

Commissioners' Journal
December 31, 2013

The Geauga County Board of Commissioners met in session on December 31, 2013 at 10:00 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 President of the Board, Mary E. Samide opened the meeting at 10:00 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

FINANCIALS

The Commissioners' Office reported on financials from December 26, 2013, Resolution #13-229, that included Supplemental De-appropriations for various funds for year-end compliance; Appropriation Transfers to correct appropriations for year-end payroll processing; and a cash transfer from the General Fund for the purchase of a generator for the Youth Center, as approved by the County Administrator pursuant to the motion approved January 3, 2013 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 the required approvals for county financials on behalf of the Board during the Year 2013, as authorized by O.R.C. 305.30.

APPROVE MINUTES

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of December 19, 2013.

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

APPROVE FINANCIALS

Budget and Finance Administrator Heidi Delaney explained the financials for today as including Supplemental De-appropriations for various funds for year-end compliance and a cash transfer into the General Fund for the repayment of a payroll advance for the Dog Warden.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #12-230 itemizing the financials for the meeting of December 31, 2013.

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

DEPARTMENT OF EMERGENCY SERVICES – GRANT PERMISSION TO ADVERTISE – PUBLIC NOTICE - LOCAL MITIGATION PLANNING MEETING

Deputy Director of Planning Tara Vargovich explained that public notice to invite the public to a local mitigation planning meeting is necessary to provide the public the opportunity to comment on plan revisions. The mitigation plan is used to provide possible grant funds if actions need to be taken in cases of reoccurring disasters such as flooding. Director of the Department of Emergency Services Dale Wedge added comment that the federal government does not like to repeatedly pay the same type of disaster reimbursement for the same property or event; mitigation plan grant money would be used to remedy these situations.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to grant permission to advertise giving public notice in the Geauga Maple Leaf on January 9, 2014 and January 16, 2014, the meeting of the Geauga County Hazard Mitigation Planning Committee for the Review and Revision to the Local Mitigation Plan for Geauga County to be held January 16, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

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**DEPARTMENT OF EMERGENCY SERVICES –LOCAL EMERGENCY PLANNING
COMMITTEE (LEPC) APPLICATION TO APPOINT RONALD I. WILLIAMS – EHS
MANAGER – TWO YEAR TERM**

Director of the Department of Emergency Services Dale Wedge explained it is a requirement under section 3950 of the Ohio Revised Code to maintain records on certain hazardous chemical substances beyond minimum reporting volume levels kept by various entities within the county. He noted differences between hazardous and extremely hazardous chemical substances, providing examples of each. He provided the commissioners with a matrix document illustrating how the Local Emergency Planning Committee's members were organized within that organization. Mr. Wedge stated that the number of elected officials appointed to the LEPC were reduced from two to one with the changes currently being made, as Media Representative to the committee Linda Burhenne will no longer be serving as a Leroy Township Trustee in 2014. He also noted that inasmuch as the committee is writing plans affecting private industrial operations storing chemical substances, it is in the best interest of the county to increase the membership representation on the committee from private-sector facilities subject to section 3950 of the Geauga County Local Emergency Planning Committee (LEPC) from one to two by appointing Extremely Hazardous Substance Facility Director of Saint-Gobain Crystals Ronald I. Williams as EHS Manager, joining Mike Bell from Etna Products in that role. Mr. Williams has an extensive background in the chemical industry in the private sector and will be an asset to the mitigation planning team and the community. Mr. Wedge also added that Saint-Gobain Crystals has donated (2) one-suit flash suits for hazardous material responders in the amount of \$2,800.00 each, a savings of \$5,600.00 to the county. Commissioner Blake Rear inquired as to the threshold of hazardous material possession before it reaches a level for reporting. Mr. Wedge responded that it depends on what type of chemical, the amount of the chemical and how it's stored.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Geauga County Local Emergency Planning Committee (LEPC) Application for LEPC Appointment appointing Ronald I. Williams, EHS Manager for a two (2) year term beginning August 15, 2013 through August 14, 2015.

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| Roll Call Vote: | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |
| | Commissioner Samide | Aye |

**DEPARTMENT OF JOB AND FAMILY SERVICES – ACKNOWLEDGE NEW HIRE – SHERYL
HATRIDGE**

Human Resource Officer for the Department of Job and Family Services Anita Rohl explained the background and qualifications for new hire Sheryl Hatridge. Anita Rohl was then presented with a resolution honoring her retirement.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to acknowledge the following new hire appointment of the Director of Job and Family Services, as Job and Family Services has complied with the Board of Commissioners recruitment and hiring procedures:

Sheryl Hatridge, Clerical Specialist I (replacement) Effective December 3, 2013

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| Roll Call Vote: | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |
| | Commissioner Samide | Aye |

**ADDITION – COMMISSIONERS' OFFICE – RESOLUTION HONORING HUMAN
RESOURCE OFFICER, ANITA ROHL FOR HER DEDICATION AND COMMITMENT TO
THE RESIDENTS OF GEAUGA COUNTY**

Board of County Commissioners, Geauga County, Ohio

Resolution: 13-231
Date: December 31, 2013

RESOLUTION HONORING ANITA ROHL UPON HER RETIREMENT

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WHEREAS, Anita Rohl has worked faithfully and effectively for Geauga County Job and Family Services for thirty-one years starting as a Typist in May of 1978 and earning several advancements until she was promoted to Human Resource Officer in 1994, a position she has held since that time while also supervising the Clerical Team of Job and Family Services, and;

WHEREAS, in Anita's thirty-one years she has witnessed and contributed to the modernization of the department as it has changed from dependence upon hand written paper records to the use of electronic data systems and has seen the department relocate from a renovated Center Street residence to a state of the art facility on Ravenwood Drive, and;

WHEREAS, during Anita's tenure as Human Resource Officer she has worked to develop effective personnel practices to support the mission and administration of the agency while providing support, compassion and kindness to the many members of the staff of Job and Family Services who have sought her help and counsel throughout the years, and;

WHEREAS, during her tenure as Human Resources Officer Anita has guided the recruitment and employment efforts of Job and Family Services and has participated in the vetting of thousands of resumes resulting in the hiring of over two hundred current and former employees of Job and Family Services so critical to the safety and welfare of the children, families and senior citizens of Geauga County, and;

WHEREAS, Anita Rohl has been a reliable, conscientious and most capable employee throughout her tenure with the agency and in spite of constant change and challenge she has maintained a positive outlook while fulfilling her many duties. Her warm and friendly smile has been a constant source of reassurance to all of those who have worked with her and she will be greatly missed as she leaves the agency with the admiration and affection of all those she has worked with, and;

WHEREAS, Anita Rohl has decided to retire to enjoy new challenges and her leisure and has therefore tendered her resignation effective December 31, 2013.

NOW THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners wishes to express its sincere and heartfelt appreciation to Anita Rohl for her thirty-one years of dedicated service to the children, families and senior citizens of Geauga County, and;

BE IT FURTHER RESOLVED, that the Geauga County Board of Commissioners does hereby wish Anita good fortune and great enjoyment in her retirement, and that this Resolution becomes part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #13-231 Honoring Human Resource Officer, Anita Rohl for her dedication, commitment and service to Geauga County.

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

ADDITION – COMMISSIONERS' OFFICE – RESOLUTION HONORING DEPARTMENT ON AGING DIRECTOR SALLY L. BELL FOR HER DEDICATION AND COMMITMENT TO THE RESIDENTS OF GEAUGA COUNTY

Board of County Commissioners, Geauga County, Ohio

Date: December 31, 2013

Resolution: 13-235

**RESOLUTION HONORING SALLY L. BELL
FOR HER SERVICE TO GEAUGA SENIORS AND TO GEAUGA COUNTY**

WHEREAS, Ms. Bell earned her Bachelor of Science from Kent State University and served in increasingly responsible roles over the years with a number of non-profit agencies in

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the Cleveland area, including three years as Director for Geauga United Way Services Council, and;

WHEREAS, Ms. Bell has served the residents of Geauga County since June 17, 1991 in her capacity as Director, Geauga County Department on Aging, immediately rolling up her sleeves in what was then a very small organization, helping prepare meals for seniors, motivating staff, and developing a strong core of support for the agency within the county, and;

WHEREAS, throughout the years, Ms. Bell has been the driving force in proactively identifying the needs of seniors in this county, working as a key member of the Community Impact Study team which provided an early forecast of the coming need for a significant growth in programs to meet the rapidly expanding need for senior services in Geauga County, and;

WHEREAS, through Ms. Bell's leadership in working with the Senior Board of Trustees nonprofit entity which has provided numerous enhancements to the senior centers over the years not requiring taxpayer dollars, and with the Department on Aging Advisory Board which has ensured comprehensive input on service priorities from the community, the Department of Aging has evolved over the years into an entity providing a full range of services for Geauga Seniors, including home delivered meals, transportation, home and chore maintenance, adult day care, socialization, senior assessment, and many more programs dedicated toward keeping Geauga Seniors safe and independent in their own homes, all of which have made the Geauga County Department of Aging under Ms. Bell's tenure and through her dedicated leadership one of the most respected senior services departments in the State of Ohio, and;

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners salutes, congratulates and thanks Sally L. Bell for her years of public service.

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 Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #13-231 Honoring Department on Aging Director, Sally L. Bell for her service to the senior citizens of Geauga County.

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

GEAUGA COUNTY AIRPORT AUTHORITY – FEDERAL FINANCIAL REPORT – FAA AIP 3-39-0054-1512- IMPROVE AIRPORT DRAINAGE

Manager of the Geauga County Airport Authority Patty Fulop explained that the Federal Financial Report reviews the final numbers to close out FAA AIP project 3-39-0054-1512, as it has been completed.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Federal Financial Report (SF-425) for the Federal Grant to Reconstruct Concrete Apron and Improve Airport Drainage (FAA AIP 3-39-0054-1512) in the amount of \$340,980.85 (\$306,882.00 Federal Aviation Administration Share and \$34,098.85 County Match).

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

GEAUGA COUNTY AIRPORT AUTHORITY – PREAPPLICATION – FAA AIP PROJECT #3-39-0054-1714 – OBSTRUCTION REMOVAL AND INSTALL OBSTRUCTION LIGHT

Manager of the Geauga County Airport Authority Patty Fulop stated that the Airport Authority is sending a pre-application to the FAA for federal assistance in a new project consisting of the installation of an obstruction light on top of a nearby silo and the removal of trees, power lines and utility pole obstructions. Ms. Fulop explained that the FAA gave the airport a GPS approach last November which has resulted in the elimination of nighttime approaches due to the obstructions. Ms. Fulop added that the power lines along a section of State Route 608 near the west end of the runway have to be relocated underground. She also stated that this is not a

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huge project; 90% will be covered by FAA entitlements with 10% to be covered by the county. Commissioner Ralph Spidalieri inquired as to whether Medivac will be affected to which Ms. Fulop responded that as they can take off vertically they are not affected, but it does affect pilots that operate instrument rated fixed wing aircraft regarding visual landings. This new project has displaced the parallel taxiway paving project as it is of more importance. In response to a question from Mr. Spidalieri, Ms. Fulop responded that the obstructions will be permanently lit and the runway lights will continue to be activated by radio.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Application for Federal Assistance (SF-424) pre-application for the Installation of an Obstruction Light and the Obstruction Removal of Trees, Power / Utility Lines and Poles (Project #3-39-0054-1714) in the amount of \$136,667.00 (\$123,000.00 Federal Aviation Administration Share and \$13,667.00 Local Match).

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

**SHERIFF'S OFFICE – EXECUTE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES
STANDARD ASSURANCES FORM – GRANT #2013-JG-A02-6468**

Sheriff Dan McClelland is requesting the signing of the Standard Assurances Form for a Technology Improvement Grant to upgrade camera surveillance equipment at the jail. Signing the form certifies the county's assurance that the money will be spent properly.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Ohio Office of Criminal Justice Services Standard Assurances form to complete pre-award conditions for Technology Improvement Grant #2013-JG-A02-6468.

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

**COMMISSIONERS' OFFICE - HONORING MITCHELL O'LINN – ACHIEVING RANK OF
EAGLE SCOUT**

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #13-232 Honoring Mitchell O'Linn on achieving the Rank of Eagle Scout.

Board of County Commissioners, Geauga County, Ohio

Resolution: 13-232
Date: December 31, 2013

**A RESOLUTION HONORING MITCHELL O'LINN FOR ACHIEVING EAGLE SCOUT
THE HIGHEST AWARD OF ADVANCEMENT BESTOWED UPON A BOY SCOUT**

WHEREAS, the Boy Scouts is a nationally acclaimed organization known for training young men to build character, citizenship, and leadership; and

WHEREAS, each scout must progress through the ranks in order, earn twenty-one (21) merit badges (that include first aid, citizenship in the community, nation and world, communication, environmental science, fitness, camping, family life, management, emergency preparedness or lifesaving, and cycling, hiking or swimming), serve six months in a leadership position within in the troop, plan and complete a service project, participate in a scoutmaster conference and complete an Eagle Scout Board of Review; and

WHEREAS, the Eagle Scout Rank is the highest advancement and an accomplishment that only around five percent of all those who start Boy Scouting ever attain; and

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WHEREAS, Mitchell O'Linn is a member of Boy Scout Troop 91, Munson Township, Geauga County, and has excelled in his search for knowledge, leadership, planning and community support; and

WHEREAS, Mitchell O'Linn provided leadership at meetings, on campouts and has done an excellent job in all aspects of scouting; and

WHEREAS, Mitchell O'Linn's Eagle Scout project consisted of establishing a garden and garden bench on the north side of Chardon High School that not only beautifies the area, but give students a place to enjoy the outdoors.

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Mitchell O'Linn for service to his community and to the Boy Scouts of America;

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

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| <i>Roll Call Vote:</i> | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |
| | <i>Commissioner Samide</i> | <i>Aye</i> |

COMMISSIONERS' OFFICE – AUTHORIZE GEAUGA COUNTY PROSECUTOR JAMES FLAIZ TO FILE APPLICATION FOR THE APPOINTMENT OF MANSOUR, GAVIN, GERLACK & MANOS COMPANY, LPA – COUNSEL FOR THE COMMISSIONERS - DEFENSE OF CLAIMS ADVANCED BY JUDGE TIMOTHY GRENDALL – DENIAL OF PORTAGE GEAUGA DETENTION CENTER BOARD REPLACEMENT

County Administrator Dave Lair first explained that there are two separate appointments of counsel to be considered by the Commissioners today, and invited County Prosecutor James Flaiz to come forward and address them. Mr. Flaiz began by stating the commissioners were aware of the need for the first appointment for counsel and explained that he is unable to represent the commissioners in this dispute due to a need to avoid a conflict of interest, as he is normally legal counsel for both the commissioners and the juvenile/probate court. Mr. Flaiz initially had suggested the Portage County Prosecutor's Office represent the Board, but wanted to give the Board the option of hiring its own counsel. Mr. Flaiz stated that in order for the Board to hire other counsel, application would need to be made to the Common Pleas Court, then the court would issue an order appointing a lawyer to represent the Board. Commissioner Mary Samide stated that the big question in this case is whether the statute allows the joint Board to make a yes or no decision regarding an appointment recommended by Judge Grendell, to which Mr. Flaiz responded the issue is that the statute is interpreted in different ways. Commissioner Blake Rear stated that another issue is in regard to the separation of powers, questioning whether a judge in the county can request the commissioners to appear in his court, not having done anything wrong. Mr. Flaiz reiterated that it is his job to provide the Board with options and since a conflict exists which prevents him from representing the Board, the Board needs to select its own outside counsel. Ms. Samide and Mr. Rear stated that they are in favor of independent outside counsel. Mr. Lair having had communication with Assistant Prosecutor Laura LaChapelle during session shared that the appointment of Tim Reid, Esq. of Mansour, Gavin, Gerlack & Manos Company, LPA was being recommended to be made to represent the Board of Commissioners in this case.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to authorize the President of the Board to execute an Application of Prosecuting Attorney and Geauga County Board of Commissioners for Appointment of Counsel in the Court of Common Pleas Geauga County Ohio pursuant to R.C. 305.14 in defense of claims advanced by Judge Timothy Grendell against the Commissioners relating to the Commissioners' denial of a Portage Geauga Detention Center Board replacement recommendation made by Judge Grendell, and further to direct Geauga County Prosecutor James Flaiz to file such application requesting the appointment of Tim Reid, Esq. of Mansour, Gavin, Gerlack and Manos Company, LPA to act as counsel for the Commissioners in this matter.

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| Roll Call Vote: | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |
| | Commissioner Samide | Aye |

**ADDITION – COMMISSIONERS' OFFICE – AUTHORIZE GEAUGA COUNTY
PROSECUTOR JAMES FLAIZ TO FILE APPLICATION FOR APPOINTMENT OF
PETERSEN & PETERSEN, LPA – COUNSEL FOR JUDGE TIMOTHY F. GRENDELL – CASE
OF STATE EX REL CAROL CATALANO VS. JUDGE TIMOTHY GRENDELL – NO. 13G03174**

Geauga County Prosecutor James Flaiz stated the second appointment involves the appointment of legal representation for Judge Timothy Grendell regarding an action that has been brought against Judge Grendell concerning a case that involves the neglect and dependency of a child. Mr. Flaiz continued that he is unable to represent Judge Grendell in this case because he has been named a defendant in the action that has been filed. County Administrator Dave Lair, having had communication with Assistant Prosecutor Laura LaChapelle during session shared that the appointment of Todd Petersen of Petersen & Petersen, LPA was being recommended to represent Judge Grendell in this case. Mr. Flaiz added that this action and the action regarding counsel appointment for the commissioners are unrelated. Commissioner Ralph Spidalieri inquired as to the possibility of “no cost” representation from a county other than Portage to which Mr. Flaiz responded that he could check into it, but it would require him to return a favor to that county’s prosecutor at some point in the future. Mr. Lair commented that the time frame in which to find counsel is an issue in the case involving Judge Grendell and the commissioners, as the Judge had already identified proposed hearing dates within the next week. Ms. Samide said she would like to see a cap placed on counsel expenses.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to authorize the President of the Board to execute, and Geauga County Prosecutor, James Flaiz to file, an Application of Prosecuting Attorney and Geauga County Board of Commissioners for Appointment of Todd Petersen of Petersen & Petersen, LPA, as counsel for Judge Timothy J. Grendell, pursuant to R.C. 305.14, in defense of claims advanced against Judge Grendell in the case of State ex rel Carol Catalano vs. Judge Timothy J. Grendel, pending in the Eleventh District Court of Appeals, Case No. 13G03174.

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| Roll Call Vote: | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |
| | Commissioner Samide | Aye |

OTHER

Garrett Ormiston from the Cleveland Museum of Natural History was recognized from the audience, and was invited to speak. Mr. Ormiston stated that the Museum of Natural History is applying for a Clean Ohio Grant as a means to fund the acquisition of nine parcels of land in Munson Township described as having noteworthy wetland and fen habitat. A total of 110.13 acres would be acquisitioned; 19.92 acres belonging to the county and the remainder belonging to private land owners. In order to attain a Clean Ohio Grant a resolution of support from the county and local governments must be attained. Commissioner Ralph Spidalieri brought up the issue of the properties becoming tax exempt; Mr. Ormiston confirmed this, but explained that the properties are backland and splits and said he would guess that they hold little property value. Mr. Ormiston also explained that the parcels are already targets for conservation by Munson Township. It was suggested by Commissioner Mary Samide that Mr. Ormiston talk to the auditor and come up with an estimated tax value of these properties. She also wanted to confirm that the private land owners were all on board with this project to which Mr. Ormiston replied yes. Mr. Lair added that the Cleveland Museum of Natural History already owns a 106 acres of land in the county, including a sizeable parcel located north of Thwing Road in Chardon Township. Mr. Spidalieri stated that the properties sound pretty undevelopable, but the part he struggles with is that the Cleveland Museum of Natural History will serve as a pass through for a shift of money acquired through the grant to the landowners for land that probably couldn't be developed in the first place. The people who bought these properties knew that these parcels were undevelopable and now, through grant money will receive payment for these parcels. Mr. Ormiston said they were trying to pick out sites that are unique. A fen is a type of habitat that needs to be maintained to remain viable. In response to the property tax issue, Mr. Ormiston stated that whether it be the purchase of the parcels through the grant or conservation easements, it will result in a decrease in property tax collection by the county. After further discussion, the Board members stated that before reaching a decision as to whether or not to

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support the resolution they would like to know if there are any plans to allow use of the land by the public and also what the tax loss will be to the county. Mr. Spidalieri added that we have a sour taste in our mouths regarding the land grabs of the Park District without benefit to our residents. He added that removing taxable property from the county results in a heavier tax burden to the residents of the county as well as a reduction in services. Mr. Ormiston stated he would like to come to the next meeting with a plan supporting some type of public access element and an estimate of property tax values in hopes of gaining support for the resolution.

OTHER

Commissioner Ralph Spidalieri said that he wanted to go on record stating his disappointment with the final outcome of City of Chardon Residential Incentive District (RID) Proposal to the county, stating that it will be a major impact to our county for years to come. Mr. Spidalieri considered it a misdirected, self-centered action, adding that as we head into 2014, speaking as a commissioner with three years remaining in his term, we are going to have to begin devising a preliminary plan that may include reducing services and revamping departments to offset some of the losses that will be imposed on the county as a result of this action. Mr. Spidalieri continued that it's unfortunate that a municipality can affect an entire county; the impact of this decision is going to affect all residents of the county including the residents of Chardon, and it saddens him. Commissioner Blake Rear agreed with Commissioner Spidalieri's comments, stating that he was most disappointed in the city officials having no issue with taking advantage of a law that allows the city to take local county funds with no accountability for city use that will result in a huge negative impact on all county residents and county services for many years. Commissioner Mary Samide raised a question to County Prosecutor James Flaiz as to the possibility of challenging the law. Mr. Flaiz responded that it is the intention of the prosecutor's office to present options to the Board concerning a lawsuit relating to the city's interpretation of the law.

Concerning the City of Chardon meeting that resulted in this final action, Mr. Flaiz said that he was most disappointed in statements made by Mayor Phil King and some council members that the county didn't negotiate in good faith, where in reality the county attempted to negotiate up until the eleventh hour offering mediation options which the city refused. Mr. Flaiz added that the city insisted that the bike path was a separate issue, but the city brought the bike path into the negotiations; in a city council meeting, Mayor King made comment that he would like to see the RID pay for the remainder of the bike path. County Administrator Dave Lair explained that this is a complex issue and one of the problems that the Commissioners' Office has with the way the RID is currently structured is there is no cap on the city's spending, which will result in no accountability or incentive as to how the money should be spent. Mr. Lair referred to a pair of loan amortization tables he had prepared to reflect the differences in financing an estimated \$9,000,000 in capital debt through issuance of bonds maturing over a thirty year period versus issuance of short term notes over a ten year period and found that based on those different financial choices, a difference of over \$5,000,000 in additional interest cost could result if the financing was spread over the longer period by issuance of bonds.

Mr. Spidalieri said that he wanted to add comment that he is not against bike paths, but against how the funding is attained for bike paths. He also added that a simple poll pertaining to the bike path he has conducted on his Ralphspidalieri.com website resulted in 780 votes against the path and 91 votes in favor of the path. Mr. Spidalieri also added comment that no one from the city went to the people to ask if they are in support of 500 additional homes in the city and many are upset as to the impact that this action will have on county services. Audience member Tom Jones commented and expressed his agreement with the commissioners' statements regarding the bike path. Commissioner Rear added that the city was deceptive in the information provided to the public during a recent county session stating that the county was the only remaining obstacle to granting a full right-of-way to the current bike path plan, when in fact this was untrue. Commissioner Spidalieri added comment that the Board has the best of intentions to be honest and up front in all their dealings.

OTHER

Director of Job and Family Services Tim Taylor presented a plaque from the Ohio Department of Job and Family Services honoring the department on its accomplishments and outstanding performance in child support collections. Mr. Taylor also recognized Paul Reiman and Jim Flaiz for their contributions to the department.

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ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending December 18, 2013 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, 2013.*
- c) *County Home Monthly Reports for the months of November and December 2013.*

MEETINGS

*Wed., 1/1 **The County Offices will be closed for general business due to the New Year's Day Holiday. Twenty-four hour operations will continue to operate as normal.***

*Thu., 1/2 **The Regularly scheduled Commissioners' meeting is cancelled.***

Tue., 1/7 The Commissioners will hold regular session.

Thu., 1/9 The Commissioners will hold regular session.

1/10 – 1/12 The Agricultural Fair Board Convention in Columbus, Ohio

*Mon., 1/13 The Commissioners will hold the **Re-organizational meeting** at 10:00 a.m.*

*Tues., 1/14 **The Regularly scheduled Commissioners' meeting is cancelled.***

Tues., 1/14 The Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room Bldg. #1C, 470 Center Street, Chardon

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER REAR ADJOURNED THE MEETING AT 11:56 A.M.

Gauga County Board of Commissioners

Mary E. Samide

Ralph Spidalieri

Blake A. Rear

Deborah Ashburn, Temporary Acting Commissioners' Clerk

Commissioners' Journal
December 31, 2013

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