

**Commissioners' Journal**  
**November 10, 2015**

*The Geauga County Board of Commissioners met in session on November 10, 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 9:03 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*COMMISSIONERS' OFFICE – RESOLUTION IN SUPPORT OF 'GREENLIGHT A VET' CAMPAIGN*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-155 in Support of the National "Greenlight a Vet" Campaign.*

<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>

*Commissioner Claypool stated the National Veterans Administration is partnering with Walmart in support of the green light a vet campaign, and offered green light bulbs to anyone who needed on, then read the following resolution:*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 15-155*  
*Date: November 10, 2015*

*A RESOLUTION IN SUPPORT OF THE NATIONAL "GREENLIGHT A VET" CAMPAIGN*

*WHEREAS, Veterans in America are some of the bravest, hardest-working men and women in our Nation, and with over 22 million in our United States, the "Greenlight a Vet" is a National campaign to visibly show support for those Veterans, our Veterans by simply changing one light in your home, on your front porch or in your office to green, and show appreciation and support; and*

*WHEREAS, the color Green symbolizes hope, renewal and well-being. By changing one bulb to a "greenlight" you are supporting the movement forward towards the recognition that our Nations Veterans are valued members of our communities; and*

*WHEREAS, The Board of County Commissioners are asking you, to support this program and make this one simple change of a lightbulb to green, and help our Nation make a strong statement of showing support to all those who have served; and*

*NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby support the National "Greenlight a Vet" Campaign ask the residents of Geauga County to do the same, and show support for our Nations Veterans.*

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

*Michele Pemberton, Director of the County Veterans Service Commission made the following statement:*

*This year alone, roughly 250,000 members of the US Military will be transitioning back into civilian life. With that in mind, a new campaign is urging communities and individuals to "Greenlight a vet" and show support.*

*The "Greenlight a Vet" program encourages actions like thanking a veteran, hiring veterans at your place of business or simply showing your support for those that served our country.*

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*When veterans make that transition, they will leave behind those personal and professional networks of support that they've built while in the military. It can be very difficult to adjust back to civilian life, find employment and start to rebuild support systems.*

*So on this Veterans Day, and every day after, I ask that you "Greenlight a vet" and show your continued support to those that have proudly served this great country and our local communities.*

*The Commissioners presented the Veterans Service Commission with a copy of the resolution.*

*Mr. Claypool asked World War II Veteran Derwin "Dub" Hollis to stand and be recognized. Lucinda Sharp-Gates spoke on behalf of Mr. Hollis and explained that he was in the 497<sup>th</sup> Field Artillery as a forward observer tank driver, between the lines, serving November 1942 until February 1944. Ms. Gates stated that Mr. Hollis was part of the 13<sup>th</sup> Armored Division, General Patton's 3<sup>rd</sup> Army. Ms. Gates explained that between the lines he has written up in his tank a book honoring the division, due to during communication the 88's would hone in on them, but Dub got them out of trouble. Mr. Hollis crossed two rivers at flood stage on a pontoon bridge in the tank, and the bridge would disappear below the waterline, noting that the bridge had a curve in it, and if they fell off, you were gone. Ms. Gates expressed that he experienced a lot of things and was glad he got back. Mr. Hollis is 93, and will be 94 in February.*

*Mr. Claypool introduced Mr. Bob Lasko from Chardon. Mr. Lasko explained that he always remembers Pearl Harbor. Mr. Lasko stated that he served in both the Army and Air Force, he is a disabled Veteran, and now has provided tours on the U.S.S. Cod for the last fifteen years. Mr. Lasko served in the Army from 1959-1965 in the 101<sup>st</sup> Airborne Division, then went into the 3<sup>rd</sup> Army from Ft. McClellan, Alabama, then from 1979-1994 in the Air Force Reserves serving all over Europe. Retiring in 2000, he became a peacetime crew member at the U.S.S. Cod, submarine, giving tours. Mr. Lasko explains the ship to the young people on the tours, going down inside this boat, which he referred to as "a big hollow hot dog" to see where the men lived.*

*Mr. Claypool thanked all Veterans for their service.*

**APPROVE FINANCIALS**

*Budget and Finance Manager Heidi Delaney explained the financials for today as including a Supplemental appropriation for the Common Pleas Pre-Sentence Investigation fund for the repayment of the payroll advance made from the General Fund; Cash transfers out of the General Fund for 2015 funding for Court Technology and the Transit Department; a Contract for Platform Cement, Incorporated for the Hawksmoor Way Sanitary Sewer Realignment project for the Department of Water Resources in the amount of \$99,700.00; a Travel request for the Department of Job and Family Services; a payment to Ohio Cat for the state term schedule purchase of a Caterpillar 308E Series mini hydraulic excavator for the Department of Water Resources in the amount of \$100,910.00; and a payment to Millstone Management for payment #1 for the Board of Developmental Disabilities Adult Services Building Canopy replacement project in the amount of \$25,290.32.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-156 itemizing the financials for the meeting of November 10, 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>

*Mr. Claypool expressed that the Juvenile Court has a line item on the financials in the amount of about \$10,000.00 which was money used outside of the FLIP program to pay for another bill. Mr. Claypool stated that a call was placed to the State Auditor's Office for general awareness, to make sure that they were paying for line items from a proper fund. Currently they have allowed this and are continuing to look into it. Mr. Claypool stated that it is not a Best Practice to do this sort of thing, it's hard to manage budgets if you are not keeping track of where the funds are coming from.*

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DEPARTMENT ON AGING – CLOSE POSTING – HOUSEKEEPER (#1033)

*It was noted that due to a recent contract for services with Ms. Seiler this position will no longer be filled.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to close the current posting for the position of Housekeeper (#1033).*

<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 – RELEASE BID/PERFORMANCE BOND – MAPLE GROVE D.B.A. FIRSLIGHT HOME CARE – HOMEMAKER AND PERSONAL CARE SERVICES

*It was noted that when the previous bonds were released it was discovered that one had been missed.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to release the Bid/Performance Bond for Maple Grove d.b.a. FirstLight Home Care for the Homemaker and Personal Care Services for Geauga Residents Age 60 and over, as all specifications have been met.*

<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>

AIRPORT AUTHORITY – PROJECT CLOSEOUT REPORT – REIMBURSEMENT REQUEST #8 – FINAL – FAA PROJECT #3-39-0054-1714 RECONSTRUCT APRON AND TAXIWAY

*Business Manager Patty Fulop explained that today we are asking to close out the 17<sup>th</sup> grant taken from the FAA in 2014 as it has been completed. Ms. Fulop stated that this grant included an aeronautical survey included and they were informed yesterday that we were approved for a grant to assist with the removal of our obstructions. Ms. Fulop explained that we are in a short window of time to cut trees down due to Indiana bats having homestead in the area of the airport. The obstructions will be removed on our property first, and then they will be working with homeowners trees that are encroaching on Federal airspace that need to be cleaned up.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to acknowledge and approve the Project Closeout Report for FAA Project #3-39-0054-1714 Reconstruct Apron and Taxiway, and further acknowledge, approve and authorize the President of the Board to execute the FAA Outlay Report and Request for Reimbursement #8, Final in the amount of \$6,100.90 (\$5,490.00 FAA portion, \$610.90 local County match).*

<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 OF EMERGENCY SERVICES – RESCIND MOTION TO ADVERTISE POSITION – DEPUTY DIRECTOR – PREPAREDNESS (#1711)

*It was noted that the Director wanted to review the job descriptions prior to hiring and requested to remove the request to advertise the position at this time.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to rescind the motion from October 27, 2015 that read: grant permission to advertise for the position of Deputy Director – Preparedness (#1711). 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>

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DOG WARDEN – APPROVE HIRING JENA WELLS – PART-TIME SHELTER ATTENDANT (#1607-1)

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve hiring Jena Wells to the position of Part-time Shelter Attendant (#1607-1) to be effective November 23, 2015 at a rate of \$10.47 per hour. After the successful completion of a 1,000 hour probationary period the rate will increase to \$11.02 per hour.

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

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 FINAL – LAKELAND MANAGEMENT GROUP SYSTEMS – ENGINEER'S OFFICE BUILDING

*Deputy Engineer Nick Gorris explained that this is the final change order for the new office building, noting that there is no change in the contract amount.*

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Change Order #1, Final with no change in the Contract with Lakeland Management Systems for the New Engineer's Office Building.

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

COUNTY ENGINEER'S OFFICE – RELEASE ROADWAY USE, REPAIR AND MAINTENANCE MUTUAL AGREEMENT – CHESAPEAKE EXPLORATION, LLC – RELEASE BOND

*Mr. Gorris explained that they would like to release the roadway use, repair and maintenance mutual agreement for the Mast oil and gas well on Newcomb Road with Chesapeake Exploration, and release the bond. Mr. Gorris stated that no work has been performed and they have abandoned the well, as it is sealed off.*

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve the release of the Roadway Use, Repair, and Maintenance Mutual Agreement between the Geauga County Board of Commissioners and Chesapeake Exploration, LLC for the Mast oil and gas well located on Newcomb Road as all operations have ceased and there are no plans to commence operations in the near future, and further release the Bond.

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE VARIOUS SECTIONS OF COUNTY ROADS BY APPLYING PAVEMENT MARKINGS, YEAR 2016

*Deputy Engineer Shane Hajjar presented a map showing the projects for the year 2016, explaining that last month there were three projects with Ohio Public Works and today they are presenting the final five county projects, that include pavement markings, the replacement of the Cutts Road Bridge along with resurfacing of Gingerich Road, Chardon Windsor Road and Hayes and Butternut Road. Mr. Hajjar noted that there will not be any Federally Funded projects in 2016. Mr. Hajjar stated that this is the first step in the process that allows up to finalize the design work and will be back in December or January to approve the specifications.*

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-157 to Improve Various Sections of County Roads by Applying Pavement Markings, Year 2016.

*Board of County Commissioners, Geauga County, Ohio*

*Date:* November 10, 2015

*Resolution:* #15-157

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**RESOLUTION TO IMPROVE  
VARIOUS SECTIONS OF COUNTY ROADS  
BY APPLYING PAVEMENT MARKINGS, YEAR 2016**

*WHEREAS, the Board of County Commissioners of Geauga County has determined that the public convenience and welfare require safety improvements on various county roads in accordance with Section 5555.22 of the Ohio Revised Code; and*

*WHEREAS, this Board acknowledges that pavement markings must be maintained on county highways in Geauga County for safety reasons.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County that the public convenience and welfare require an improvement to various highways by applying pavement markings to county highways within the County as determined necessary by the Geauga County Engineer.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that special assessments to real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be appointed as follows:*

*The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants that may be secured for the project.*

*BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of ways of the county highways, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.*

*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 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>

**COUNTY ENGINEER'S OFFICE – RESOLUTION TO RECONSTRUCT THE BRIDGE  
(STRUCTURE #72-0.49) ON CUTTS ROAD – HAMB DEN TOWNSHIP**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-158 to Reconstruct the Bridge (Structure #72-0.49) on Cutts Road (TR 72) in Hambden Township.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: November 10, 2015  
Resolution: #15-158*

**RESOLUTION TO RECONSTRUCT THE BRIDGE  
(STRUCTURE #72-0.49) ON CUTTS ROAD (TR 72)  
IN HAMB DEN TOWNSHIP**

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WHEREAS, the Board of County Commissioners of Geauga County has determined the public convenience and welfare requires the reconstruction of the bridge over Cutts Creek on Cutts Road at mile marker 0.49 in Hambden Township in accordance with Section 5555.022 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County that the public convenience and welfare requires the replacement and reconstruction of the Cutts Road Bridge, Structure #72-0.49, by the removal of the existing bridge structure, installation of a new bridge structure at mile marker 0.49 and the grading, paving, widening, and draining of Cutts Road in the immediate vicinity of the bridge as required.

BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.

BE IT FURTHER RESOLVED that special assessments to real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be appointed as follows:

*The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants that may be secured for the project.*

BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.

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 Hambden Township Board of Trustees and the Geauga County Engineer.

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE GINGERICH ROAD (CH 34, SECTION A)

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-159 to Improve Gingerich Road (CH 34, Section A) in Burton Township.

Board of County Commissioners, Geauga County, Ohio

Date: November 10, 2015

Resolution: #15-159

**RESOLUTION TO IMPROVE  
SECTION A OF GINGERICH ROAD (CH 34)  
IN BURTON TOWNSHIP**

WHEREAS, the Board of County Commissioners of Geauga County has determined the public convenience and welfare requires the improvement to Section A of Gingerich Road (CH 34) from Tavern Road (SR 168) to Kinsman Road (SR 87) in Burton Township in accordance with Section 5555.022 of the Ohio Revised Code.

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*NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County that the public convenience and welfare requires the improvements by constructing and reconstructing culverts, performing drainage improvements, asphalt resurfacing and improving the shoulders as necessary.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that special assessments to real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be appointed as follows:*

*The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants that may be secured for the project.*

*BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.*

*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 Burton Township Board of Trustees 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>

**COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE CHARDON WINDSOR ROAD (CH 13, SECTIONS I-J)**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-160 to Improve Chardon Windsor Road (CH 13, Sections I – J) in Huntsburg Township.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: November 10, 2015*

*Resolution: #15-160*

**RESOLUTION TO IMPROVE  
SECTIONS I-J OF CHARDON-WINDSOR ROAD (CH 13)  
IN HUNTSBURG TOWNSHIP**

*WHEREAS, the Board of County Commissioners of Geauga County has determined the public convenience and welfare requires the improvement to Sections I - J of Chardon-Windsor Road (CH 13) from Madison Road (SR 528) to the Ashtabula County line in accordance with Section 5555.022 of the Ohio Revised Code.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County that the public convenience and welfare requires the improvements by constructing and reconstructing culverts, performing drainage improvements, asphalt resurfacing and improving the shoulders as necessary.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to*

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*complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

*BE IT FURTHER RESOLVED that special assessments to real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be appointed as follows:*

*The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants that may be secured for the project.*

*BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.*

*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 Huntsburg Township Board of Trustees 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>

*COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE HALE ROAD (CH 15, SECTION A) AND BUTTERNUT ROAD (CH 21, SECTION I-J)*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-161 to Improve Hale Road (CH 15, Section A) and Butternut Road (CH 21, Sections I – J) in Burton Township.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: November 10, 2015*

*Resolution: #15-161*

*RESOLUTION TO IMPROVE  
SECTION A OF HALE ROAD (CH 15) AND  
SECTIONS I-J OF BUTTERNUT ROAD (CH 21)  
IN BURTON TOWNSHIP*

*WHEREAS, the Board of County Commissioners of Geauga County has determined the public convenience and welfare requires the improvement to Section A of Hale Road (CH 15) and Sections I - J of Butternut Road (CH 21) from Claridon-Troy Road (CH 3) to Burton-Windsor Road (CH 14) in Burton Township in accordance with Section 5555.022 of the Ohio Revised Code.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County that the public convenience and welfare requires the improvements by constructing and reconstructing culverts, performing drainage improvements, asphalt resurfacing and improving the shoulders as necessary.*

*BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications as are required for the improvement and to transmit copies of the same to this board at the time such plans are completed.*

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*BE IT FURTHER RESOLVED that special assessments to real estate will not be assessed to cover the damages, costs and expenses of constructing this improvement and that the compensation, damages, costs and expenses of constructing said improvement shall be appointed as follows:*

*The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal aid or state grants that may be secured for the project.*

*BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements or work agreements required for the improvement.*

*BE IT FURTHER RESOLVED that the County Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.*

*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 Burton Township Board of Trustees 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>

**PROBATE/ JUVENILE COURT – JUVENILE ACCOUNTABILITY BLOCK GRANT – RESTORATIVE JUSTICE PROGRAM – JUVENILE PEER REVIEW**

*Mr. Claypool stated that he did speak with the Court yesterday that people who are already in position will be moved into to cover this activity of a peer group.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Juvenile Accountability Block Grant (JABG) for a Restorative Justice program, Juvenile Peer Review for the period February 1, 2016 through December 31, 2016 in the amount of \$14,265.57 (\$12,839.01 JABG Funds, \$1,426.56 Cash Match from the Juvenile Court Special Projects Fund).*

<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>

**PROSECUTOR'S OFFICE – APPLICATION FOR APPOINTMENT OF COUNSEL**

*Assistant Prosecutor Laura LaChapelle explained that an employee in their office filed a workers compensation claim and is now moving through a second stage of the process due to an appeal of the first decision by the employee. Ms. LaChapelle stated that they don't expect it to be any more than a couple of hours, and the rate will be \$225.00 per hour, but feel that they need to hire outside counsel to represent the office.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Application of Prosecuting Attorney and Board of County Commissioners for Appointment of Counsel, pursuant to O.R.C. 305.14.*

<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 – SECTION 125 PLAN WITH PREMIUM PAYMENT COMPONENT AND SECTION 125 SUMMARY PLAN DESCRIPTION FOR EMPLOYEES

Human Resources Specialist Kathy Hostutler stated that this is a restatement of our Section 125 cafeteria plan which was originally developed in 1990 and amended in 1997. Ms. Hostutler stated that the Board had previously approved NEO Administration to develop this plan, and thanked Ms. LaChapelle for all her help and assistance in reviewing the plan. Ms. Hostutler stated that enrolling in the group health plan and enrolling in the Section 125 plan are two different things. The Section 125 plan allows the employee to pay for their portion of the healthcare premium from pretax income. Ms. Hostutler stated that there are rules for this program, and up to this point the employee has had to fill out the form stating the option they wanted to choose how they wanted to pay the premium. Ms. Hostutler explained that the only time you can make a change is when there is a qualified event, and must be documented to follow along with any changes. Ms. Hostutler stated that going forward the recommendation is that it will be set as taken pre-tax and if the employee chooses to be different they can sign a waiver. Within 90 days from the date of effect employees will need to be provided a summary plan description that outlines the new plan and explains how the program works. County Administrator David Lair noted that this is an IRS requirement, and most every employer offers this option and the average employee takes the benefit.

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Geauga County Commissioners Section 125 Plan with Premium Payment Component developed by the NEO Administration Company to be effective October 1, 2015, and further approve and acknowledge the Section 125 Summary Plan Description that will be distributed to all employees.

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

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to move into Executive Session with their attorney to discuss pending and / or imminent litigation and to obtain informational legal advice.

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

County Administrator David Lair joined the Board in executive session. The Board returned at 10:18 a.m. and no action was taken.

DISCUSSION

Mr. Spidalieri brought up a request to find out if the funds in the Juvenile Court Special Projects Fund can be used to cover the legal fees. Mr. Spidalieri stated that it seems those funds are being used for other things, so instead of using additional tax payers dollars, why can't we use their own funds to pay the bills.

ACKNOWLEDGEMENTS

- a) The Monthly Financial Report from the County Building Department for the month of October, 2015.
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 28, 2015 as required by O.R.C. 955.12.

OTHER

The Board reviewed upcoming events.

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MEETINGS

Tue., 11/10 *Planning Commission meeting has been cancelled.*

Wed., 11/11 **County offices will be closed for general business in observance of Veteran's Day. Twenty-four hour operations will continue to operate as usual.**

Wed., 11/11 *Geauga County Township Association Dinner Meeting, 6:30 p.m. Montville Community Center*

Fri., 11/13 *NOACA Finance and Audit 8:30 a.m., Governance 10:00 a.m. and Executive 11:30 a.m., Cleveland, Ohio*

Mon., 11/16 *Family First Council, 2:00 p.m. at Job and Family Services*

Tue., 11/17 *The Commissioners will hold regular session at 9:00 a.m.*

Tue., 11/24 *The Commissioners will hold regular session at 9:00 a.m.*

Thu., 11/26 **County offices will be closed for general business in observance of Thanksgiving Day. Twenty-four hour operations will continue to operate as usual.**

**The Regularly scheduled Commissioners' meeting is cancelled.**

Fri., 11/27 **County offices under the hiring authority of the Board of Commissioners will be closed for general business. Twenty-four hour operations will continue to operate as usual.**

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

*Motion: by Commissioner Spidalieri, seconded by Commissioner Rear to adjourn the meeting at 10:21 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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