

**Commissioners' Journal**  
**October 3, 2017**

*The Geauga County Board of Commissioners met in session on October 3, 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 9:08 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Spidalieri asked for a moment of silence for those affected by the recent shooting incident that happened in Las Vegas.*

**MEETING MINUTES**

*Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the minutes for the special meeting of September 11, 2017.*

<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 meeting of September 12, 2017.*

<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 meeting of September 19, 2017.*

<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>

**FINANCIALS**

*Mr. Lair reported on financials from September 28, 2017, Resolution #17-114 that included Supplemental Appropriations for the Sheriff's Fair Rotary Fund for Salaries, Medicare and OPERS, as approved by the County Administrator pursuant to the motion approved December 29, 2016 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 2017, as authorized by O.R.C. 305.30.*

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

*Mr. Lair reported on the items approved October 2, 2017 by the County Administrator, that included for the Office of Community and Economic Development to approve and execute the Office of Housing and Community Partnerships RLF Grant / Loan Review Report Form for the proposed Revolving Loan Fund loan to Third Dimension for the purchase of machinery and equipment in the amount of \$100,000.00; for the County Home the acceptance of the resignation of Susan Riter, Part-time Attendant to be effective September 25, 2017; for Transit the acceptance of the resignation of Ray Bontrager, Part-time Driver to be effective September 22, 2017; and concurred with Bainbridge Township Trustees in not requesting a hearing on the Liquor License requested by Hungry Bee at Sapphire Creek Winery and Gardens located at 16965 Park Circle Drive, Bainbridge (C NEW 4072621); as 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.*

**Commissioners' Journal**  
**October 3, 2017**

APPROVE FINANCIALS

*Fiscal Specialist Deborah Ashburn explained the financials for today as including a Revenue Certification for the Common Pleas Court ISP for T-CAP (Targeted Community Alternative to Prison); a Cash transfer from the General Fund to G.O. Note Retirement in the amount of \$65,000.00 for the 2017 Principal Payment for the Human Services Building Improvement; a Contract with Gottschalk Building Company for Community Development in the amount of \$57,500.00 for the Kiwanis Lake Community Center Project; a Contract with G.A.R. Paving for the Department of Water Resources in the amount of \$27,980.00 for paving services at the Russell Park Wastewater Treatment Plant and the Infirmary Creek Laboratory; a payment to Ravenwood Center in the amount of \$104,105.00 for 4<sup>th</sup> Quarter Funding for Youth Center Operations; a payment to Richard Bowen and Associates for the Commissioner's Office in the amount of \$10,145.00 for the Feasibility Analysis for the month of August, 2017; a payment to Ronyak Paving for the Engineer's Office in the amount of \$105,516.80 for the Resurfacing of Mulberry Road; and a payment to Gable Elevator for the Maintenance Department in the amount of \$24,875.00 for Opera House Elevator repair.*

*Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-115 itemizing the financials for the meeting of October 3, 2017.*

<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>

HISTORICAL SOCIETY – UPDATE

*Historical Society Treasurer Marilyn Pickett explained that she had brought a little show and tell with some of the unique items that they have on display. Ms. Pickett showed tools used in making sauerkraut, some Family Bibles from many important families from Geauga County, the Civil War records of the soldiers that served from Geauga County, along with a few of the many files from the boxes on many families, including Hickox that was the first family to settle in 1798 in Geauga County. Ms. Pickett reminded everyone that they are welcome to view the documents and artifacts when there is an attendant available or by appointment.*

*President Fred Green provided the Society's financial records for this year. He asked how they manage all these artifacts, to which he replied, that it's difficult. Mr. Green expressed that they have many volunteers (approximately 200) throughout the year, with several that often work up to 35 hours a week. Mr. Green stated that they do have employees, including a Full-time Secretary, two Full-time Maintenance workers and a few part-time employees that help cover weekend tours and for school groups that come through in the fall. Mr. Green stated that they have over 40 buildings on the property, including the Eleazer Hickox House that was purchased seventy-five years ago with money donated from Congressman Frances Bolton. Since that time the rest of the buildings have been assembled from all over the county. Mr. Green added that all of them require upkeep to keep them authentic and it all costs money. Mr. Green expressed that he hopes everyone has attended the Apple Butter Festival coming up this month and in the Spring the annual Pancake Breakfasts. Mr. Green stated that it's a struggle, noting that last year after not receiving the \$20,000.00 in funds from the Commissioners they ended the year in dire straits and were required to sell artifacts in order to break even. Currently they have a deficit of \$37,000.00 and are trying to point out that they are an asset in preserving Geauga County history and are asking for help. Mr. Green stated that in their opinion the Historical Society is probably the biggest tour attraction in the County, adding that they have visitors from all over that stay, eat and shop here in the County.*

*Commissioner Spidalieri told Mr. Green to ask the Board a question, so Mr. Green asked the Board to recognize that they have been an asset for over a hundred years, having continued to accumulate memorabilia from all over. Mr. Green stated that they are trying to preserve what they have, protect those items and serve a function in Geauga County, adding that they also help drive Tourism in Geauga County. Ms. Pickett stated that they want the Board to reinstate at least the \$20,000.00 that the Board was giving them that they didn't get last year, noting that in some years they had gotten more. Ms. Pickett stated that the \$20,000.00 would help make up the deficit, adding that they are a County Historical Society and that it's the duty of the Board of Commissioners and its residents to support the Society.*

**Commissioners' Journal**  
**October 3, 2017**

*Commissioner Lennon asked what the program was for soliciting donations. Ms. Pickett stated that they send plea letters, hold fundraisers and make personal requests. Ms. Pickett stated that they, like other non-profits, are having trouble with the old family businesses that have now been sold to corporations. Ms. Pickett stated that most of the work being done at the Historical Society is done by volunteers. Mr. Lennon asked what donations they had received in 2017, to which Ms. Pickett stated that to date they have gotten \$6,720.00. Mr. Green added that some donations are specific by a family to do capital improvements, noting a \$5,000.00 donation for painting the Hickox building, along with donations for the Maple Museum. Mr. Green added that they need additional donations to use for supplies and salary. Ms. Pickett stated that they have a budget of \$244,000.00 with \$120,000.00 going to salary and \$18,000.00 to taxes which doesn't leave much for everything else. Ms. Pickett stated that people from all over come in to an event, pay a fee to come in but those events take a lot of effort that is usually done all by volunteers. Ms. Pickett stated that they promise they are not wasting any money and going in to the last quarter of the year with a large deficit they will be out of business.*

*Commissioner Claypool stated that he had been at the Historical Society yesterday, adding that he feels that they do a great job and that they talked a lot about the value that is brought to Burton and the County. He feels the Commissioners need to be good stewards of taxpayers' dollars and that we are getting something of value in return.. Mr. Claypool stated that there is some business practice improvements that could be made that might help them attain their goals. Noting the businesses in Burton benefit from the activities that they hold, he asked why they don't contribute to help, adding that the community needs to understand the value of what they provide. Mr. Claypool stated that sometimes when you are locked in to a way of doing things, it often prevents you from taking the next step. He wants to see them succeed and he wants to help them.*

*Mr. Spidalieri asked them if they considered themselves an education tool for this County and if so, when was the last time they went to the schools boards and asked for funding to continue the school program portion of what they do. Mr. Spidalieri stated that even if the Board gives them \$20,000.00 they are still not going to break even and the end result will still be the same. It's a band aid, not a repair. Mr. Spidalieri stated that he felt that the schools don't use the societies resources enough. Mr. Spidalieri agreed that businesses are bombarded every single day with requests and business cannot donate to everything; they will go broke. He doesn't know what the answer is, but he has brought ideas to consider to consolidate with other agencies to collaborate, citing the Park District. Ms. Pickett stated that the Park Systems are supported by tax levies and that the Lake County Historical Society has levies on the ballot to support the Society and Geauga County has not done that, but they could. Mr. Spidalieri stated that he struggles with the \$20,000.00 because it doesn't help them long term and is uncomfortable with it. What is it that we can make happen to turn this around and make it profitable? This is neat and there is a lot of history there and he doesn't want to see it go away.*

*Mr. Claypool stated that there are revenue opportunities out there that can get them beyond where they are, citing promotion is a good example. They should craft a marketing message to businesses to help them understand the value they can provide. Some ideas they discussed yesterday included state / federal assistance, park system, tourism activity, and he would like to continue that conversation as a way to help them. The Board wants to see them succeed but it's how they get them there and get them beyond where they are.*

*It was noted that the Geauga County Historical Society is located on the South end of the Square in Burton, with the main entrance located off 168. The Board meets every third Monday of the month at the library on the grounds. The store and reception center is open 10 am to 4 pm every day (except during winter months). The grounds are open on the weekends for tours, and you can do your own walking tour. Mr. Claypool noted that they have an event center, including a church where they can hold weddings, adding that he feels it is underutilized. Ms. Pickett and Mr. Green thanked the Board for their time.*

**AUDITOR'S OFFICE – RESOLUTION TO ESTABLISH A MEDICAID LOCAL SALES TAX TRANSITION FUND**

*Mr. Lair stated that House Bill 49 passed that has provided for some transition from the cut in Medicaid receipts. The State is requiring a fund be established where the funds will be received and then dictates that it will be transferred to the General Fund. Our reimbursement amount is just over \$104,000.00 that will be received in two payments.*

**Commissioners' Journal**  
**October 3, 2017**

*Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-116 to Establish a Medicaid Local Sales Tax Transition Fund, pursuant to R.C. 387.20. This fund will record funds received as required by House Bill 49.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 3, 2017*

*Resolution: #17-116*

**RESOLUTION TO ESTABLISH A  
MEDICAID LOCAL SALES TAX TRANSITION FUND  
PURSUANT TO R.C. 387.20**

*WHEREAS, House Bill 49 provides additional one-time funding to assist counties due to the elimination of the permissive sales tax from Medicaid and Medicare; and*

*WHEREAS, this money established by the General Assembly under Uncodified Section 387.20 requires a new fund be established; and*

*WHEREAS, this fund shall be called, "Medicaid Local Sales Tax Transition Fund" and these payments resulting from H.B. 49 must be deposited in this fund; and*

*WHEREAS, these funds will be distributed to Geauga County in two payments; one on or before November 1, 2017 and the other on or before February 1, 2018, totaling \$104,067.00;and*

*WHEREAS, after the fund is established, the funds on-hand will be distributed in the following manner: to be transferred into the General Fund; and*

*NOW THEREFORE BE IT RESOLVED, per the requirement under Uncodified Section 387.20, the Board of County Commissioners does hereby request the Geauga County Auditor to establish a new fund entitled:*

*Medicaid Local Sales Tax Transition Fund*

<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>

**SOIL AND WATER CONSERVATION DISTRICT – FINDINGS OF VIOLATIONS – PARKMAN TOWNSHIP**

*Executive Director Carmella Shale explained that they were requesting the Board file a Finding of Violation and forward to the Prosecutor's Office as a way to obtain final paperwork for two properties in Parkman Township that include as built, long term maintenance and inspection reports that need to be filed for their storm water basins. They have been working for over a year to obtain this and feel it is time, with multiple failed attempts by phone, email and mail with no response.*

*Motion: by Commissioner Lennon, seconded by Commissioner Claypool to issue a "Finding of Violation" against Parkman Properties #30, LLC, owner of 18650 Industrial Circle (PPN# 25-147546 and #25-147547) located in Parkman Township (Parkman Industrial) for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the "Site Inspection Report" (Section 8.04) and to forward the "Finding of Violation" to the Geauga County Prosecutor for further actions as necessary to secure required compliance.*

<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' Journal**  
**October 3, 2017**

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to issue a "Finding of Violation" against CNC Precision Machine, owner of 18360 Industrial Circle (PPN# 25-147521) located in Parkman Township (Parkman Industrial) for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the "Site Inspection Report" (Section 8.04) and to forward the "Finding of Violation" to the Geauga County Prosecutor for further actions as necessary to secure required compliance.

*Roll Call Vote:*

Commissioner Lennon	Aye
Commissioner Claypool	Aye
Commissioner Spidalieri	Aye

SOIL AND WATER CONSERVATION DISTRICT – OHIO DEPARTMENT OF AGRICULTURE – OFFICE OF FARMLAND PRESERVATION LOCAL SPONSOR CERTIFICATION APPLICATION – LOCAL AGRICULTURAL EASEMENT PURCHASE PROGRAM

*Ms. Shale asked the Board if they wanted to continue the Farmland Preservation Program that was started last year, to apply as a sponsor and, once approved, and after finding out our dollar amount, can begin accepting applications from land owners.*

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize the President of the Board to execute the Ohio Department of Agriculture – Office of Farmland Preservation Local Sponsor Certification Application for Local Agricultural Easement Purchase Program 2018, continuing the Local Agricultural Easement Purchases Program as outlined in the Memorandum of Understanding between the Geauga Soil and Water Conservation District, the Geauga County Planning Commission and the Geauga County Board of Commissioners dated October 13, 2016.

*Roll Call Vote:*

Commissioner Lennon	Aye
Commissioner Claypool	Aye
Commissioner Spidalieri	Aye

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 FINAL, DECREASE CONTRACT WITH CHAGRIN VALLEY PAVING, INCORPORATED – RESURFACING OF CLAY STREET

*Deputy Engineer Nick Gorris asked the Board to approve the final change order for the Resurfacing of Clay Street which is a decrease of just over \$4,800.00 with Chagrin Valley Paving.*

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Change Order #1, Final decreasing the Contract with Chagrin Valley Paving, Incorporated for the Asphalt Resurfacing of Clay Street (CH 37, Sections M-N) in Thompson Township in the amount of \$4,807.40.

*Roll Call Vote:*

Commissioner Lennon	Aye
Commissioner Claypool	Aye
Commissioner Spidalieri	Aye

COUNTY ENGINEER'S OFFICE – APPROVE COMMISSIONER CLAYPOOL – BOARD MEMBER AND CEO TO EXECUTE OHIO PUBLIC WORKS COMMISSION DISBURSEMENT REQUEST – RESURFACING OF MULBERRY ROAD

*Mr. Gorris asked the Board to approve Commissioner Claypool, Board member and CEO for the Ohio Public Works Commission Disbursement Request for the resurfacing of Mulberry Road.*

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize Walter M. Claypool, Board Member and Chief Executive Officer to execute the Ohio Public Works Commission, Appendix E – Disbursement Request Form and Certification #1, in order to release funds from the state portion of our OPWC grant for the Asphalt Resurfacing of Mulberry Road (CH 39, Sections A-D) in Chester Township.

*Roll Call Vote:*

Commissioner Lennon	Aye
Commissioner Claypool	Aye
Commissioner Spidalieri	Aye

**Commissioners' Journal**  
**October 3, 2017**

COMMISSIONERS' OFFICE – RESOLUTIONS TO ENACT AN ADDITIONAL COUNTY PERMISSIVE ANNUAL MOTOR VEHICLE LICENSE TAX (FIRST NEW TAX) PURSUANT TO O.R.C. 4504.15, (SECOND NEW TAX) PURSUANT TO O.R.C. 4504.16 AND (THIRD NEW TAX) PURSUANT TO O.R.C. 4504.24

County Engineer Joe Cattell asked the Board to approve and adopt the resolutions for the Permissive Motor Vehicle License Tax. Mr. Claypool brought up that they have the ability to exclude a non-commercial utility trailer weighing less than 1,000 pounds. It was noted that if the Board wanted to include the provision, they can approve the resolutions and amend next week.

City of Chardon Mayor, Nancy McArthur, along with several members of her staff, were present and noted that she had several conversations with the Board Members about Enterprise vehicle registrations and some of the numbers that had been provided. Mr. Sharpe explained that after last week they had made the attempt to speak with Enterprise. Mr. Claypool stated that he had spoken with the person who handles the registrations for Enterprise and felt that this would not have any impact on their registrations, that they would just make an adjustment to their fees to cover the additional cost and asked them to provide a letter to that affect. Mr. Claypool noted that there is a report on the Ohio tax website that indicates the total numbers for all registrations and they did not add up, so he was a little confused. Mr. Claypool stated that if you have one business that is going to impact your financials you mitigate that the best you can, and we as a county have to watch and be thinking about these types of impacts and have to be able to navigate around things, using the State as an example.

Mr. Lennon asked Chardon what the intention of bringing this to our attention was, or is there a recommendation of what they want to see this Board do, adding that Enterprise has no intention of leaving or not registering cars there. Ms. McArthur expressed that they do not have confirmation from Enterprise and are concerned about the loss of revenue. There was a brief discussion about the County Engineer being very up front for a while about this possibly happening, and that the Townships are on board with this and that the Board is mindful of the decision and how it impacts the whole county. Ms. McArthur asked what the urgency was. It was noted that the clock on this process has been started. It was noted that Cuyahoga County has started the process today by holding their first public hearing.

The Board noted that they didn't feel they would do the amendment and moved forward with the approval of the resolutions before them as follows.

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-117 to Enact an Additional County Permissive Annual Motor Vehicle License Tax (First New Tax), Pursuant to O.R.C. 4504.15.

*Board of County Commissioners, Geauga County, Ohio*

*Date:* October 3, 2017

*Resolution:* #17-117

**A RESOLUTION TO ENACT AN ADDITIONAL COUNTY PERMISSIVE ANNUAL MOTOR VEHICLE LICENSE TAX (First New Tax) PURSUANT TO O.R.C. 4504.15**

*WHEREAS, Section 4504.15 of the Ohio Revised Code allows the Board of Commissioners to levy an annual license tax, that shall be in addition to the tax levied by Sections 4503.02, 4503.07 and 4503.18 of the Ohio Revised Code, upon the operation of motor vehicles upon the public roads and highways; and*

*WHEREAS, the tax shall be at the rate of \$ 5.00 per motor vehicle on all motor vehicles the district of registration of which, as defined in Section 4503.10 of the Revised Code, is located in the county levying the tax but is not located within any municipal corporation levying the tax authorized by Section 4504.17 of the Revised Code; and*

*WHEREAS, pursuant to Section 4504.15 of the Ohio Revised Code, public notifications were published in the Geauga County Maple Leaf announcing two public hearings that were held on September 19, 2017 and September 26, 2017 to provide information and hear comments about the proposed additional \$ 5.00 annual county permissive motor vehicle license tax; and*

**Commissioners' Journal**  
**October 3, 2017**

*WHEREAS, representatives of the City of Chardon appeared at the September 26, 2017 hearing to express concerns about the possible impact of the tax upon a rental car business within the City and revenues the City receives therefrom and to have their questions addressed and answered by the Board.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissions of Geauga County, Ohio, that:*

*Section 1. The Board of Commissioners of Geauga County, Ohio pursuant to and as authorized by Section 4504.15 of the Ohio Revised Code, and for all the purposes stated therein, hereby levy an annual motor vehicle license tax, in addition to the tax levied by Section 4503.02, 4503.07 and 4503.18 of the Ohio Revised Code, upon the operation of motor vehicles on the public roads and highways. Such first new tax shall be at the rate of \$5.00 per motor vehicle on all motor vehicles the district of registration of which, as defined in section 4503.10 of the Revised Code, is located in Geauga County but is not located within any municipal corporation levying the tax authorized by Section 4504.17 of the Revised Code. Such tax shall be in addition to the taxes at the rates specified in Sections 4503.04 and 4503.16 of the Revised Code, subject to reductions in the manner provided in Section 4503.11 of the Revised Code and the exemptions provided in Sections 4503.16, 4503.17, 4503.171, 4503.41 and 4503.43 of the Revised Code.*

*Section 2. This Resolution shall become effective 30 days after its adoption and is subject to a referendum as provided in Sections 305.31 to 305.41 of the Ohio Revised Code.*

*Section 3. The Clerk of the Board is directed to certify this Resolution to the Bureau of Motor Vehicles of the State of Ohio.*

<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 Resolution #17-118 to Enact an Additional County Permissive Annual Motor Vehicle License Tax (Second New Tax), Pursuant to O.R.C. 4504.16.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 3, 2017*

*Resolution: #17-118*

**A RESOLUTION TO ENACT AN ADDITIONAL COUNTY PERMISSIVE ANNUAL MOTOR VEHICLE LICENSE TAX (Second New Tax), PURSUANT TO O.R.C. 4504.16**

*WHEREAS, Section 4504.16 of the Ohio Revised Code allows the Board of Commissioners of any county that currently levies the tax authorized by Section 4504.15 of the Ohio Revised Code (first new tax) to levy an annual license tax that shall be in addition to the tax levied by Section 4504.15 of the Revised Code and by Sections 4503.02, 4503.07 and 4503.18 of the Ohio Revised Code, upon the operation of motor vehicles upon the public roads and highways; and*

*WHEREAS, the tax shall be at the rate of \$ 5.00 per motor vehicle on all motor vehicles the district of registration of which, as defined in Section 4503.10 of the Revised Code, is located in the county levying the tax but is not located within any municipal corporation levying the tax authorized by Section 4504.171 of the Revised Code; and*

*WHEREAS, pursuant to Section 4504.16 of the Ohio Revised Code, public notifications were published in the Geauga County Maple Leaf announcing two public hearings that were held on September 19, 2017 and September 26, 2017 to provide information and hear comments about the proposed additional \$ 5.00 annual county permissive motor vehicle license tax; and*

*WHEREAS, representatives of the City of Chardon appeared at the September 26, 2017 hearing to express concerns about the possible impact of the tax upon a rental car business located within the City and revenues the City currently receives therefrom and to have their questions addressed and answered by the Board.*

**Commissioners' Journal**  
**October 3, 2017**

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissions of Geauga County, Ohio, that:*

*Section 1. The Board of Commissioners of Geauga County, Ohio pursuant to and as authorized by Section 4504.16 of the Ohio Revised Code, and for all the purposes stated therein, hereby levy an annual motor vehicle license tax, in addition to the tax levied by Sections 4504.15 (first new tax), 4503.02, 4503.07 and 4503.18 of the Ohio Revised Code, upon the operation of motor vehicles upon the public roads and highways. Such second new tax shall be at the rate of \$5.00 per motor vehicle on all motor vehicles the district of registration of which, as defined in section 4503.10 of the Revised Code, is located in Geauga County but is not located within any municipal corporation levying the tax authorized by Section 4504.171 of the Revised Code. Such tax shall be in addition to the taxes at the rates specified in Sections 4503.04 and 4503.16 of the Revised Code, subject to reductions in the manner provided in Section 4503.11 of the Revised Code and the exemptions provided in Sections 4503.16, 4503.17 and 4503.171 and 4503.41 and 4503.43 of the Revised Code.*

*Section 2. This Resolution shall become effective 30 days after its adoption and is subject to a referendum as provided in Sections 305.31 to 305.41 of the Ohio Revised Code.*

*Section 3. The Clerk of the Board is directed to certify this Resolution to the Bureau of Motor Vehicles of the State of Ohio.*

<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 Resolution #17-119 to Enact an Additional County Permissive Annual Motor Vehicle License Tax (Third New Tax), Pursuant to O.R.C. 4504.24.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 3, 2017*

*Resolution: #17-119*

**A RESOLUTION TO ENACT AN ADDITIONAL COUNTY PERMISSIVE ANNUAL MOTOR VEHICLE LICENSE TAX (Third New Tax), PURSUANT TO O.R.C. 4504.24**

*WHEREAS, Section 4504.24 of the Ohio Revised Code allows the Board of Commissioners to levy an annual license tax upon the operation of motor vehicles on the public roads and highways in Geauga County for any authorized purpose; and*

*WHEREAS, the tax levied under Section 4504.24 is in addition to the tax levied by Sections 4503.02 and 4503.07 of the Revised Code and any other tax levied under Chapter 4504 of the Ohio Revised Code; and*

*WHEREAS, the tax shall be at the rate of \$ 5.00 per motor vehicle on all motor vehicles the district of registration of which, as defined in Section 4503.10 of the Revised Code, is located in the county levying the tax; and*

*WHEREAS, the rate of tax is in addition to the tax rates prescribed in Sections 4503.04 and 4503.042 of the Ohio Revised Code and is subject to the reductions and exemptions set forth in Section 4504.24(A)(1)(a) and (b) of the Ohio Revised Code; and*

*WHEREAS, pursuant to Section 4504.24(B) of the Ohio Revised Code, public notifications were published in the Geauga County Maple Leaf announcing two public hearings that were held on September 19, 2017 and September 26, 2017 to provide information and hear comments about the proposed additional \$ 5.00 annual county permissive motor vehicle license tax; and*

*WHEREAS, representatives of the City of Chardon appeared at the September 26, 2017 hearing to express concerns about the possible impact of the tax upon a rental car*

**Commissioners' Journal**  
**October 3, 2017**

*business within the City and revenues the City receives therefrom and to have their questions addressed and answered by the Board.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissions of Geauga County, Ohio, that:*

*Section 1. The Board of Commissioners of Geauga County, Ohio pursuant to and as authorized by Section 4504.24 of the Ohio Revised Code, and for all the purposes stated therein, hereby levy an annual motor vehicle license tax, in addition to the tax levied by Section 4503.02, 4503.07 of the Ohio Revised Code, and any other tax levied under Chapter 4504 of the Ohio Revised Code, upon the operation of motor vehicles on the public roads and highways. Such third new tax shall be at the rate of \$5.00 per motor vehicle on all motor vehicles the district of registration of which, as defined in section 4503.10 of the Revised Code, is located in Geauga County. The rate of the tax shall be in addition to the tax rates specified in Sections 4503.04 and 4503.042 of the Revised Code, subject to reductions in the manner provided in Section 4503.11 of the Revised Code and the exemptions provided in Sections 4503.16, 4503.17 and 4503.172, 4503.173, 4503.18, 4503.41, 4503.43, 4503.46 and 4503.571 of the Revised Code.*

*Section 2. This Resolution shall become effective 30 days after its adoption and is subject to a referendum as provided in Sections 305.31 to 305.41 of the Ohio Revised Code.*

*Section 3. The Clerk of the Board is directed to provide written notice of the adoption of this Resolution to the legislative authority of each municipal corporation that is located in Geauga County and to the board of township trustees of each township that is located in Geauga County.*

*Section 4. The Clerk of the Board is further directed to certify this Resolution to the Bureau of Motor Vehicles of the State of Ohio*

<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>

*Mr. Spidalieri added that there can be frustration about sitting on this side of the table with certain circumstances, bringing up that a few years ago at the NOACA meeting; he brought up a motion to put funding for bike trails back into the roads and reallocating it, and that he couldn't get a second at that meeting. Yes, they would have had to change policy but it's a concern moving forward as other counties are involved and dollars are being allocated and spent in different programs that they can't change or have control over. Geauga County funding has continually taken a hit and funding from NOACA is being reduced and we need to look at other alternatives to keep our roads in good shape and safe. Mr. Spidalieri stated that we should all be driving on good roads all over with these programs, but you cannot afford to look at other options, and while this is not what we want to do, we do have to do things to keep moving forward. Ms. Shale asked about the license tax, and if the intent was to impact all users of the roadway that have a mode of transportation. It was clarified that the tax is for registered vehicles. Ms. Shale inquired if buggies would be plated because of the damage that they do to the roads. Mr. Cattell noted that it has been discussed but never approved, but that the Amish Community does provide funding to help with the damage caused as an alternative to being forced to register. Mr. Claypool explained that if the City had done this, it would have taken it off the table for the County, but with the County doing it, the Townships, County and the City all will benefit. Mr. Lennon stated that the cost for the Engineer to do business has greatly increased over the years, but Geauga County is proud of our roads and we have to do what it is necessary to help keep our roads in good condition. There was discussion about the funding at NOACA and what is directed towards bike trails instead of going toward road projects.*

**COMMISSIONERS' OFFICE – 2018 CEBCO WELLNESS PROGRAM – INTERACTIVE HEALTH**

*Mr. Lair explained to the Board that CEBCO has chosen a new company "Interactive Health" to replace the current wellness program with "Staywell" and we need to choose which level the county participates in. Human Resources Specialist Kathy Hostutler has suggested going with Level II (600 Points) which keeps the employee incentive at \$200.00.*

**Commissioners' Journal**  
**October 3, 2017**

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to approve the 2018 CEBCO Interactive Health, Personal Health Action Plan (Level 2).

<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 – CLOSE GEAUGA COUNTY OFFICES UNDER THE COMMISSIONERS HIRING AUTHORITY ON FRIDAY, NOVEMBER 24, 2017 IN LIGHT OF THANKSGIVING HOLIDAY

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to that in light of the Thanksgiving Day Holiday, announce that the Geauga County Offices, under the hiring authority of the Board of Commissioners, will be closed on Friday, November 24, 2017. Twenty-four hour operations will continue to operate as normal. Further, in order to maintain operations, the employees under the hiring authority of the Board of Commissioners required to work on November 24, 2017 will be entitled to overtime rate in addition to their regular pay. (Bargaining unit employees are governed by provision of their collective bargaining agreement).

<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 – APPOINT MIKE PETRUZIELLO TO GEAUGA METROPOLITAN HOUSING AUTHORITY BOARD

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to appoint Mike Petruziello to the Board of the Geauga Metropolitan Housing Authority for a five year term ending April 5, 2022.

<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 – EXECUTIVE SESSION

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to move in to Executive Session for the purpose of discussing the employment of a public employee in the Commissioners' Office.

<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>

*The Board moved into Executive Session at 10:35 a.m. with Mr. Lair and Director of Administrative Services, Linda Burhenne. The Board returned at 11:08 a.m. and as a result took the following action:*

*Motion:* by Commissioner Lennon, seconded by Commissioner Claypool to accept the resignation of Anne Rasic, Budget Director to be effective November 24, 2017.

<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 grant permission to advertise for the position of Budget and Finance Manager (#1320). This position will remain posted until filled.

<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' Journal**  
**October 3, 2017**

ACKNOWLEDGEMENTS

- a) *Geauga County Department on Aging 2016-2017 Annual Report*
- b) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the weeks ending September 13, 2017 and September 20, 2017 as required by O.R.C. 955.12.*
- c) *Geauga County Board of Developmental Disabilities Board Minutes from July 19, 2017.*
- d) *A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the prisoner transport for the month ending August 2017 as required by O.R.C. 325.07.*

OTHER

*The Board reviewed upcoming events.*

MEETINGS

- Tue., 10/3 Work Session with Richard L. Bowen & Associates for Feasibility Study at 10:30 a.m.*
- Tue., 10/3 Budget Hearings, 1:00 – 4:30 p.m.*
- Wed., 10/4 Drill (Dry Run) Perry Plant, 8:30 a.m. at DES*
- Thu., 10/5 Budget Hearings, 8:30 a.m. – 4:30 p.m.*
- Mon., 10/9 **County offices will be closed for general business due to Columbus Day. Twenty-four hour operations will continue to operate as usual.***
- Wed., 10/11 Budget Hearing, 2:30 p.m.*
- Thu., 10/12 Planning Commission meeting at 7:30 a.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*
- Thu., 10/12 The Commissioners' will hold regular session at 9:00 a.m.*
- Fri., 10/13 NOACA External Affairs at 8:30 a.m., Policy at 10:00 a.m. and Planning and Programming at 11:30 a.m., Cleveland*
- Mon., 10/16 Family First Council, 1:30 p.m. at Mental Health Offices*
- Tue., 10/17 The Commissioners' will hold regular session at 9:00 a.m.*
- Tue., 10/17 Work Session with Richard L. Bowen & Associates for Feasibility Study at 10:30 a.m.*
- Tue., 10/17 Budget Hearings, 1:00 – 3:00 p.m.*
- Tue., 10/24 The Commissioners' will hold regular session at 9:00 a.m.*
- Wed., 10/25 Drill (Evaluated) Perry Plant, DES*
- Tue., 10/31 The Commissioners' will hold regular session at 9:00 a.m.*
- Tue., 10/31 Work Session with Richard L. Bowen & Associates for Feasibility Study at 10:30 a.m.*

**Commissioners' Journal**  
**October 3, 2017**

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

*Motion: by Commissioner Claypool, seconded by Commissioner Lennon to adjourn the meeting at 11:09 a.m.*

*Geauga County Board of Commissioners*

---

*Ralph Spidalieri*

---

*Walter M. Claypool*

---

*Timothy C. Lennon*

---

*Christine Blair, Commissioners' Clerk*

**Commissioners' Journal**  
**October 3, 2017**

*THIS PAGE INTENTIONALLY LEFT BLANK*