

Commissioners' Journal
February 27, 2018

The Geauga County Board of Commissioners met in session on February 27, 2018 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 President of the Board, Ralph Spidalieri opened the meeting at 9:06 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

MEETING MINUTES

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of January 18, 2018.

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

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of January 23, 2018.

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

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of February 6, 2018.

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

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of February 13, 2018.

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

MEETING MINUTES

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of January 30, 2018.

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

**Commissioner Spidalieri was absent from this meeting.*

FINANCIALS

County Administrator David Lair reported on financials from February 22, 2018, Resolution #18-028, that included an Appropriation transfer for ADP to allow for purchase of necessary SQL server license, as approved by the County Administrator pursuant to the motion approved December 28, 2017 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 2018, as authorized by O.R.C. 305.30.

COMMISSIONERS' OFFICE- COUNTY ADMINISTRATOR'S REPORT

Mr. Lair reported on the items approved February 26, 2018 by the County Administrator, included for the County Home, to accept the resignation of Sara Knife, Part-time

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Attendant (#1504-1) to be effective February 28, 2018; accepting the resignation of Gary Keyes, Part-time Attendant (#1504-1) to be effective February 21, 2018; and to grant permission to advertise for two (2) positions of Part-time Attendant (#1504-1). These positions will remain posted until filled; for Transit, approving the hire of Bryan Rowe to the position of Part-time Transit Driver (#2210-1) to be effective March 5, 2018 at the rate of \$13.97 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 Concurred with Montville Township Trustees in not requesting a hearing on the Liquor License requested by Plank Road Tavern, LLC Unit 1, Basement and Patio located at 16431 GAR Highway, Montville, Ohio (C TRFO 6927840), authorized by Resolution #18-003 under the direction and supervision of the County Commissioners that was approved January 4, 2018 pursuant to O.R.C. 305.30.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including Supplemental Appropriations from the Engineer's Office for McFarland Ridge Storm Water Fund using all the remaining unappropriated balance; an Encumbrance increase for the Commissioners' Office for Walter Haverfield, LLP; and a payment from Job and Family Services to Metzenbaum for the Help Me Grow grant for January in the amount of \$17,154.06.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute Resolution #18-029 itemizing the financials for the meeting of February 27, 2018.

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

PROSECUTOR'S OFFICE – AMENDED APPLICATION FOR APPOINTMENT OF COUNSEL – ISSUE WITH JUVENILE COURT

Prosecutor Jim Flaiz explained that he had received two judgment entries last week on two different juvenile delinquency cases, removing the Prosecutor's Office as the Prosecutor and having a court appointed attorney to prosecute them. Mr. Flaiz stated that he had no other information, that there is no other explanation, no hearing, no reasoning given. Mr. Flaiz stated that he had reviewed the law and that it is very clear that the only person that can prosecute matters is the County Prosecutor. Mr. Flaiz added that he felt it was a waste of tax payers dollars to hire a court appointed attorney. Mr. Flaiz asked the Board to execute the amended application to hire outside counsel to assist with representation. Mr. Flaiz briefly explained a little about the two cases, noting that this may delay the cases.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Amended Application for Appointment of Counsel for assistance with a pending issue with the Juvenile Court.

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

COMMISSIONERS' OFFICE – RESOLUTION RECOGNIZING MARCH 2018 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH

Superintendent Don Rice asked the Board to declare March as Developmental Disabilities Awareness Month. The Board approved the following resolution and posed for pictures with a few of the clients from Metzenbaum.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute Resolution #18-030 Recognizing March 2018 as Developmental Disabilities Awareness Month.

Board of County Commissioners, Geauga County, Ohio

Date: February 27, 2018
Resolution: 18-030

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**RESOLUTION RECOGNIZING MARCH 2018 AS
DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

WHEREAS, Ohio's county Boards of Developmental Disabilities were established on October 25, 1967 by the Ohio General Assembly with a mission and purpose to remain as strong as ever, to provide vital support and resources to Ohioans with developmental disabilities and their families; and

WHEREAS, Geauga County recognizes that developmental disabilities affects more than 900 individuals and their families in Geauga County. Individuals with developmental disabilities, their families, friends, neighbors and co-workers encourage everyone to focus on the abilities of all people; and

WHEREAS, An effective way to increase awareness is through active participation in community activities and the openness to learn and acknowledge each individuals contribution, through developing policies, shaping attitudes and offering opportunities for those with developmental disabilities to function as independently and productively as possible must be fostered in our community; and

WHEREAS, as a way to recognize these important goals, this year throughout the state we are focusing on "Celebrate Community"; and

WHEREAS, we encourage all citizens to support opportunities for individuals with developmental disabilities in our community, that includes full access to education, housing, employment, and recreational activities. Our community recognizes, The Metzenbaum Center as Geauga County's program for individuals with developmental disabilities; and

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners hereby proclaims March 2018 as Developmental Disabilities Awareness month.

BE IT FURTHER RESOLVED, that the Geauga County Board of Commissioners desires that all residents of the County offer their full support and enable individuals with developmental disabilities to live successful lives and realize their potential, such that they can live, learn, work and play and be active members of our community. We encourage all citizens to recognize that our communities are stronger when everyone participates. Take time to get to know someone with a disability. Look beyond the disability and see what he or she has to offer.

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER THE IMPROVEMENT OF AUBURN ROAD (CH 4, SECTION P) AND THWING ROAD (CH 27, SECTION C) IN CHARDON AND MUNSON TOWNSHIPS – EXECUTE TITLE SHEET – SET BID OPENING
Deputy Engineer Shane Hajjar asked the Board to approve the resolution to order the improvement of Auburn Road and Thwing Road, execute the Title Sheet and set a Bid Opening. Mr. Hajjar stated that these two roads connect and form two legs of the triangle with Wilson Mills and will be resurfaced during the summer.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute Resolution #18-031 to Order the Improvement of Auburn Road (CH 4, Section P) and Thwing Road (CH 27, Section C) in Chardon and Munson Townships.

This resolution requests the Board approve and execute the Title Sheet for the Specifications for the same.

Further, this resolution sets a Bid Opening on Wednesday, March 21, 2018 at 2:00 p.m. Notice of this Bid Opening will be advertised on March 1, 2018 and on the County Website.

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Board of County Commissioners, Geauga County, Ohio

Date: February 27, 2018
Resolution: #18-031

**RESOLUTION TO ORDER THE IMPROVEMENT OF
SECTION P OF AUBURN ROAD, CH 4 AND SECTION C OF THWING ROAD, CH 27, IN
CHARDON AND MUNSON TOWNSHIPS**

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution 17-137 that the public convenience and welfare requires the improvement of Auburn Road from the Wilson Mills Road (CH 8) to Thwing Road (CH 27) and Thwing Road from Auburn Road (CH 4) to Wilson Mills Road (CH 8) in Chardon and Munson Townships by grading, paving, draining, widening, constructing and reconstructing the bridges, culverts, and guardrail as necessary or otherwise improving the same in accordance with Section 5555.06 of the Ohio Revised Code; and

WHEREAS, no lands are needed to be taken relative to the improvements; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and

WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans with the County Engineer in public session, is satisfied that the public convenience and welfare require that said improvement be made.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Board of County Commissioners in accordance with Section 5555.022 of the Ohio Revised Code hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from local and state funding sources in accordance with Section 5555.43 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners is hereby ordered to let this project for bids in accordance with Section 5555.61 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 PM and opened and read aloud at 2:00 PM on Wednesday, March 21, 2017.

BE IT FURTHER RESOLVED, that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to the Chardon and Munson Boards of Trustees and the Geauga County Engineer.

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER THE IMPROVEMENT OF JUG STREET (CH 46, SECTIONS A-B) AND GROVE ROAD (CH 46, SECTION Z) TROY TOWNSHIP – EXECUTE TITLE SHEET – SET BID OPENING

Mr. Hajjar asked the Board to approve the resolution to order the improvement of Jug Street and Grove Road for resurfacing in Troy Township.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute Resolution #18-032 to Order the Improvement of Jug Street (CH 46, Sections A-B) and Grove Road (CH 46, Section Z) in Troy Township.

This resolution requests the Board approve and execute the Title Sheet for the Specifications for the same.

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Further, this resolution sets a Bid Opening on Wednesday, March 21, 2018 at 2:05 p.m. Notice of this Bid Opening will be advertised on March 1, 2018 and on the County Website.

Board of County Commissioners, Geauga County, Ohio

Date: February 27, 2018

Resolution: #18-032

**RESOLUTION TO ORDER THE IMPROVEMENT OF
SECTIONS A – B OF JUG STREET, CH 46, AND
SECTION Z OF GROVE ROAD, CH 46, IN TROY TOWNSHIP**

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution 17-138 that the public convenience and welfare requires the improvement of Jug Street and Grove Road from the Portage County Line to Main Market Road (US 422) in Troy Township by grading, paving, draining, widening, constructing and reconstructing the bridges, culverts, and guardrail as necessary or otherwise improving the same in accordance with Section 5555.06 of the Ohio Revised Code; and

WHEREAS, no lands are needed to be taken relative to the improvements; and

WHEREAS, the Geauga County Board of Commissioners after holding a public hearing and hearing no objections for the improvements, is satisfied that the public convenience and welfare require that said improvement be made; and

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby adopts the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from federal aid and local funding sources in accordance with Section 5555.43 of the Ohio Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 P.M. and opened at 2:05 P.M. on Wednesday, March 21, 2018 at which time bids shall be read aloud.

BE IT FURTHER RESOLVED, that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit certified copies of this resolution to the Troy Township Board of Trustees and the Geauga County Engineer.

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

**COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER THE IMPROVEMENT OF
VARIOUS SECTIONS OF COUNTY ROAD BY APPLYING PAVEMENT MARKINGS, YEAR
2018 – EXECUTE TITLE SHEET – SET BID OPENING**

Mr. Hajjar asked the Board to approve the resolution to order the improvement of pavement markings, which will include about 85 miles (one third of the county) to be re-striped.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and execute Resolution #18-033 to Order the Improvement of Various Sections of County Road by Applying Pavement Markings, Year 2018.

This resolution requests the Board approve and execute the Title Sheet for the Specifications for the same.

Further, this resolution sets a Bid Opening on Wednesday, March 21, 2018 at 2:10 p.m. Notice of this Bid Opening will be advertised on March 1, 2018 and on the County Website.

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Board of County Commissioners, Geauga County, Ohio

Date: February 27, 2018
Resolution; #18-033

**RESOLUTION TO ORDER THE IMPROVEMENT OF VARIOUS SECTIONS OF COUNTY
ROADS BY APPLYING PAVEMENT MARKINGS, YEAR 2018**

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution #17-140 that the public convenience and welfare require the application of polyester pavement markings on various county roads in accordance with Section 5555.022 of the Ohio Revised Code; and

WHEREAS, the no lands are needed relative to the application of polyester pavement markings on various county roads; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and

WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans with the County Engineer in public session for the improvement to apply pavement markings to various county roads, is satisfied that the public convenience and welfare require that said improvement be made.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Board of County Commissioners in accordance with Section 5555.022 of the Ohio Revised Code hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from local funding sources in accordance with Section 5555.43 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners is hereby ordered to let this project for bids in accordance with Section 5555.61 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 PM and opened and read aloud at 2:10 PM on Wednesday, March 21, 2017.

BE IT FURTHER RESOLVED, that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to the Geauga County Engineer.

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

Mr. Hajjar noted that the Auburn Road and Thwing Road project includes \$100,000.00 in funding from the Ohio Public Works and a portion of Thwing falls in the City of Chardon limits and will be coming back before the Board for an agreement that the City will reimburse the County for the materials used in the project.

**DEPARTMENT OF DEVELOPMENT – COMMUNITY AND ECONOMIC DEVELOPMENT –
CERTIFICATION OF DETERMINATION OF SUBSEQUENT EXEMPTION FOR
CATEGORICAL EXCLUSION PROJECT REGARDING GEAUGA COUNTY PLEASANT HILL
HOME - GRANT #B-F-17/18-1AZ-1**

Assistant Program Administrator Kelly Conrad explained that this project includes repairing the porch and ceiling at the Pleasant Hill Home under the B-F-17/18 grant. Ms. Conrad stated that this form just determines that there will be no impact to the environment during this project.

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Ohio Department of Development Services Agency, Certification of Determination of Subsequent Exemption for a Categorical Exclusion Project in regards to the Geauga County Pleasant Hill Home Project under Grant #B-F-17/18-1AZ-1.

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

MAINTENANCE - CUSTODIAL SERVICES DISCUSSION

Director Glen Vernick explained to the Board that the total cost to do the janitorial / custodial services in house versus a contractor is going to cost more. The biggest issue is security, and based on the recent incident with the contractor, we took care of the problem and terminated the contracts. Mr. Vernick stated that to hire three people will cost between \$100,000.00 and \$160,000.00; adding that this has been a major problem since he started. Mr. Vernick stated that Elected Officials have expressed that they would prefer it to be in house and knowing who is in the building. Mr. Vernick stated that he was asking to hire two additional janitors, with the current two that we already have, and a lead to be a supervisor. Mr. Vernick added that there are additional departments that are having trouble with their current cleaning situation that these new hires may assistance with. Mr. Vernick stated that they would be looking to utilize them for carpet cleaning, waxing floors and windows. Mr. Vernick asked the Board to approve the following:

MAINTENANCE – APPROVE REVISED TITLE AND JOB DESCRIPTION FOR MAINTENANCE HELPER TO BECOME CUSTODIAN I (#1906)

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve the revised Title and Job Description for the position of Maintenance Helper to become Custodian I (#1906) to be effective February 27, 2018.

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

MAINTENANCE – APPROVE CREATING, TITLE AND JOB DESCRIPTION – POSITION OF LEAD CUSTODIAN (#1916)

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve the Creation, Title and Job Description for the position of Lead Custodian (#1916) to be effective February 27, 2018.

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

MAINTENANCE – APPROVE REVISED ORGANIZATIONAL CHART – INCLUDE CUSTODIAN I AND LEAD CUSTODIAN

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve the revised Organization Chart to include the revised title of Custodian I (#1906) and the position of Lead Custodian (#1916) to be effective February 27, 2018.

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

MAINTENANCE – APPROVE RECLASSIFICATION – DORIS MAUSLING – MIKE PECK – CUSTODIAN I (#1906)

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to approve the reclassification of Doris Mausling and Mike Peck from the current positions of Maintenance Helper to Custodian I (#1906) to be effective February 27, 2018.

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

MAINTENANCE – GRANT PERMISSION TO ADVERTISE – LEAD CUSTODIAN (#1916) AND TWO POSITIONS OF CUSTODIAN I (#1906)

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to grant permission to advertise for the position of Lead Custodian (#1916). This position will remain posted until filled.

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

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to grant permission to advertise for two (2) positions of Custodian I (#1906). These positions will remain posted until filled.

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

MAINTENANCE – TRAINING DISCUSSION

Mr. Lair brought up an out of state training that he wanted to send several maintenance workers to attend in Texas. Mr. Vernick explained that during the ICE inspection, we received a “ding” for not having a certified maintenance worker to do repair on the safety center “jail” doors. There was a discussion on the cost of \$7,000.00 to send two people for week long training. A suggestion was made to see if ICE can help cover the cost or if the company doing the training might be willing to come here and offer the training here to other counties or states.

COMMISSIONERS' OFFICE – VARIANCE REQUEST

The Commissioners' Office followed up on the status of the Maintenance and Inspection Agreement that was required to be completed for the property located at 8299 Mayfield Road, Chesterland (Parcel #11-028200).

Assistant Prosecutor Laura LaChapelle stated that the Board received a letter from Caterina Cocca-Fulton with an attachment of a Maintenance and Inspection Agreement that is not signed by Soil and Water. Ms. LaChapelle added that the Board had also received a letter from Sheila Salem from the Prosecutor's Office indicating that two required items were not addressed, including that the agreement failed to include the provision that the owner will not eliminate or make structural changes or modifications to the facility without prior written approval from the District and that they would like the as built drawing attached to the agreement, specifically to make the long term maintenance provisions more clear. Ms. LaChapelle stated that apparently Soil and Water needs these two items in the agreement and they do not appear in the agreement Ms. Cocca-Fulton submitted and she feels the agreement is not complete. Ms. LaChapelle stated that the condition that was included in the Board's motion from January 18, 2018 has not been met, that the agreement be complete. Commissioner Claypool inquired if this is about two documents not being attached. Assistant Prosecutor Sheila Salem, who represents Soil and Water Conservation District, stated that it's one provision being put into the agreement and a document that is already in part of her file. Ms. Cocca-Fulton says she doesn't have an issue with the provision but doesn't want to go back to her client. Ms. Salem added that Ms. Cocca-Fulton made the statement that she had an ideological objection to the whole agreement, and instead of using the county's agreement minus the filing with the deed, she wanted to draft her own agreement, as long as everything that was needed was included. After going back and forth on the agreement, Ms. Cocca-Fulton stated that she was not going back to her client. Ms. Salem stated that while she had her client sign the agreement, it didn't include all the provisions, and Soil and Water doesn't agree to it, because it doesn't meet the regulations. Mr. Claypool stated that it appears that the motion the Board approve is void, to which Ms. LaChapelle agreed, as the conditions weren't met. Ms. Salem stated that the variance is void and she will move forward with compliance action, starting with a letter. Ms. LaChapelle asked the Clerk to read some language that was suggested and add anything that might be necessary.

Commissioners' Clerk Christine Blair read the following:

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to acknowledge receipt of the Letter dated February 15, 2018 and received February 20, 2018 from Attorney Caterina Cocca-Fulton, Esq. with an enclosed copy of a Maintenance and Inspection Agreement signed by its member of GM Cocca Development, LLC, and a letter dated February 20, 2018 from Attorney Sheila Salem, Counsel for Geauga County Soil and Water Conservation District stating that the agreement submitted by Ms. Cocca-Fulton was not completed within thirty days as required by the Boards motion passed on January 18, 2018.

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

Motion: *by Commissioner Claypool, seconded by Commissioner Lennon to further acknowledge that the conditions attached to the granting of the Variance were not met and that the said Variance is Null and Void and further refer the matter to the Geauga County Prosecutor's Office for any necessary enforcement of the Geauga County Water Management and Sediment Control Regulations.*

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

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending February 14, 2018 as required by O.R.C. 955.12.*

Mr. Lair suggested the Board move to recess, in case following conversation with Legal Counsel regarding the Feasibility Study the Board wanted to take any action.

Commissioner Spidalieri moved to recess in order to meet with Legal Counsel at 9:52 a.m.

The Board reconvened at 10:18 a.m. and as a result, no action was taken.

OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 2/27 Planning Commission Special Meeting at 8:00 a.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

Tue., 2/27 State Auditor's Pre-Engagement Meeting, 10:30 a.m.

Tue., 2/27 Special ADP meeting, 2:00 p.m. Auditor's Office

Mon., 3/5 Geauga Trumbull Solid Waste Board of Directors, 9:30 a.m., Warren, District Office

Tue., 3/6 The Commissioners' will hold regular session at 9:00 a.m.

Wed., 3/7 NOC COG, 12:00 p.m. 470 Center Street, Building 8

Fri., 3/9 NOACA 2018 Legislative Meet and Greet, 8:30 a.m. Cleveland

Fri., 3/9 NOACA Board of Directors Meeting, 9:30 a.m. Cleveland

Mon., 3/12 Board of Revision, 9:00 a.m. Auditor's Office

Tue., 3/13 Planning Commission meeting at 7:30 a.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

Tue., 3/13 The Commissioners' will hold regular session at 9:30 a.m.

Thu., 3/15 Leadership Geauga – Youth Government Day

Fri., 3/16 NOACA Air Quality 9:00 a.m., Water Quality 12:00 p.m., Cleveland

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BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: *by Commissioner Claypool, seconded by Commissioner Lennon to adjourn the meeting at 10:19 a.m.*

Geauga County Board of Commissioners

Ralph Spidalieri

Timothy C. Lennon

Walter M. Claypool

Christine Blair, Commissioners' Clerk

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