

**Commissioners' Journal**  
**March 8, 2016**

*The Geauga County Board of Commissioners met in session on March 8, 2016 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, Walter M. Claypool opened the meeting at 9:03 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**MEETING MINUTES**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of March 1, 2015.*

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

**APPROVE FINANCIALS**

*Budget and Finance Manager Heidi Delaney explained the financials for today as including a Supplemental Appropriation for the Hotel / Motel Tax fund for the 4<sup>th</sup> Quarter 2015 repayment to the General Fund; Travel requests for the Clerk of Courts, Department of Job and Family Services and the Recorder's Office; 4<sup>th</sup> Quarter 2015 Bed Tax disbursements to the City of Chardon, Burton Village, Russell Township, Bainbridge Township and Destination Geauga Tourism Council; Payments to Junction Auto Sales for the purchase of a 2016 Dodge Durango in the amount of \$26,482.00 and a 2015 Dodge Ram 5500 Chassis in the amount of \$46,438.00 for the Engineer's Office; a payment to Southeastern Equipment for the purchase of a BOMAG tandem drum roller for the Engineer's Office in the amount of \$31,190.00; a payment to Gillmore Security to replace and upgrade the fire alarm system at the Opera House in the amount of \$37,521.55; and payments to Platform Cement, Incorporated for the Hawksmoor Way Sanitary Sewer Realignment project for the Department of Water Resources totaling \$136,042.00.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #16-030 itemizing the financials for the meeting of March 8, 2016.*

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

**COMMISSIONERS OFFICE- COUNTY ADMINISTRATOR'S REPORT**

*Mr. Lair reported on the items approved March 4, 2016 by the County Administrator, including Block Grant Program Final Performance Report Grant #B-F-14-1AZ-1 for Community Development, Concurred with Chester Township Trustees in not requesting a hearing on the Liquor License requested by My Thai Restaurant, LLC d.b.a. My Thai and Hawthorne Partner LLC, d.b.a. Colonial Wine and Beverage. Authorized by Resolution #16-005 under the direction and supervision of the County Commissioners that was approved January 11, 2016 pursuant to O.R.C. 305.30.*

**COMMISSIONERS OFFICE – RESOLUTION TO ORDER VACATION OF UN-NAMED, NON-NUMBERED ROAD IN PARKMAN TOWNSHIP**

*Deputy Engineer Andy Haupt asked the Board to execute the Resolution to order the Vacation of the Un-named, Non-numbered Road in Parkman Township. Mr. Haupt noted that he had spoken to Mr. Ferguson, Parkman Township Trustee and the turn around and easement are moving forward.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #16-031 to Order the Vacation of the Un-named, Non-numbered Road in Parkman Township, Geauga County, Ohio.*

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*Board of County Commissioners, Geauga County, Ohio*

*Date: March 8, 2016*

*Resolution: #16-031*

**RESOLUTION TO ORDER THE VACATION OF THE UN-NAMED, NON-NUMBERED ROAD  
IN PARKMAN TOWNSHIP, GEAUGA COUNTY, OHIO**

*WHEREAS, the Parkman Board of Township Trustees in Resolution #16-42 petitioned the Geauga County Board of Commissioners on January 19<sup>th</sup>, 2016 for the vacation of the unnamed, non-numbered Township road, known as the Alley, established twelve feet (12.0') in width, from the easterly Right-of-Way of Norton Street, Township Road Number 476, to the westerly Right-of-Way of State Route 528 in the year 1950; and*

*WHEREAS, 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 is for the public convenience and welfare; and*

*WHEREAS, the Geauga County Board of Commissioners held a public viewing on February 23, 2016 and a public hearing on March 1, 2016 regarding the vacation of the unnamed, non-numbered road, known as the Alley, and heard no objections; and*

*WHEREAS, the unnamed, non-numbered road, known as the Alley, under consideration for vacation is not used to calculate distributions of the auto registration funds under division (E) of Section 4501.04 of the Ohio Revised Code.*

*NOW, THEREFORE, BE IT RESOLVED by the Geauga County Board of Commissioners that the vacation of the unnamed, non-numbered Township road, known as the Alley, established twelve feet (12.0') in width, from the easterly Right-of-Way of Norton Street, Township Road Number 476, to the westerly Right-of-Way of State Route 528 in the year 1950, will serve 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 portion of road shall pass in fee to abutting landowners subject to the preservation of any easement or any other rights in, over, or under such roadway by any public utility or electric cooperative in accordance with Ohio Law.*

*BE IT FURTHER RESOLVED that the Board acknowledges a plat map depicting the vacation and the resulting parcels of land created and remaining roadway will be prepared by the County Engineer and orders the plat to be recorded 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 Parkman Township Board of Trustees, the Geauga County Recorder, the Geauga County Auditor and the Geauga County Engineer.*

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

**DEPARTMENT ON AGING – RETIREMENT RESIGNATION FRANK PERTZ – FULL-TIME  
TRANSPORTATION DRIVER**

*Director Jessica Boalt asked the Board to accept the resignation of Mr. Pertz who has asked to make a change in the wording and therefore submitted a new letter, that he will be retiring to spend time with his family.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the retirement resignation of Frank Pertz, Full-time Transportation Driver, to be effective April 30, 2016.*

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

DEPARTMENT ON AGING – ADVERTISE FULL TIME TRANSPORTATION DRIVER (#1020)

*Ms. Boalt asked to advertise for the position of Transportation Driver, which handles the out of county appointments for seniors.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to grant permission to advertise for the position of Full-time Transportation Driver (#1020). This position will remain posted until filled.*

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

ARCHIVES AND RECORDS CENTER – UNPAID LEAVE OF ABSENCE – MICHELLE POST

*Director of Administrative Services Linda Burhenne asked the Board to approve an unpaid leave of three days for Ms. Post, who had a previously scheduled vacation prior to starting.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve an unpaid leave of absence for Michelle Post for three days, March 24, 25 and 28, 2016. This unpaid leave of absence will extend her probationary period for the three additional days.*

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

COMMUNITY AND ECONOMIC DEVELOPMENT – ADVERTISE PUBLIC HEARING #1 – 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM

*Assistant Program Administrator Kelly Conrad asked to advertise for the Community Development Block Grants for any projects or grants that may be applied for or accepted for next year.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to grant permission to advertise to hold Public Hearing #1 for the 2016 Community Development Block Grant (CDBG), Small Cities Program to be held on Tuesday, April 26, 2016 at 9:30 a.m. Notice of this Public Hearing will be advertised on April 14, 2016 and the county website.*

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

COUNTY HOME – RECLASSIFY ROSEMARY CARVER – PART TIME ATTENDANT TO FULL TIME COOK

*Director Karen DeCola explained that Ms. Carver is currently a Part-time Attendant and would like to move her into the Cook position, noting that she has been handling the position since February and that it is a very good fit.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to reclassify Rosemary Carver from Part-time Attendant (#1504-1) to Full-time Cook (#1503) to be effective March 13, 2016 at a rate of \$11.42 per hour. The probationary period will be extended until December 18, 2016.*

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

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COUNTY HOME – TERMINATION OF PROBATIONARY EMPLOYEE – BOBBI PORTER – PART-TIME ATTENDANT

*Ms. DeCola stated that we are asking to terminate Ms. Porter, who originally had to come to us from Mancan, and was then hired as a county employee within the last month. Ms. DeCola stated that since that time some things have surfaced that indicate this hire wasn't a good idea, and because she is still in probation, we can move forward.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the termination of Bobbi Porter, Part-time Attendant (#1504-1) probationary employee, to be effective March 4, 2016.*

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

COUNTY HOME – ADVERTISE POSITION – PART-TIME ATTENDANT (#1504-1 -THIRD SHIFT

*Ms. DeCola asked to advertise to fill the vacant position.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to grant permission to advertise for the position of Part-time Attendant (#1504-1) third shift. This position will remain posted until filled.*

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

LAW LIBRARY RESOURCES BOARD – APPOINT CAROL TUTTLE – FILL UNEXPIRED TERM OF HOLLY LYNN

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to appoint Carol Tuttle to the Law Library Resources Board to fill the unexpired term of Holly Lynn, ending December 31, 2018.*

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

COMMISSIONERS OFFICE – SUSPEND 200 HOUR MAXIMUM VACATION ACCRUAL – DIRECTOR DALE WEDGE – EMERGENCY SERVICES

*Mr. Lair stated that since Mr. Folsom resigned, Mr. Wedge has not been able to utilize his vacation and is approaching the maximum 200 hour limit and we are asking to suspend that maximum until an employee can be hired.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the suspension of the 200 hour maximum vacation accrual for Director Dale Wedge, in the Department of Emergency Services until the open position is filled in accordance with the Geauga County Personnel Policy & Procedure Manual, Section 6, page 6.16 Vacation Leave, to be effective March 27, 2016.*

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

COMMISSIONERS OFFICE – NOMINATIONS TO NOACA RURAL ADVISORY COUNCIL

*Commissioner Claypool expressed that there is a deadline this Friday, March 11, 2016 to submit nomination for the NOACA Rural Advisory Council. Mr. Claypool previously suggested Cathy Cotman for Planning, Mike Petruziello for Township Trustee, John Oros for Conservation and Robert Rogish for Agriculture. Mr. Claypool stated that he had spoken with Jon Ferguson for the Township Trustee position as a result of Mr. Rear's expressed concerns and would submit his name for that position. Commissioner Rear stated that he too had spoken with several people who may be interested, noting Jim Dvorak from Burton Township expressed interest in the Township Trustee position. Mr. Rear stated that Keith McClintock, Ed Buckles and Tracy Engle all expressed interest in the Conservation Specialist position. Mr. Rear stated that he had tried*

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*to contact David Short who serves on the Planning Commission and works for ODOT, however he was unable to reach him. Mr. Rear also suggested Kevin O'Reilly, Jr. as an alternate for the Agriculture Industry position. Mr. Rear stated that Mr. Rogish could easily fill the Agriculture Industry but also the Conservation Specialist position. There was discussion regarding NOACA making the decision over these positions, with Mr. Claypool adding that we should submit the best representatives for our County. Mr. Claypool noted that there are also four "at large" positions that include Outdoor Recreation, Real Estate Development, Rural Transportation and Community Services and they could consider submitting some of the names Mr. Rear brought forward for some of those positions. Commissioner Spidalieri stated that he would support Mr. Claypool for the names he brought forward for nomination.*

*The following motions were put forward:*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Claypool to nominate Cathy Cotman, as the Planning Official representative to the NOACA Rural Advisory Council.*

<i>Roll Call Vote:</i>	<i>Commissioner Rear</i>	<i>No</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>

*Motion: by Commissioner Spidalieri, seconded by Commissioner Claypool to nominate Jon Ferguson, as the Township Official representative to the NOACA Rural Advisory Council.*

<i>Roll Call Vote:</i>	<i>Commissioner Rear</i>	<i>No</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>

*Motion: by Commissioner Spidalieri, seconded by Commissioner Claypool to nominate John Oros, as the Conservation Specialist representative to the NOACA Rural Advisory Council.*

<i>Roll Call Vote:</i>	<i>Commissioner Rear</i>	<i>No</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>

*Motion: by Commissioner Spidalieri, seconded by Commissioner Claypool to nominate Robert Rogish, as the Agriculture Industry representative to the NOACA Rural Advisory Council.*

<i>Roll Call Vote:</i>	<i>Commissioner Rear</i>	<i>No</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>

**DISCUSSION – USGS GEOLOGICAL SURVEY AND WATER QUALITY**

*Local resident Ed Buckles from Troy Township stated that he had questions related to the meeting that was held with representatives from the Townships in regards to the ongoing survey that had been handled by the USGS for the last twenty-five years to monitor the water resources and quality. Mr. Buckles stated that Commissioner Claypool noted an oversight for not responding, and while the testing needed to be valid scientifically needed to be conducted at the same points and standards, inquiring why the oversight, what are you doing to find other testing services, and what can be done to help the Townships in paying for the services of the \$35,000.00?*

*Mr. Claypool responded by stating that some of the things Mr. Buckles stated were not correct, this is not about water quality, this is water level monitoring and has been being done for the last twenty some years at a cost of around \$300,000.00 in total and we're questioning the value since a pattern has been established. Originally it was done when a lot of development was taking place and the Commissioners were concerned that it would impact the water levels in the aquifers. Mr. Claypool stated that the abundance of surface water shows strong water wells, noting an unknown drawdown in Middlefield that could be the well itself and not the aquifer. Mr. Claypool asked if there was a change that could give us a better result on not just levels but*

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*water quality. Mr. Claypool stated that he had spoken with the representative from USGS on what the best way was to handle this, adding that there is a lot of testing currently being done throughout the county, noting Water Resources and EPA involvement. Director Gerard Morgan from Water Resources is working on compiling an assessment of the current water testing being handled, and that a meeting was going to be held with Planning, USGS, Water Resources, Trustees and go over what has been compiled and figure out the best way to move forward. Mr. Claypool stated that with the technology that is available today, we should be able to find a better way to do the testing that is less expensive. Mr. Claypool expressed that match dollars are still available, but you have to ask what you are testing for and advocated the idea of moving to different wells to see if there is a different result.*

*The initial meeting will be held and then followed by another public meeting to then go over those results. President of the Township Association and Burton Township Trustee Jim Dvorak stated that according to USGS water quality is tested about every ten years, and is due to be done again in 2019, noting that in 2009 16 of the 34 wells were checked. Mr. Claypool noted that water quality testing is being done continuously in the cities, villages and townships. Mr. Dvorak stated that 2 of the 34 wells of the USGS water level study are in South Russell and the Village has been covering the expense for these, along with 1 other well in Auburn that is also being covered.*

**COMMISSIONERS' OFFICE – SCHEDULE WORK SESSION**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to schedule a work session on Tuesday, March 29, 2016 at 11:00 a.m. with CCAO and Palmer Energy to discuss Solar and Energy Program.*

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

*There was a brief note of this work session being held here in the Commissioners' Office.*

**COMMISSIONERS' OFFICE – EXECUTE SESSION**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to move into Executive Session for the purpose of discussing the discipline of a public employee in the Department of Job and Family Services.*

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

*It was noted that Executive Director Craig Swenson, Gina Schultz, and Mr. Lair would be joining the Board in executive session. The Board returned at 10:01 a.m. and as a result the following action was taken:*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the disciplinary recommendation of the Director of Job and Family Services to suspend Matt Cebron, Social Services Supervisor I, for eight hours ( 1 working day) without pay for violation of Section 3 of the Geauga County Job and Family Services Personnel Policy and Procedure Manual for unsatisfactory job performance; non-completion of assigned duties, neglect of duty; and nonfeasance.*

*And further approve and execute the Order of Removal, Reduction, Suspension, Involuntary Disciplinary Separation form per O.R.124.34 for eight hours (1 working day).*

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

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COMMISSIONERS' OFFICE – EXECUTIVE SESSION

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to move into Executive Session for the purpose of considering the employment of a public employee at the Department of Emergency Services.*

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

*It was noted that Director Dale Wedge, Roger Peterson and Mr. Lair would be joining the Board in executive session. The Board returned from executive session at 11:10 a.m. and no action was taken.*

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending February 24, 2016 as required by O.R.C. 955.12.*
- b) Geauga County Board of Developmental Disabilities Board Minutes for January 20, 2016.*

MEETINGS

*Tue., 3/8 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*

*Thu., 3/10 Leadership Geauga Youth Government Day*

*Fri., 3/11 NOACA Board of Directors 9:00 a.m. Cleveland*

*Tue., 3/15 The Commissioners will hold regular session at 9:00 a.m.*

*Thu., 3/17 CRA / TIRC Meetings 8:00 a.m., 8:05 a.m., 8:30 a.m. and 8:35 a.m. for Troy and Parkman, Community Development*

*Fri., 3/18 NOACA Air Quality 9:00 a.m., Transportation 10:30 a.m., Water Quality 12:00 p.m., Cleveland*

*Mon., 3/21 Family First Council, 2:00 p.m. at Job and Family Services*

*Tue., 3/22 Investment Advisory Committee, 8:45 a.m., Chambers*

*Tue., 3/22 The Commissioners will hold regular session at 9:00 a.m.*

*Tue., 3/22 Geauga Trumbull Solid Waste Board of Directors, 1:30 p.m. Warren*

*Tue., 3/22 ADP meeting, 2:00 p.m. Auditor's Office*

*Thu., 3/24 The Commissioners will hold regular session at 6:30 p.m.*

*Mon., 3/28 Board of Revision, 9:00 a.m. Auditor's Office*

*Tue., 3/29 The Commissioners will hold regular session at 9:00 a.m.*

*Tue., 3/29 The Commissioners will hold a work session at 11:00 a.m. (pending motion above).*

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***BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD***

*Motion:*        *by Commissioner Rear, seconded by Commissioner Spidalieri to adjourn the meeting at 11:10 a.m.*

*Geauga County Board of Commissioners*

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*Walter M. Claypool*

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*Ralph Spidalieri*

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*Blake A. Rear*

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*Christine Blair, Commissioners' Clerk*



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