

Commissioners' Journal
December 21, 2021

The Geauga County Board of Commissioners met in session on December 21, 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 9:42 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

Light of the World

Jesus, the Light of the World,

As we celebrate your birth. May we begin to see the world in the light of understanding you give us

You are close to the challenged, the outcasts and the poor to receive the greatest news the world had ever known, so may we worship you in meekness of the heart

May we also remember our brothers and sisters less fortunate than ourselves in this season of giving.

Amen

MEETING MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of October 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 approve and execute the minutes for the special meeting of November 4, 2021.

<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 Appropriation transfers and Supplementals to true up expense account balances for year-end; Cash transfers from Water Resources Water Fund to the County Water System Construction Fund; and a payment for Maintenance to East Ohio Gas Company for utility bills due before the next regular financial session in the amount of \$12,372.99.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-173 itemizing the financials for the meeting of December 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>

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1, FINAL – INCREASE CONTRACT – RONYAK PAVING, INCORPORATED – RESURFACING OF RUSSELL ROAD

Deputy Engineer Nick Gorris asked the Board to approve Change Order #1 and Final, increasing the Contract with Ronyak Paving for the resurfacing of Russell Road, as the road was out of crown and needed an additional leveling course.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Change Order #1, Final increasing the Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Russell Road (CH 0020, Section A) in Russell Township in the amount of \$19,061.97.

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

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – FIRST AMENDMENT TO PY2021 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT (GRANT #B-F-21-1AZ-1)

Director Martin Castelletti asked the Board to execute an amendment to the Block Grant agreement for a revised Attachment D regarding assurances and certifications.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the First Amendment to PY2021 Community Development Program Grant Agreement (Grant #B-F-21-1AZ-1) between the Ohio Department of Development and the Geauga County Board of Commissioners for Attachment D (Revised) Grantee Assurances and Certifications.

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

DEPARTMENT OF WATER RESOURCES – ADVERTISE FOR POSITION OF CONSTRUCTION INSPECTOR (#2322)

County Administrator Gerard Morgan asked the Board to approve advertising for the position of Construction Inspector, noting that the current Inspector is currently out indefinitely and with upcoming projects we need to get someone else in to assist. There was a brief discussion about the other duties that position assists with.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to advertise for the position of Construction Inspector (#2322), Internally for a period of five days with applications accepted from December 27, 2021 through 4:30 p.m. on January 3, 2021, if no qualified candidate is found, this position will be advertised externally until filled.

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

COMMISSIONERS' OFFICE – LETTER OF ENGAGEMENT – SQUIRE PATTON BOGGS FOR YEAR 2022

Mr. Morgan asked the Board to execute the Letter of Engagement with Squire Patton and Boggs for 2022 to assist with Bond Counsel and other matters.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Letter of Engagement with Squire Patton Boggs for the Year 2022 for Bond Counsel, Continuing Disclosure and Economic Development Matters.

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

COMMISSIONERS' OFFICE – RESOLUTION RE-APPOINTING ERIC FINK TO NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM (NEOCAP)

Clerk, Christine Blair explained that Marna Drum retired from her position, in addition last year Mr. Fink was appointed to fill the remainder of Mr. Heavner's term. Ms. Blair noted that Lake County has already appointed Mr. Fink for an actual term and am asking the Board to do the same.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #21-174 Re-Appointing Eric Fink to the Northeast Ohio Community Alternative Program (NEOCAP) Facility Governing Board.

Board of County Commissioners, Geauga County, Ohio

Resolution: #21-174

Date: December 21, 2021

RESOLUTION RE-APPOINTING ERIC FINK TO THE NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM (NEOCAP) FACILITY GOVERNING BOARD

WHEREAS, the Northeast Ohio Community Alternative Program (NEOCAP) was established by the Common Pleas Judges of Portage, Geauga, Lake, Ashtabula and Trumbull counties in 1997 and serves as the Community Based Corrections Facility (CBCF); and

WHEREAS, Ohio Revised Code Section 2301.51(E) provides that the CBCF be governed by a Facility Governing Board to which the judicial advisory board of the CBCF shall appoint two-thirds of the members and the boards of county commissioners of the member counties of the CBCF shall appoint the remaining one-third of the members; and

WHEREAS, it is within the discretion of and has been mutually determined by the CBCF's member counties that the Facility Governing Board should be comprised of nine members which requires that boards of county commissions of the member counties of the CBCF shall appoint three of the members; and

WHEREAS, Eric Fink is an Attorney at Law in Kent, Portage County, Ohio primarily serving Portage and Summit Counties in criminal and domestic relations and has requested to serve on the NEOCAP Board; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners, in agreement with members of the CBCF, appoint Eric Fink to serve on the Facility Governing Board for the current term through November 9, 2024; and

BE IT FURTHER RESOLVED, that the Commissioners' Clerk forwards a copy of this resolution to the County Commissioners and Common Pleas Court Judges of Ashtabula, Lake, Portage and Trumbull counties and 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>

WORK SESSION – 2022 ORGANIZATIONAL MEETING

The Board moved into a Work Session at 9:49 a.m. to discuss their upcoming Organizational meeting for 2022. Ms. Blair provided the Board with general information about the format of that meeting, including the Boards they wished to sit on, and their staff appointments. Ms. Blair briefly went over some changes that were requested to the resolution for the County Administrator to exercise powers on their behalf and asked if there were any questions. Ms. Blair noted that the Storm Water pay for the County Engineer will be changing due to the population increase in the census, the Apiary for last year was done as temporary, but Mr. Davis asked to remain until a permanent inspector could be found. Ms. Blair briefly mentioned the Board appointments that would be on, including Family Services Planning, the Developmental Disabilities Board, the Planning Commission has 3 seats that are up at the end of the year. Ms. Blair noted the changes to the meeting schedule that include June 19th, which has now become a Federal holiday and has been changed in the ORC to now be included, and the Fair this year will begin on Wednesday, which will be a full day of celebrations, and in planning we are leaning towards our regular meeting on Tuesday, then not do our meeting on Thursday. Discussion about closing the day after Thanksgiving.

Hearing no discussion, the Board moved back into Regular Session at 10:03 a.m.

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COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to move into Executive Session for the purpose of discussing imminent litigation.

<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 10:04 a.m. with Prosecutor Jim Flaiz and County Administrator Gerard Morgan. The Board returned at 10:50 a.m. Prosecutor Flaiz explained that they are trying to solve the issues with the Board of Elections, noting that he had been having discussion with the Board of Elections Attorney and some of the changes they are requesting are minimal. Mr. Flaiz explained that they would like to try and get a settlement over the changes for the new Building. There was a brief discussion about who they would authorize to sign the settlement but have the amount not to exceed \$40,000.00. Mr. Lennon wanted to express that this is on top of the excess of \$200,000.00 of changes that have already been done. Mr. Dvorak noted that every change caused delays in the building. Mr. Flaiz stated that a stop work order was issued in that area until we can agree, the changes now being asked for are not unreasonable.

As a result, the following action was taken:

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to authorize the President of the Board or if unavailable, the County Administrator to negotiate and enter into a Settlement Agreement with the Board of Elections regarding changes to the new Building in an amount not to exceed \$40,000.00.

<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>

Local resident Diane Jones inquired about the challenges with the City of Chardon and the new building and if that was still ongoing, to which Mr. Flaiz stated that they were still meeting and holding discussion and they were set to meet again on January 20th with the Judge.

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending December 8, 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 November, 2021.*
- c) Western Reserve Land Conservancy 2021 Annual Stewardship Visit Report to the Mayer Preserve Conservation Easement*

OTHER

The Board reviewed upcoming events.

MEETINGS

*Fri., 12/24 **County Offices will be closed for general business in observance of the Christmas Holiday. Twenty-four hour operations will continue to operate as normal.***

Tue., 12/28 The Commissioners will hold regular session at 9:30 a.m.

*Fri., 12/31 **County Offices will be closed for general business in observance of the New Year's Holiday. Twenty-four hour operations will continue to operate as normal.***

Tue., 1/4 The Commissioners' will hold regular session at 9:30 a.m. during which they will conduct their Annual Re-Organization meeting.

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Tue., 1/11 The Commissioners will hold regular session at 9:30 a.m.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adjourn the meeting at 10:57 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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