

Commissioners' Journal
December 19, 2017

The Geauga County Board of Commissioners met in session on December 18, 2017 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 9:00 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

MEETING MINUTES

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the minutes for the meeting of November 28, 2017.

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

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the minutes for the work session of November 28, 2017.

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

COMMISSIONERS OFFICE- COUNTY ADMINISTRATOR'S REPORT

Director of Administrative Services Linda Burhenne reported on the items approved December 18, 2017 by the County Administrator, included two service Contract Agreements for the Maintenance Department, one for Impullitti Landscaping to perform irrigation and maintenance as needed for the Red Simmons Memorial Site located at 12450 Merritt Road, Chardon for the period of January 2018 through December 2019 in an amount not to exceed \$2,000.00 and one for Independent Tree Company to perform tree maintenance services as needed for Geauga County Properties for the period January 2018 through January 2020 in an amount not to exceed \$10,000.00, authorized by Resolution #17-006 under the direction and supervision of the County Commissioners that was approved January 9, 2017 pursuant to O.R.C. 305.30.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including a Cash transfer from the General Fund to the Common Pleas Court Pre-Sentence Investigation fund for a payroll advance due to grant funding not yet received from the State in the amount of \$3,500.00 which shall be paid back once grant funds become available or no later than December 18, 2018; a Cash transfer from the General Fund to Liability Self Insurance Fund in the amount of \$10,000.00 to fund upcoming liability insurance payments over the next year; a contract increase for the Department on Aging to Cherished Companions Home Care; a payment for Community Development to 15332 Old State Road Properties for a Revolving Loan Fund project in the amount of \$20,816.25; a payment for the Engineer's Office to Ronyak Paving, Incorporated for a Ohio Public Works Commission project for the resurfacing of Claridon Troy Road in the amount of \$43,553.50; and a payment for Water Resources to Geauga Coatings for repairs to the Kimberly Wastewater Treatment Plant in the amount of \$19,885.00.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-157 itemizing the financials for the meeting of December 18, 2017.

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

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COUNTY ENGINEER'S OFFICE – REQUEST TO ESTABLISH DRAINAGE MAINTENANCE DISTRICT – HUNTING VALLEY PRESERVE SUBDIVISION – CHESTER TOWNSHIP – ESTABLISH NEW STORM WATER FUND – APPROVE TRANSFER OF FUNDS FROM HUNTINGTON RIDGE DMD FUND TO NEW FUND FOR HUNTING VALLEY PRESERVE DMD – CLOSE HUNTINGTON RIDGE DMD FUND

Deputy Engineer Nick Gorris explained that a subdivision that was started in 2009 that was never completed, that property has since been purchased and gone through the Planning Commission. Mr. Gorris asked the Board to approve a request for the establishment of a Drainage Maintenance District.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the Request for Establishment of a Drainage Maintenance District, pursuant to O.R.C. 6131.63, et seq. and 6137 for Hunting Valley Preserve Subdivision in Chester Township.

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

Mr. Gorris asked the Board to establish a new storm water fund for Hunting Valley Preserve.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize the County Auditor to establish a new storm water fund (5021-006-00-603) for the Hunting Valley Preserve Subdivision/Drainage Maintenance District.

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

Mr. Gorris asked the Board to transfer funds from the existing Huntington Ridge to the new storm water fund for Hunting Valley Preserve.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve the transfer of \$2,100.00 from the Huntington Ridge Drainage Maintenance District Fund (5019-006-00-603) to the new fund for the Hunting Valley Preserve Drainage Maintenance District (5021-006-00-603).

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

Mr. Gorris asked the Board to then close the Huntington Ridge fund, as it will no longer be used.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve the closure of the Huntington Ridge Drainage Maintenance District Fund (5019-006-00-603).

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

COUNTY ENGINEER'S OFFICE – ACCEPT AND EXECUTE MAINTENANCE GUARANTY – AGREEMENT (PAVING GUARANTEE) – HUNTING VALLEY PRESERVE SUBDIVISION – CHESTER TOWNSHIP

Mr. Gorris asked the Board to accept the Maintenance Guaranty for \$50,000.00 that guarantees that all work will be completed per specifications. Mr. Gorris asked the Board to execute the Agreement for Paving Guarantee in the amount of \$45,000.00 as the surface has not been completed, noting that this procedure is normal. This amount will cover any repairs and take the road to final completion.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to accept and execute the Maintenance Guaranty for Hunting Valley Preserve Subdivision in Chester Township to be held by the County Engineer in the amount of \$50,000.00.

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

Motion: *by Commissioner Lennon, seconded by Commissioner Claypool to accept and execute the Agreement (Paving Guarantee) for Hunting Valley Preserve Subdivision in Chester Township to be held by the County Engineer in the amount of \$45,000.00.*

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

COUNTY ENGINEER'S OFFICE – RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS IN HUNTING VALLEY PRESERVE SUBDIVISION – CHESTER TOWNSHIP

Mr. Gorris asked that the Board approve the resolution for annual assessment on improvements for the Drainage Maintenance District for the thirteen parcels.

Motion: *by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-158 Approving Annual Assessment on Improvements in the Hunting Valley Preserve Subdivision in Chester Township, Geauga County, under the Authority of Ohio Revised Code 6137.*

Board of County Commissioners, Geauga County, Ohio

Date: *December 19, 2017*

Resolution: *#17-158*

RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS IN THE HUNTING VALLEY PRESERVE SUBDIVISION IN CHESTER TOWNSHIP, GEAUGA COUNTY, UNDER THE AUTHORITY OF SECTION OHIO REVISED CODE 6137

WHEREAS, County Line Estates, LLC, the developer of Hunting Valley Preserve Subdivision in Chester Township, Geauga County, Ohio, will be dedicating the public highways known as Hunting Ridge (TR-1064); and

WHEREAS, County Line Estates, LLC, has offered Hunting Valley Preserve Subdivision be part of the Geauga County Drainage Maintenance District and that an annual assessment be collected with the real estate taxes for each of the 13 lots, and

WHEREAS, the Board of County Commissioners accepted the request for the establishment of a Drainage Maintenance District pursuant O.R.C. 6137, et seq., on December 19, 2017, and

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners certify that the ditch maintenance assessment of One Hundred Seventy-Five Dollars (\$175.00) per lot, to the Geauga County Auditor, which is to be included in the next succeeding real estate tax collection.

BE IT FURTHER RESOLVED that the assessment funds be deposited in the storm water fund (5021-006-00-603) established by the Board for the Geauga County Engineer.

BE IT FURTHER RESOLVED that the annual assessment to cover the cost of current and future maintenance of the improvements will be reviewed and possibly revised after six (6) years.

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

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

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COUNTY ENGINEER'S OFFICE – DEDICATION PLAT – DEDICATING HUNTING RIDGE (TR 1064)

Mr. Gorris asked the Board to approve the dedication plat that dedicates Hunting Ridge, as Township Road 1064.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the Dedication Plat, dedicating Hunting Ridge (TR 1064).

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

COUNTY ENGINEER'S OFFICE – ACCEPT HUNTING RIDGE – SNOW AND ICE REMOVAL ONLY BY CHESTER TOWNSHIP

Mr. Gorris asked the Board to accept Hunting Ridge for snow and ice removal only by the Township, which is until the surface is put on and will then, be full maintenance.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to accept Hunting Ridge (TR 1064) for snow and ice removal only by Chester Township.

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

COMMISSIONERS OFFICE – PUBLIC HEARING FOR PROPOSAL TO VACATE THE PUBLIC RIGHTS OF WAY UPON A PORTION OF DOTY ROAD (TR-532) AND AN UN-NAMED, NON-NUMBERED ROAD IN PARKMAN TOWNSHIP

Motion: by Commissioner Claypool, seconded by Commissioner Spidalieri to waive the reading of the legal notice.

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

Commissioner Spidalieri opened the Public Hearing at 9:10 a.m. and those that wanted to comment during the hearing were sworn in. That included Richard Gates, Deputy Engineer Andy Haupt, Parkman Township Trustee Jon Ferguson and County Engineer Joe Cattell. Mr. Haupt explained that on Thursday, December 14, 2017 a Viewing was held at the location in Parkman that was petitioned by the Trustees to the Board of Commissioners to be vacated. Mr. Haupt stated that many things were discussed about the portion of Doty Road and the Un-named, Non-numbered Road (north-south road) and concerns were raised about ultimately what rights were involved, affected or extinguished. Mr. Haupt stated that at the end of the viewing the questions were whether the Commissioners would vacate the portion of Doty Road along with the un-named, non-numbered road or would they vacate the un-named, non-numbered road (north-south) without Doty Road or modify the section of Doty Road to be vacated. Commissioner Claypool stated that general feeling on the un-named, non-numbered road was that there appeared to be no harm or argument on vacating that portion, because it runs through the landowner's property and would eliminate the public's right to travel on his property. Mr. Claypool stated that Doty Road has value to Mr. Gates even though un-improved because it enhances the future salability of his property. Assistant Prosecutor Laura LaChapelle asked if that was currently one parcel and how many acres, to which Mr. Gates replied that it was 1 parcel and is about 80 acres. Mr. Claypool stated that if that section is vacated we are removing that value to his property should he choose to do something with it in the future. Mr. Claypool brought up some of the questions about the impact on the relatively small section to be vacated. Ms. LaChapelle asked some questions for the record of Mr. Gates, starting with how many years he has owned the parcel. Mr. Gates replied that it is actually owned by his father who has owned it since the 80's, which he inherited from his grandfather. Mr. Gates stated that the property has been in the family since 1957. Ms. LaChapelle asked if the parcel has remained intact as an 80 acre parcel, to which Mr. Gates replied that originally it was over 250 acres was broken into 4 parcels about 3 years ago. Ms. LaChapelle asked if Mr. Gates had any plans to develop the parcel, to which Mr. Gates replied not as a development, but he has had inquiries about purchasing a lot down there. Ms. LaChapelle asked if the section of Doty Road and the un-named, non-numbered Road are vacated will that land lock your parcel, to which Mr.

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Gates replied it will not. Ms. LaChapelle asked if the portion of Doty Road in question or the un-named, non-numbered Road has been used by the traveling public as a street in the last 10, 20, or 30 years, are there any homes along those roads that may need fire or emergency services, needed by school buses, postal services or any other services, to which Mr. Gates replied no, not the section in question. Ms. LaChapelle asked if the only place the roads existed were on county maps, because there aren't any roads there, Mr. Haupt noted it as a path. Ms. LaChapelle asked Mr. Gates if he didn't want the roads vacated because he wants to retain ingress or egress for future access for possible future development, to which Mr. Gates replied yes. Mr. Claypool wanted to clarify that the un-named, non-numbered road is separate from the portion of Doty Road. Parkman Township Trustee Jon Ferguson presented a map from GIS showing the property. Ms. LaChapelle noted that she had seen it.

Commissioners' Clerk Christine Blair wanted to clarify for those in attendance today, and for the record, that the Parkman Township Trustees submitted a petition to the Commissioners to vacate the portion of Doty Road, TR-532, beginning at a point located approximately 1345 feet east of the intersection of said Doty Road and Nelson Road CH-001, east to its terminus, and the vacation of, in its entirety, an un-named, un-numbered road, as described in Volume B, Page 246 of the Geauga County Engineer's Road Records in Parkman Township, beginning at the current easterly terminus of Doty Road, TR-532, to its southerly terminus at the Portage County Line. Ms. Blair stated that she wanted to clarify that the petition did include both portions, noting that it is her understanding that there is possible provision in the law that would allow the Commissioners to modify what is being petitioned if warranted. Mr. Claypool is wishing to separate them, but they were petitioned together. Ms. Blair stated that the other property owner, Kyle Wagamon submitted a statement that he wished to have read during today's hearing. It read as follows:

Dear Geauga County Board of Commissioners:

I am writing in regards to the motion to vacate the public right of way on a portion of Doty Road and the Un-named, Non-numbered Road running south to the Portage county line that are both in Parkman Township. I own the southern side of the portion of Doty Road in the motion and both sides of the Un-named, Non-numbered Road until just north of the Portage County line. I am unable to attend the public hearing so I am writing this letter to communicate my opinion on the matter.

I purchased the property in March of this year and am currently building a house for my family to live there. I would like to extend my wishes to pass the motion and have all portions of both roads in the motion vacated. The roads have not been in use for over 100 years and they are so extensively overgrown that there is no trace of the roads that were originally present. In addition, I do not want a public road extended down the northern border of my property as it would open up the possibility for a development to go in which would not only take away from my family's enjoyment of my property but also negatively effect its value. Please take this opinion into consideration at the public hearing.

Sincerely,

Kyle Wagamon

Commissioner Lennon asked if the property owner could mandate the Township to build out the Road, to which Mr. Ferguson stated that Ms. Salem, Assistant County Prosecutor stated that the mandamus action could only force the Township to maintain an existing road.

County Engineer Joe Cattell explained that what is being asked for is to vacate the public rights of way to the property. Currently the property owners still have the ingress and egress rights, and any property split from that frontage will maintain those rights, it's just the public that will not have rights to that. In order to take the rights away from the individual, they would have to be compensated; this also addresses utility rights that would also have to be maintained. Ms. LaChapelle stated that the property owners maintain any rights under the law, the Commissioners cannot give them any more or take away any that they have under the law. Ms. LaChapelle stated that the Board's duty is to address the public's right of way and decide whether they are vacating that right of way and leave a private road if there is any road there. Mr. Lennon asked if the ability was left if the property owner wanted to put in a private road if they vacate. Ms. LaChapelle stated that the standard is the public convenience and welfare to retain or vacate the road. It was noted that the Board would not be making a decision today.

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Mr. Gates explained that he currently has about 400 feet and that retaining access to that additional 700 feet would allow him to put additional lots back in on the property.

Mr. Claypool asked Ms. LaChapelle to clarify that what he understands is that currently the road exists on paper, and that road can be improved by Mr. Gates making it a road and the Township would have to maintain it. The advantage is that it exists, if vacated it would be split and go to each land owner and then at some future date, Mr. Gates would have to do it solely on his own and do all the surveying and standards to put it in. Commissioner Claypool doesn't understand what would happen to the road for the Township. Ms. LaChapelle stated that is another issue entirely, then asked Mr. Haupt when the road was dedicated. Mr. Haupt stated that Doty Road itself was dedicated in 1835. Mr. Haupt wanted to clarify that the property owners already own to the center of Doty Road. What is being asked to be vacated is the public highway easement that exists over the road. Mr. Cattell stated that Mr. Gates retains ingress and egress rights, and will not lose the rights he currently has. There is no physical piece of property to vacate, the property owners own the property in fee, we are releasing the public's right to the property.

Being no further comments or questions, the Public Hearing was closed at 9:31 a.m.

Ms. Blair noted that the Board will hold 3 meetings before the deadline.

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – RESOLUTION
AUTHORIZING GEAUGA COUNTY TO ENTER INTO ECONOMIC DEVELOPMENT
REVOLVING LOAN FUND ADMINISTRATION AGREEMENT – STATE OF OHIO –
AUTHORIZE PRESIDENT TO EXECUTE AGREEMENT**

Assistant Program Administrator Kelly Conrad explained that this agreement is done every two years for the CDBG Revolving Loan fund. Ms. Conrad stated that it outlines how they are able to loan the funding out to clients.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-159 Authorizing Geauga County to enter into Economic Development Revolving Loan Fund Administration Agreement with the State of Ohio, Development Services Agency.

Board of County Commissioners, Geauga County, Ohio

Date: December 19, 2017

Resolution: #17-159

**RESOLUTION AUTHORIZING GEAUGA COUNTY TO ENTER INTO THE
ECONOMIC DEVELOPMENT REVOLVING LOAN FUND ADMINISTRATION AGREEMENT
WITH THE STATE OF OHIO, DEVELOPMENT SERVICES AGENCY**

This Resolution, made by Geauga County, Ohio, a County government with its main offices at 470 Center Street, Building #4, Chardon, Ohio (herein referred to as the "County"),

WITNESSETH:

WHEREAS, The County through its Community and Economic Development Department administers the Federal Community Development Block Grant (CDBG) program for the State of Ohio, specifically the program Income program known as the Revolving Loan Fund program;

WHEREAS, the County wishes to continue to operate this fund to benefit the County's expansion of its economic base and encourage increased employment opportunities, particularly in low to moderate income areas;

THEREFORE BE IT RESOLVED, that the County will adopt and abide by the terms of administration as set forth by the State of Ohio in the Economic Development Revolving Loan Fund Administrative Agreement effective January 1, 2018 through December 31, 2020.

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

Motion: *by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize the President of the Board to execute the Revolving Loan Fund Administration Agreement between the State of Ohio, Development Services Agency and the Geauga County Board of Commissioners for the period January 1, 2018 through December 31, 2020.*

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

TRANSIT – OHIO DEPARTMENT OF TRANSPORTATION RURAL TRANSIT PROGRAM 2018 GRANT CONTRACT

Director Mike Kasper asked the Board to execute the grant agreement with Ohio Department of Transportation for operating and capital items in the amount of \$906,625.00.

Motion: *by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize the President of the Board to execute the Ohio Department of Transportation Rural Transit Program 2018 Grant Contract between the Geauga County Board of Commissioners and the State of Ohio Department of Transportation for the period January 1, 2018 through December 31, 2018 in the amount of \$906,625.00 for eligible operating and capital items.*

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

NOACA

Executive Director of NOACA, Grace Gallucci will discuss the NOACA Resolution 2016-030 Code of Regulations Amendment, Board of Directors Composition. Ms. Gallucci and Lorain County Commissioner Ted Kalo came before the Board at the invitation of Commissioner Claypool regarding the Code of Regulations, noting that the Resolution had been passed in September 2016 that would allow modifications to be made, but must be ratified by each of the counties. Ms. Gallucci stated that the Governance Board asked that the counties that have not passed a resolution do so before the end of the year 2017 to bring closure to this item. Mr. Kalo is the past chair of the Governance Committee and is here representing the Board. Mr. Kalo stated that they were looking to find an end to this resolution, and this change will give Cleveland two additional seats and if it is not passed, there will be an automatic change at the next census. Mr. Claypool disagreed, stating that the bylaws specify by county and right now unless we change the bylaws, how will you overcome the bylaws. Ms. Gallucci stated that this point is why we are here, because based on requests that have been made by Geauga County, its residents' comments made at Public Hearings to remove Geauga County from the NOACA structure. Ms. Gallucci stated that in 2014 they started doing an analysis and at the time the Board was curious about what the mechanisms would be. Ms. Gallucci stated that during that process, in 2009 when the last code of regulations were made moving from a weighted to a one person vote, the math is not proportionate to the vote, and Cuyahoga County was shorted two seats (City of Cleveland). Commissioner Lennon asked if this was a correction, and if Geauga County was the last county to vote, to which Ms. Gallucci stated that it was. She added that Cuyahoga had not voted because they are waiting to see what Geauga County was going to do because of the process they have to go through because of the Administration and Council, but are in favor of the change. Mr. Kalo stated that if one county does not agree, it is not ratified. Ms. Gallucci stated that if Cuyahoga County needed, they would move forward and do the approval, they didn't want to burden their council, so they are waiting. Ms. Gallucci stated in 2015 when the error was discovered the Governance Committee pointed it out to the Mayor, who then asked for the adjustment to be made, but that he only wanted the change if it wouldn't harm anyone, that he didn't want those seats taken from anyone else. Ms. Gallucci stated that they hired outside council to review it, and looked at the current version and noted that there were several ways to interpret it. Ms. Gallucci stated that the recommendation is to modify the agreement to the extent of no one losing a seat, just to add the two. Historically no county has

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ever had less than three votes, and she wanted that articulated into the agreement, so each county has no less than three, seats, restructure to add the two seats for Cleveland, and then in the future, use the formula, based on the census. Ms. Gallucci explained that based upon interpretation, there could be a suit, and if no resolution, we will move to Federal Mediation, as has been done in the past. The next census will be in 2020, and in projection for the future to 2040 there will not be changes to the number of seats.

There was discussion about including Geauga County Engineer as a seat, Ms. Gallucci noted that NOACA had even received a letter from Congressman Joyce, and in looking at that option, the change would be from 45 seats to 63 and the Board felt that going to that number of seats would be additional bureaucracy. Mr. Claypool responded that we could sign an agreement to be a part of NOACA, and we could agree to include that 4th seat, to which Ms. Gallucci stated that in order to give everyone that 4th seat and to keep it at 45, Cuyahoga would lose seats. Ms. Gallucci added that if they add a 4th seat for Geauga, then other counties that have a higher population want additional seats, which takes it 63 seats. Ms. Gallucci stated that other counties have given one of their seats to the County Engineer, and other counties are also required to have certain other members in seats. The advantages of ratification include regional cohesion and the objectives of the organization, avoiding a lawsuit or Federal mediation. She suggested that the main advantage for Geauga County is that they will have three seats, guaranteed. Ms. Gallucci stated that if you feel that it is not in your best interest, then don't vote for it. If the Board does not vote, it will be considered a no vote. Mr. Kalo stated that there is no partisan voting, that it was addressed back in 2009, this is to make it fair and equitable based on the objective of the organization. We work together, as we are all pushing our own projects; this is just a matter of straightening out language in the agreement. Mr. Kalo added that there is probably other language that they will find that would need to be adjusted. Mr. Lennon asked if they didn't ratify then what? Ms. Gallucci stated that in 1991 there used to be weighted voting, and that was removed in 2009 and instead based it upon population. The City of Cleveland were not restored to their number of seats. Ms. Gallucci stated that if Geauga County does not ratify, the action fails. There will no longer be action at the Governance Board; it would then be up to the City of Cleveland. Mr. Kalo added that we want to balance the Board and avoid Federal Mediation. It's not going to cause Geauga to lose projects. Ms. Gallucci stated that NOACA receives funding for its urbanized area, 20,000 people in Geauga County, noting that NOACA does not receive funding for the rest, however NOACA gives 15% of funding to the rural areas. Cuyahoga County showed good measure by not voting to go back to only funding projects in the urbanized area. Mr. Kalo asked Geauga County to ratify this. Discussion continued about what the benefit to Geauga County would be, and Ms. Gallucci even noted an idea that had been brought up as an option was to just include the urbanized area and remove the rural area from the organization. Another option would be to join another MPO. There was discussion about the amount of funding that Geauga County had been receiving and where the funding has been going. Ms. Gallucci stated that there has been an accusation about Geauga County losing funding, and that it is not correct. Prior to her, Geauga County on average received \$1,001,000.00. Since she became Director they have received \$1,034,000.00 annually. Mr. Claypool asked her to remove bicycle trail funding, because that has changed over the course of years. Ms. Gallucci stated that funding is not guaranteed to anyone. Mr. Claypool stated that he wants to maximize the benefits for Geauga County and has been looking at ways to improve that. Ms. Gallucci reminded them that NOACA gives funding for their rural areas and not just their urbanized area. Ms. Gallucci stated that Geauga County benefits from being part of NOACA, and that NOACA benefits from Geauga County not being part of NOACA in regards to funding, because the funding going to Geauga would then go to the other counties in the MPO. Mr. Lennon added that \$1 million in the 80's is a lot different than today and we are looking at added stresses in funding, noting the recent process of the permissive tax, but we have to look at other avenues. Ms. Gallucci added that the benefit is as a region that we are competing as a group (region) against the other regions in the State and have to work together to get those dollars.

ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending December 6, 2017 as required by O.R.C. 955.12.*
- b) *The Monthly Inventory Report, Consolidated Investment Portfolio and Obligations and Securities monthly reports filed by the Treasurer's Office for Geauga County for the Month of November, 2017, pursuant to ORC 135.35(L).*

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OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 12/19 Investment Advisory Board meeting, 8:45 a.m. Chambers

Tue., 12/19 The Commissioners' will hold regular session at 9:00 a.m. that will include a Public Hearing at 9:10 a.m. regarding the Proposal to Vacate Public Rights of Way upon a Portion of Doty Road (TR-532) and an Un-named, Non-numbered Road in Parkman Township

Tue., 12/19 Work Session with Richard L. Bowen & Associates for Feasibility Study at 10:30 a.m.

Tue., 12/19 ADP Board Meeting, 2:00 p.m. Auditor's Office

Fri., 12/22 Geauga County Offices under the Commissioner's Hiring Authority will close at 1:00 p.m.

*Mon., 12/25 **The County Offices will be closed for general business due to the Christmas Holiday. Twenty-four hour operations will continue to operate as normal.***

Thu., 12/28 The Commissioners' will hold regular session at 9:00 a.m.

*Mon., 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., 1/4 The Commissioners' will hold regular session at 9:00 a.m. and will include their Annual Organizational meeting.

Tue., 1/9 The Commissioners' will hold regular session at 9:30 a.m. which will include a Public Hearing at 9:45 a.m. regarding the Road Name Change of Northview Drive to Clayton Trail in Bainbridge Township.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Claypool, seconded by Commissioner Lennon to adjourn the meeting at 10:29 a.m.

Geauga County Board of Commissioners

Ralph Spidalieri

Walter M. Claypool

Timothy C. Lennon

Christine Blair, Commissioners' Clerk

Commissioners' Journal
December 19, 2017

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