

**Commissioners' Journal**  
**May 5, 2015**

*The Geauga County Board of Commissioners met in session on May 5, 2015 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 9:01 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**FINANCIALS**

*County Administrator David Lair reported on financials from April 29, 2015, Resolution #15-059, that included a travel request for the Common Pleas Court, as approved by the County Administrator pursuant to the motion approved December 30, 2014 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 2015, 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 NOC COG work session of April 21, 2015.*

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

*\*Commissioner Spidalieri was not present at this work session.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of April 23, 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>

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of April 28, 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 Court Technology fund to appropriate the Ohio Supreme Court Technology Initiative grant proceeds; a Cash transfer out of the General Fund for a portion of 2015 funding for the Office of Community and Economic Development; Travel requests for the Auditor's Office, Common Pleas Court, Probate Court and the Public Defender's Office; a payment to CORSA for program costs for property, auto and liability insurance in the amount of \$340,218.00, and a payment to Ohio Cat for the state bid purchase of a Caterpillar 308E series 2 excavator with attachments for the Engineer's Office in the amount of \$96,650.00.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-060 itemizing the financials for the meeting of May 5, 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>

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COUNTY ENGINEER'S OFFICE – UNIT PRICE CONTRACT – RONYAK PAVING,  
INCORPORATED – ASPHALT RESURFACING OF CHAGRIN ROAD

*Deputy Engineer Nick Gorris asked the Board to execute the contract for the following three projects that include federal funds, adding that the Board had previously awarded the bids.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Unit Price Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Chagrin Road (CH 9, Sections C-E) in Bainbridge Township in the amount of \$416,624.02.*

<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 ENGINEER'S OFFICE – UNIT PRICE CONTRACT – RONYAK PAVING,  
INCORPORATED – ASPHALT RESURFACING OF OLD STATE ROAD

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Unit Price Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Old State Road (CH 6, Sections B-H) in Middlefield and Parkman Townships in the amount of \$712,217.40.*

<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 ENGINEER'S OFFICE – UNIT PRICE CONTRACT – RONYAK PAVING,  
INCORPORATED – ASPHALT RESURFACING OF RAVENNA ROAD

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Unit Price Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Ravenna Road (CH 601, Sections A-D) in Chardon Township in the amount of \$742,475.16.*

<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>

COMMON PLEAS COURT – APPLICATION FOR AUTHORIZATION TO PERMIT USE OF  
COUNTY CREDIT CARDS – YEAR 2015

*Mr. Lair noted that this is something that is usually done at the beginning of the year.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Application for Authorization to Permit the use of County Credit Cards (O.R.C. 301.27) for Judge Forrest W. Burt, Judge David L. Fuhry, and Court Administrator Joanne E. Monaco for a VISA in the amount of \$1,500.00 per month for the Year 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>

SHERIFF'S OFFICE – AGREEMENT – BOARDING OF PRISONERS – SUMMIT COUNTY

*Sheriff Dan McClelland explained that this agreement is to house prisoners for Summit County and is very similar to the one that is in place with Cuyahoga County. Commissioner Rear inquired as to who all we are housing currently, to which it was noted that we house Federal Immigration, plus some occasionally for Cuyahoga, adding that you need to expand the market when you're in the hotel business so that you avoid the "faucet effect". Sheriff McClelland stated that Summit has more prisoners than room, and will pay \$55.00 per day and provide all transportation.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Agreement for Boarding of Prisoners by and between the Geauga County Board of Commissioners and Summit County.*

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

**COMMISSIONERS' OFFICE – RESOLUTION HONORING MARIANNE DEATSCH FOR HER NINETEEN YEARS OF SERVICE AND DEDICATION TO GEAUGA COUNTY AND ITS SENIORS**

*Department on Aging Director Jessica Boalt explained that Ms. Deatsch is retiring after nineteen years and Friday will be her last day. Ms. Boalt stated that she has been instrumental in the home delivered meals program, done a fantastic job with coordinating the program with volunteers and has been training her replacement for the last three weeks to ensure a smooth transition. Ms. Boalt expressed what a blessing Ms. Deatsch has been and that they will miss her.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-061 Honoring Marianne Deatsch for her nineteen years of service and dedication to Geauga County and its seniors.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: May 5, 2015*  
*Resolution: #15-061*

**RESOLUTION HONORING MARIANNE DEATSCH FOR HER NINETEEN YEARS OF SERVICE AND DEDICATION TO GEAUGA COUNTY AND ITS SENIORS**

*WHEREAS, Marianne Deatsch and her husband Wayne shared in the pleasure of raising two sons and a daughter, and once grown and on their own, Ms. Deatsch headed back to school and graduated from Kent State University with a Bachelor of Science in General Studies, along with being a graduate of Leadership Geauga, Class of 2001; and*

*WHEREAS, while working at Care Corporation, Marianne Deatsch developed and implemented the first training program for Meals on Wheels and began recruiting, training and then supervising the Meals on Wheels and Hospice Program volunteers; and*

*WHEREAS, Marianne Deatsch began at the Department on Aging on May 20, 1996 as the Volunteer and Communications Specialist and one year later became the Home Delivered Meals Coordinator. Ms. Deatsch immediately rolled up her sleeves and began to find and coordinate volunteers, helped to prepare and deliver meals for seniors, and worked hard to develop a strong core of support for the agency within the county.*

*WHEREAS, Marianne Deatsch has worked diligently with other agencies over the years to meet the rapidly expanding need for home delivered meals within Geauga County, with over 200 meals delivered every day to Geauga Seniors, that helps provide a way for them to keep their independence, dignity, and stay in their own homes; and*

*WHEREAS, Marianne Deatsch has served her community by assisting with the Chardon Schools and Senior Services levies, and by serving on Lake Erie Girl Scout Council Board of Trustees and Volunteer Training Staff. Ms. Deatsch enjoys partaking in cooking classes, quilting, book club, and spending time with her family. She and her husband Wayne look forward to traveling on their motorcycle, learning to play golf, and spending time with their two beautiful grandchildren.*

*NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners honors Marianne Deatsch for her nineteen years of service and dedication to Geauga County and its Seniors.*

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

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

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**COMMISSIONERS' OFFICE – RESOLUTION HONORING BENJAMIN BURKE FOR ACHIEVING EAGLE SCOUT**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-062 Honoring Benjamin Burke for achieving Eagle Scout, the Highest Award of Advancement bestowed upon a Boy Scout.*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 15-062*  
*Date: May 5, 2015*

**A RESOLUTION HONORING BENJAMIN BURKE 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*

*WHEREAS, Benjamin Burke is a member of Boy Scout Troop #190, Chardon Township, Geauga County, and has excelled in his search for knowledge, leadership, planning and community support; and*

*WHEREAS, Benjamin Burke provided leadership at meetings, on campouts and has done an excellent job in all aspects of scouting; and*

*WHEREAS, Benjamin Burke's Eagle Scout project consisted of replacing the walkway to a historic one room schoolhouse and the installation of historical markers for the Footeville Ruritans.*

*NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Benjamin Burke 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.*

<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 – RESOLUTION REQUESTING SPECIFIED PUBLIC RECORDS FROM THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA)**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-063 Requesting Specified Public Records from the Northeast Ohio Areawide Coordinating Agency (NOACA).*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 15-063*  
*Date: May 5, 2015*

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*A RESOLUTION REQUESTING SPECIFIED PUBLIC RECORDS FROM THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA)*

*WHEREAS, the Geauga County Commissioners represent over 93,000 residents who are entitled to open, transparent government at all levels; and*

*WHEREAS, the Geauga County Commissioners as voting NOACA Board members have concerns regarding the utilization of paid lobbyists by NOACA to advocate at the Federal level for increases in taxes levied upon the purchase of motor vehicle fuel; and*

*WHEREAS, the Geauga County Commissioners and the residents they serve are entitled to all existing public records which document the communication between NOACA staff and the lobbyists which have been hired for the purposes of advocating for increased taxation; and*

*NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners does hereby make a formal request for documents previously requested last month by a Geauga County Commissioner and as of yet has not been produced, namely, all emails, letters, notes, audio or video recordings, or any other existing public records documenting communication occurring between 1/1/2015 and this date between NOACA staff members and McDonald Hopkins LLC, specifically in regards to advocacy efforts toward the increase of federal fuel taxes.*

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

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

**DISCUSSION – LEGAL REPRESENTATION**

*Commissioner Claypool brought up for discussion before the Board the idea of having an Attorney available to them should a problem or conflict arise that the Prosecutor may feel to be a conflict of interest and because of which he could not represent the Board. Agreements were given to the Board from two agencies for review. Commissioner Rear expressed that recently there have been conflicts that have required outside counsel, and while it may delay the process slightly, he would prefer to only hire that outside counsel when it is needed. Discussion took place regarding the content of the agreements that were presented for review, along with the idea of having outside counsel available to build a relationship, and providing assistance with understanding the limitations that are placed upon them under the ORC, the Supreme Court handbook and the CCAO handbook. Concerns were expressed regarding limitations on legal representation and the cost involved with outside counsel. Commissioner Spidalieri expressed the idea of hiring an Attorney in the Commissioners' office that would be available to answer questions and handle the review of contracts for the departments that will reduce the amount of work that the Prosecutor's office handles now. Mr. Spidalieri stated that they would have to speak to this with the Prosecutor at budget time, noting that it shouldn't cost the taxpayers any additional funds. The Board continued the discussion and agreed that the concept is an idea that needs to be researched further.*

**OTHER**

*Mr. Claypool noted that he had recently attended the Empowering Local Leadership Conference in Washington D.C. with Congressmen Jim Renacci and Dave Joyce, noting that we are underserved in Washington, expressing that the rural communities were not at the table pressing our interests, however the urban communities were.*

*Mr. Claypool stated that they the State Treasurer has brought the idea of an open checkbook, that puts the information out online for the public, and that Geauga is looking in to it.*

**COMMISSIONERS' OFFICE – EXECUTIVE SESSION**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to move into executive session for the purpose of discussing the discipline of public employees at the Department on Aging.*

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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 Claypool</i>	<i>Aye</i>

*The Board noted that County Administrator David Lair, Director of Administrative Services Linda Burhenne and Director Jessica Boalt would be joining them in executive session. The Board returned at 10:15 a.m. and as a result the following actions were taken:*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the disciplinary recommendation of the hearing officer, Lt. Gary Gribbons, and to suspend without pay Millissa Brosch, Assistant Site Coordinator in the Department on Aging for twenty-four hours (3 work days) for violation of Section 3 of the Geauga County Personnel Policy and Procedure Manual under Conduct Page 3.2 and 3.3 and O.R.C. 124.34 Neglect of Duty and Unsatisfactory Job Performance.*

*And further approve and authorize the Board to execute the Order of Removal, Reduction, Suspension, Involuntary Disciplinary Separation form per O.R.C. 124.34 for the twenty-four hours.*

<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>

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the disciplinary recommendation of the hearing officer, Lt. Kathy Rose, and to suspend without pay Mariann Van Pelt, Site Coordinator in the Department of Aging for twenty-four hours (3 work days) for violation of Section 3 of the Geauga County Personnel Policy and Procedure Manual under Conduct Page 3.2 and 3.3 and O.R.C. 124.34 Neglect of Duty and Unsatisfactory Job Performance. Ms. Van Pelt will also work under a Performance Improvement Plan during which she will meet monthly with her supervisor.*

*And further approve and authorize the Board to execute the Order of Removal, Reduction, Suspension, Involuntary Disciplinary Separation form per O.R.C. 124.34 for the twenty-four hours.*

<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>

**ACKNOWLEDGEMENTS**

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending April 22, 2015 as required by O.R.C. 955.12.*

**OTHER**

*The Board reviewed upcoming events.*

**MEETINGS**

*Fri., 5/8 NOACA, Finance 8:30 a.m., Governance 10:00 a.m., and Executive 11:30 a.m.*

*Tue., 5/12 The Commissioners' will hold regular session at 9:00 a.m. that will include an update presentation by Lake Geauga Recovery Centers*

*Tue., 5/12 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*

*Wed., 5/13 NOC COG meeting, 1:30 p.m. Portage County*

*Mon., 5/18 Family First Council, 2:00 p.m. Job and Family Services*

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*Tue., 5/19 The Commissioners' will hold regular session at 9:00 a.m.*

*Mon., 5/25 The County Offices will be closed in honor of the Memorial Day Holiday.*

**COMMISSIONERS' OFFICE – CANCEL SESSION**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to cancel session for Tuesday, May 26, 2015 due to the Memorial Day holiday.*

<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>

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

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to adjourn the meeting at 10:20 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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