB – 13211 AQUILLA ROAD PROPERTY – HUNT LEGAL GAME WITH BOW

Mr. Vernick asked the Board to approve the use of the County Home property for the hunting of legal game via bow by Jake's Hunt Club. Mr. Vernick noted that they are required to hold insurance. Mr. Morgan noted that Mr. Maruna and Mr. Pilarczyk are county employees and Jacob Merkle used to be. Mr. Vernick noted that they have been hunting back there for several years and keep him informed if there are encroachment on the property.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the License Agreement with Jake's Hunt Club, Jacob P. Merkle, Shawn Maruna and Bernard Pilarczyk to allow the right to hunt legal game via bow on County owned property, located at 13211 Aquilla Road, Claridon Township (Parcel #13-705200) for the period November 9, 2021 through September 30, 2022.

<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>

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including transfer from the Commissioners Operating Transfers Out account to the Building Departments Contract Services account to cover increases needed in their plan review contracts to the end of the year; Supplemental Appropriation transfer from the Commissioners Contingency Account to the Engineer's General Fund payroll accounts to cover operations to year end; a Supplemental Appropriation for Water Resources Bainbridge Water Project fund in their Project Contracts account in preparation for a certification and encumbrance; a Cash transfer out of the General Fund to Community Development for the remainder of their 4th Quarter 2021 funding commitment; an Encumbrance increase for the Commissioners to Donley's Independence for change order #7 and #8 for revisions to the building for AV and IT related equipment; Travel request for the Auditor's Office; Then and Now for the Municipal Court for Jerri Mitchell-Tharp for appointed counsel fees and the Prosecutor's Office to Grant and O'Malley Co., LPA for special prosecutor fees; a Purchase order for Water Resources for a new model year 2021 Dodge Ram 1500 Extended cab 4x4; a payment for the Commissioners Office to NV5, Incorporated for Owners Representative services rendered in October in the amount of \$29,071.00; a payment for the Engineer's Office to Southeastern Equipment for an Alamo Samurai Boom Mower in the amount of \$62,948.00 and Revenue Certifications for the Auditor, Commissioners, Board of Developmental Disabilities, Job and Family Services and Water Resources for additional revenue to be received in 2021.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-139 itemizing the financials for the meeting of November 9, 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>

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1, FINAL – DECREASE THE CONTRACT WITH AERO-MARK COMPANY – APPLICATION OF POLYESTER PAVEMENT MARKINGS

Deputy Engineer Nick Gorris asked the Board to approve the final Change Order for Aero-Mark Company for a decrease in the contract for the application of pavement markings for this year.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Change Order #1, Final decreasing the Contract with The Aero-Mark Company for the Application of Polyester Pavement Markings to Various Roads in the amount of \$3,228.24.

<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 – CONTRACT – WOODFORD EXCAVATING, LLC – BAINBRIDGE TOWNSHIP WATERLINE EXTENSION LOOP CLOSURE PROJECT

Fiscal and Personal Specialist Kathleen Miller asked the Board to execute the contract with Woodford Excavating, LLC for the Bainbridge Township Waterline Extension Loop Closure project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Contract with Woodford Excavating, LLC for the Bainbridge Township Waterline Extension Loop Closure Project in the amount of \$1,315,237.00.

<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>

DEPARTMENT OF WATER RESOURCES – RESOLUTION DECLARING OFFICIAL INTENT AND REASONABLE EXPECTATION – REIMBURSE WATER RESOURCES FUND FOR AQUILLA WASTEWATER TREATMENT PLANT UPGRADE

Ms. Miller asked the Board to execute the resolution to declare official intent to reimburse the Water Resources fund for the Aquilla Wastewater Treatment Plant with proceeds of tax-exempt debt.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-140 Declaring the Official Intent and Reasonable Expectation of the Geauga County Board of Commissioners on behalf of the State of Ohio (the Borrower) to Reimburse its Water Resources Fund (P Fund) for the Aquilla Wastewater Treatment Plant (WWTP) Upgrade with the proceeds of Tax-Exempt Debt of the State of Ohio.

Board of County Commissioners, Geauga County, Ohio

Resolution: #21-140

Date: November 9, 2021

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE GEAUGA COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS WATER RESOURCES FUND (P FUND) FOR THE AQUILLA WASTEWATER TREATMENT PLANT (WWTP) UPGRADE (P2102) WITH THE PROCEEDS OF TAX-EXEMPT DEBT OF THE STATE OF OHIO

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BE IT RESOLVED, by the Geauga County Board of County Commissioners on behalf of the State of Ohio that:

Section 1. That the Geauga County Board of County Commissioners reasonably expects to receive a reimbursement for the Aquilla WWTP Upgrade Project (P2102) as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$300,000.00.

Section 3. The Clerk of the Geauga County Board of County Commissioners is hereby directed to file a copy of this Resolution with this Geauga County Board of County Commissioners for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4. This Geauga County Board of County Commissioners finds and determines that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this Resolution were taken in an open meeting of this Geauga County Board of County Commissioners and that all deliberations of this Board of County Commissioners and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

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>

DEPARTMENT OF WATER RESOURCES – ACCEPT RESIGNATION – TODD PALIVEC, ELECTRICIAN I (#2338)

Ms. Miller asked the Board to accept the resignation of Mr. Palivec, Electrician.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to accept the resignation of Todd Palivec, Electrician I (#2338) to be effective November 14, 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>

DEPARTMENT OF WATER RESOURCES – APPROVE REVISED ORGANIZATIONAL CHART – ADD AN ADDITIONAL MAINTENANCE WORKER (#2330)

Ms. Miller asked the Board to approve the additional Maintenance Worker on their organization chart under the Supervisor M & O position.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the revised Organizational Chart to add an additional Maintenance Worker (#2330) under Supervisor M & O, to be effective November 9, 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>

DEPARTMENT OF WATER RESOURCES – INCREASE POSTING CURRENT POSTING – MAINTENANCE WORKER (#2330)

Ms. Miller asked the Board to approve increasing the current posting for Maintenance Worker to reflect the additional position.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon, to increase the current posting for the position of Maintenance Worker (#2330) from one to two positions. These positions 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>

DEPARTMENT OF WATER RESOURCES – APPROVE HIRING ANTHONY PACIFICO – MAINTENANCE WORKER (#2330)

Ms. Miller asked the Board to approve hiring Mr. Pacifico to the position of Maintenance Worker (#2330).

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve hiring Anthony Pacifico to the position of Maintenance Worker (#2330) at the rate of \$18.54 per hour to be effective November 22, 2021 with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions.

<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 – ORDER THE VACATION OF PUBLIC RIGHT OF WAY UPON A PORTION OF WASHINGTON STREET (TR-0047) AUBURN TOWNSHIP – EXECUTE PLAT

Deputy Engineer Andy Haupt asked the Board to approve the Resolution to Order for the vacation of the public right of way upon a portion of Washington Street in Auburn Township, and to execute the final plat.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-141 to Order the Vacation of the Public Right of Way Upon a Portion of Washington Street (TR-0047) in Auburn Township, Geauga County, Ohio, pursuant to Section 5553.045 of the Revised Code.

Board of County Commissioners, Geauga County, Ohio

Date: November 9, 2021

Resolution: #21 - 141

RESOLUTION TO ORDER THE VACATION OF THE PUBLIC RIGHT OF WAY UPON A PORTION OF WASHINGTON STREET (TR-0047), IN AUBURN TOWNSHIP, GEAUGA COUNTY, OHIO, PURSUANT TO SECTION 5553.045 OF THE REVISED CODE

WHEREAS, the Auburn Board of Township Trustees in Resolution #2021-26 petitioned the Geauga County Board of Commissioners on September 15, 2021 for the vacation of the public right-of-way upon a portion of Washington Street (TR-0047), Auburn Township, Ohio, which right of way is more particularly described as follows:

Washington Street beginning at the point where the centerline of said Washington Street intersects the southerly right-of-way of Valley Road (TR-0199), easterly approximately 1121.29 feet to the existing terminus of said Washington Street established by previous vacation actions recorded in Volume 9 Page 58 of the Geauga County Records of Plats, and Volume 16, Page 449 and Volume 19, Page 383 of the Geauga County Board of Commissioners Records; and

WHEREAS, on October 20, 2021, the County Engineer issued to the Geauga County Board of Commissioners a written report similar in content to reports required under Ohio Revised Code Section 5553.06 stating that the Engineer believes the vacation of the above-referenced portion of the public right-of- way of said Washington Street, is for the public convenience and welfare; and

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WHEREAS, the Geauga County Board of Commissioners held a public viewing on October 19, 2021 regarding the vacation of the above-referenced portion of the public right-of-way of said Washington Street; and

WHEREAS, the Geauga County Board of Commissioners held a public hearing on October 26, 2021 regarding the vacation of the above-referenced portion of the public right-of-way of said Washington Street and gathered input from affected persons and heard testimony bearing upon the necessity of the improvement for the public convenience or welfare and offered either for or against proceeding with the improvement by any interested persons; and

WHEREAS, the public right-of-way of the above referenced portion of said Washington Street, under consideration for vacation, is not used to calculate distributions of the auto registration distribution fund under division (E) of Section 4501.04 of the Ohio Revised Code and is not a road or portion of a road certified by the board of township trustees to the director of transportation in accordance with that division as mileage in the township used by and maintained for the public; and

NOW, THEREFORE, BE IT RESOLVED by the Geauga County Board of Commissioners that the vacation of the public right of way upon a portion of Washington Street (TR-0047), is in the public convenience and welfare and is hereby ordered vacated in accordance with Section 5553.045 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the vacated public right-of-way over the portion of said Washington Street, shall pass, in fee, to the abutting landowners, as provided by law, subject to any permanent easements or rights of ingress or egress of any public utility or electric cooperative as provided by law.

BE IT FURTHER RESOLVED that the abutting property owners shall be identified as:

- 1) City of Akron Utilities C/O Enterprise Accting 146 S High St, STE 211 Akron OH 44308*
- 2) City of Akron Public Utilities Bureau P.O. Box 3665 Akron, OH 44309*

BE IT FURTHER RESOLVED that the Engineer has prepared an accurate survey and plat and accurate and detailed description describing the center line and right-of way lines of the public right-of- way to be vacated as described herein as well as the remaining roadways and shall record same in the Recorder's Office and in the proper road records of the County.

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 Auburn Township Board of Trustees, the Geauga County Recorder, the Geauga County Auditor and the Geauga County Engineer.

<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 Plat for Washington Street, (TR-0047), a Portion of, 60 Feet Wide Plat of Vacation located in Tract 2, Section 5, Lot 3 Auburn Township, Geauga County, Ohio, November 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 – INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY AND EXHIBIT A

Mr. Morgan asked the Board to execute the resolution for indigent defense fee / cost recoupment policy to recover funds that have been expended on a person claiming to be indigent and they are not.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-142 Adopting the Geauga County Indigent Defense Fee/Cost Recoupment Policy and Exhibit A.

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Board of County Commissioners, Geauga County, Ohio

Resolution: #21-142

Date: November 9, 2021

A RESOLUTION ADOPTING THE GEAUGA COUNTY INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY.

WHEREAS, the Office of the Ohio Public Defender has by Rule OAC 120-1-03 adopted regulations for the appointment of counsel for the indigent; and

WHEREAS, pursuant to this rule, the Board of County Commissioners needs to adopt a plan to recoup all or part of the cost of counsel for persons who meet certain income guidelines; and

WHEREAS, input and feedback about the Indigent Defense Fee/Cost Recoupment Policy for Geauga County has been sought from key stakeholders and partners;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County Ohio:

Section 1. The attached Geauga County Indigent Defense Fee/Cost Recoupment Policy is hereby adopted.

Section 2. The Courts of Geauga County shall make the appointment of counsel, either private assigned counsel or the County Public Defender, in accordance with the rules established by the Ohio Public Defender Commission and the State Public Defender to enable this county to receive reimbursement from the state for a part of the indigent defense costs.

Section 3. The Courts of Geauga County assigning indigent defense counsel shall, in accordance with OAC 120-1-03, order that a part of counsel fees be repaid to the County in accordance with the attached procedures and schedule of flat rates) when the defendant falls into the income guidelines set forth in the rule (above 125 percent of the poverty threshold). Inappropriate cases all counsel fees may be assessed unless it creates an undue burden.

Section 4. Payments shall be made pursuant to the Geauga County Indigent Defense Fee/Cost Recoupment Policy, a copy of which is hereby attached to this resolution. (Exhibit A)

Section 5. This resolution shall be effective for all cases with an appointment date as of November 1, 2021 or later.

Exhibit A

GEAUGA COUNTY INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY

Basis for Policy: The Office of the Ohio Public Defender (OPD) has by rule OAC 120-1-03 adopted regulations for the appointment of counsel for indigent defendants. Pursuant to this rule the County is required to have a plan to recoup all or part of the cost of counsel for persons who meet certain income guidelines and such fees are not waived by the Court.

- 1) The Court shall review each defendant's indigent status and determine if recovery of assigned counsel fees or public defender costs is appropriate. The Court may waive the fees if it is determined that the imposition of such would result in an undue hardship on the client.*
- 2) This recoupment policy is in addition to the \$25.00 application fee contained in ORC 120.36.*
- 3) The Court shall order when any recoupment amount is due. However, no recoupment shall be assessed against an individual whose gross income is less than 125% of the Federal Poverty level. Enforcement shall not include jail.*

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-143 in Honor and Respect of America's Veterans, this November 11th, Veterans Day.

<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 – STATEMENT OF QUALIFICATIONS

Mr. Morgan provided and update to the Board on the Statement of Qualifications for the Owners Representative and Architect Services for the Phase 2 portion for renovation or construction on County Buildings. Mr. Morgan will send the Board copies of the statements received for their review.

The Board moved to recess at 10:04 a.m. to move to Building #8 meeting room.

The Board reconvened at 10:16 a.m. at 470 Center Street, Building #8 meeting room.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to move into Executive Session for the purpose of discussing details relative to security, in accordance with R.C. 121.22(G)(6).

<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 10:17 a.m. and invited those in attendance at the ADP Board Special meeting to join them, including employees from Black Box. That also included from the Auditor's Office Kate Jacobs, Ron Leyde, from the Prosecutor's Office Rick Warner, and from Black Box, Kevin Mayo, Solution Architect – Cybersecurity Focus, Will Klein, Manager – Deployment Engineering and from Paranet, Chris Decanes, Chief Revenue Officer.

The Board returned from Executive Session at 11:45 a.m. and recessed to return back to Building #4, Chambers.

The Board reconvened at 11:56 a.m. in Chambers, 470 Center Street, Building #4.

ACKNOWLEDGEMENTS

- a) The Monthly Financial Report from the County Building Department for the month of October, 2021.*
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 27, 2021 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events. Ms. Blair noted that they needed to schedule a Joint Detention Center Board with Portage County and that there was a possibility of moving the Solid Waste December meeting from the 21st to the 14th. There was discussion about having a meeting with Judge Grendell and discussing the Detention Center.

MEETINGS

Tue., 11/9 ADP Special Meeting, 10:00 a.m. 470 Center St., Building #8 meeting room

Wed., 11/10 Geauga County Township Association Dinner, 6:30 p.m. Kent State Geauga Campus

Thu., 11/11 County Offices will be closed in observance of Veteran's Day. Twenty-four operations will continue to operate.

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Fri., 11/12 NOACA Finance & Audit 8:30 a.m., Governance 10:00 a.m. and Executive 11:30 a.m., Cleveland

Mon., 11/15 Family First Council, 1:30 p.m. Job and Family Services

Tue., 11/16 The Commissioners will hold regular session at 9:30 a.m.

Tue., 11/16 Geauga Trumbull Solid Waste Management District, Board of Directors meeting, 1:30 p.m. Warren, District Office

Tue., 11/23 The Commissioners will hold regular session at 9:30 a.m.

Thu., 11/25 County Offices will be closed for general business in observance of Thanksgiving Day. Twenty-four hour operations will continue to operate as normal.

Fri., 11/26 County offices under the hiring authority of the Board of Commissioners will be closed for general business. Twenty-four hour operations will continue to operate as usual.

Tue., 11/30 Investment Advisory Board, 9:15 a.m. Chambers

Tue., 11/30 The Commissioner will hold regular session at 9:30 a.m.

The Board held a discussion regarding the Mental Health Board and recent events that have taken place at their Board meetings. Ms. Blair noted that on December 7th will be the Permanent Appropriation. Mr. Morgan expressed holding a work session on the 21st to discuss the re-organization meeting in January. There was some discussion about upcoming meetings the Geauga Trumbull Solid Waste District and about being part of NOACA.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to adjourn the meeting at 12:13 p.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

Commissioners' Journal
November 9, 2021

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