

Commissioners' Journal
October 29, 2019

The Geauga County Board of Commissioners met in session on October 29, 2019 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, Timothy C. Lennon opened the meeting at 9:03 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

MEETING MINUTES

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of October 1, 2019.

<i>Roll Call Vote:</i>	<i>Commissioner Dvorak</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Ae</i>
	<i>Commissioner Lennon</i>	<i>Aye</i>

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of October 8, 2019.

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

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on October 23, 2019 that included for the Department of Development (Building) to accept the resignation of Patricia Hajma, Permit Coordinator to be effective October 15, 2019; for Job and Family Services acknowledged the following new hire appointment, as the Director complied with the Board of Commissioners recruitment and hiring procedures for: Misty Gotham, Clerical Specialist III (replacement) effective September 30, 2019 and for Transit to accept the resignation of Debra Abruzzino, Part-time Driver (#2210-1) to be effective October 7, 2019 and for Water Resources to acknowledge approval of the Ohio Water Development Authority Fund Payment Request #4 (\$70,600.00), #5 (\$34,584.40) and #6 (\$61,370.50) and approved and executed Payment Request #7 for Technical Services for the Chardon Township Wastewater Treatment Plant and Sewers Project (Henning Road) in the amount of \$187.80 and on October 25, 2019 for Water Resources approved and executed the Ohio Water Development Authority Fund Payment Request #8 for Technical Services for the Chardon Township Wastewater Treatment Plant and Sewers Project (Henning Road) in the amount of \$32,442.90; as authorized by Resolution #19-006 under the direction and supervision of the County Commissioners that was approved January 8, 2019 pursuant to O.R.C. 305.30.

FINANCIALS

County Administrator Gerard Morgan reported on financials from October 24, 2019, Resolution #19-151, as including an Appropriation transfer for the Board of Developmental Disabilities to cover a deficiency in one of the STRS payroll accounts; as approved by the County Administrator pursuant to Resolution #19-006 approved January 8, 2019 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 2019, as authorized by O.R.C. 305.30.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including an Appropriation transfer from Operating transfers out to the Planning Commission Contract Services account for the General Plan; an Appropriation transfer from Juvenile Court Detention Home Other Expense to the Commissioners Miscellaneous Detention Home Other Expense due to the Court transferring responsibility for this expense to the Commissioner's Office; a Cash transfer for the Board of Developmental Disabilities from their Operating Fund into the Residential Services Fund; Travel requests for the Commissioners' Office, Common Pleas Court

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and Public Defender's Office; a Purchase order for Water Resources to the Safety Company for a new GapVax Jet/Vacuum Sewer Line Cleaning Truck to replace the one totaled in an accident; a payment for the County Engineer's Office to Ronyak Paving, Incorporated for the asphalt resurfacing of Wilson Mills Road in the amount of \$346,357.50; a payment for Water Resources to GPD for Engineering Services for the Chardon Township Wastewater Treatment Plant and Collections System project in the amount of \$32,442.90; a Revenue Certification for the Engineer's Office to recognize additional revenue being received from the gasoline excise tax and a Revenue Certification for the Sheriff's Office to recognize additional funds received in the 911 fund.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #19-152 itemizing the financials for the meeting of October 29, 2019.

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

RIDE WITH VALOR

Local resident Judy Zamlen-Spotts explained that Ride with Valor is coming to Geauga County on November 16, 2019 and partnering with Veterans support organizations and civic allies to bring awareness of the participating programs and receive donations. Ride with Valor helps Veterans and their widows find housing solutions, with a primary mission of assist aging and disabled Veterans with home upgrades and improvements to allow them live independently and safely. Currently there is no program in Geauga County that does this. Ride with Valor founder is partnering with Honor Flight, which provides flights for World War II Veterans to travel to D.C. to visit the memorial that was built 60 years after the war ended and many have not been able to visit. Primarily they focus on World War II, but also include Korean and Vietnam, along with those diagnosed with terminal illnesses.

Ms. Spotts noted some of the highlights for the event on November 16, 2019 that include the VA Vet Center will be there to assist Veterans; the Veterans History project is coming, Congressman David Joyce will be in attendance, VA National Cemetery, the Home Depot Foundation who works with Purple Hearts, the Patriot (a tribute to Veterans) and the Beast Hauler (a tribute to first responders) trucks will be there, Chester Police Department will be handling the cooking for the day, and the Newbury Black Knights Marching Band will be playing the event.

Ms. Spotts asked the Board to attend the event and share information about the event to bring awareness. Ms. Spotts explained that she is a U.S. Marine and that Veterans do not like to ask for help, noting that many missed a deadline in 2003 for assistance, but many today are asking for assistance. This is a local northeast Ohio 501C3 organization.

TREASURER'S OFFICE – REDTREE INVESTMENT GROUP, INVESTMENT MANAGEMENT AGREEMENT (KINDRED SPIRITS INVESTMENT MANAGEMENT, LLC)

Treasurer Chris Hitchcock explained that he is embarrassed that the Commissioners were not able to approve an agreement of a new investment group. Mr. Hitchcock explained that the county had been with Productive Portfolio's for 21 years who were then sold to Meder Investments. Mr. Hitchcock noted that he asked Ryan Nelson from RedTree to come before the Commissioners so they too can see the professionalism he presents and that his expertise is something we want in Geauga County. Mr. Nelson explained that he is a co-founder of RedTree Investment Group, noting that he has been in the investment business for 25 years, the past 19 years he has been assisting public funds management across Ohio through a variety of firms. Mr. Nelson stated that five years ago he and his partner decided they wanted to be an independent firm and currently manage over \$4 billion dollars of public funds in the State of Ohio and assist over 250 public fund clients. Geauga County has an investment policy and follows ORC 135.35 for investing funds and there are three main investment objectives, Safety in Principal, Liquidity, and a Market rate of return as we are making investment decisions.

Mr. Hitchcock explained that because these are professional services they did not have to be approved by the Commissioners but was advised by the Treasury Council that it would be a good practice to have the agreement approved by the Commissioners. Mr. Hitchcock said he didn't think there would be any repercussions with the change, this is his recommendation and would like to move forward.

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Local resident Diane Jones stated that the public has some questions, noting that she had been able to obtain a copy of the agreement, including documentation from U.S. Bank and the Secretary of State and wants to know why on the same day she questioned the trade name was cancelled, that the same day she brought it up on October 8th someone paid over \$300.00 to have the trade name reinstated that same day. Mr. Nelson thanked Ms. Jones for bringing it to their attention, it has to be renewed every five years and it was sent to their old address, they contacted the Secretary of State's Office to get it remedied immediately and they said yes, \$39.00 plus \$300.00 to expedite and they wanted to get that done for Geauga and their other clients. Ms. Jones then asked if Mr. Nelson had only been affiliated with RedTree since December 2018, to which Mr. Nelson explained that he started the firm in 2014, there are only two co-founders, himself and Jennifer Trowbridge. Ms. Jones asked how much money is involved in this investment, to which Mr. Hitchcock stated that Ms. Jones regularly attends the Investment Advisory Board meetings, and she was present at the meeting he introduced the firm, his recommendation to the Commissioners that they engage this firm, some questions were raised, they delayed affirming Mr. Hitchcock's decision, and questioned if this is a decision for the Commissioners or for Ms. Jones to question the firm he is hiring. Ms. Jones stated that she is trying to find out information that should be available, questioning the \$26,000.00 fee, a rate of return, and that she feels there are red flags that need to be raised, and for a company that handles \$4 billion dollars that they report their income at \$201,000 + dollars. Local resident Susan Daniels noted that their insurance certificate was expired, to which Mr. Nelson noted that the one provided had but they have provided an updated copy. Ms. Daniels questioned the trade name, then questioned if he is a chartered financial analyst, are you a certified planner to which Mr. Nelson stated that he is Chartered Financial Analyst. Ms. Daniels continued by saying her brother who works for a firm was not impressed with the information on Mr. Nelson's firm and suggested another local company. Mr. Hitchcock explained that he gets elected to be financially responsible for the funds for the County, the bank is not our fiscal agent, it holds assets within the portfolio, noting that we have funds in other banks. Ms. Daniels continued to question Mr. Hitchcock and his process being backwards, that the company is too small to handle the 2nd largest county per capita then argued with Mr. Hitchcock about Geauga County. Ms. Daniels then questioned a statement that the Deputy Treasurer made at the previous meeting of other counties that they are handling. Mr. Nelson noted that they work with Defiance, Poland, Van Wert, Pike, Vinton, Hocking and Morrow Counties, to which Ms. Daniels questioned if they handled anything big, as these are all small counties. Mr. Nelson stated that they could name other agencies in the State that have more assets than Geauga, including school districts and cities. Mr. Nelson stated that their focus is public funds and he has been doing it for 19 years. Ms. Jones noted that Ms. Mansfield was present but noted that other counties had given complementary reports about the company and questioned why only 2 or 3 counties were contacted. Ms. Mansfield corrected that she didn't speak with them, that Mr. Hitchcock spoke with them. Ms. Daniels added that is not how you do backgrounds checks. Mr. Hitchcock explained that he had been at several conferences that Mr. Nelson had been in attendance, and through networking felt his firm was suitable for our County, adding that he called and spoke with 3 county Treasurers and none of them had bad things to say so he felt he didn't need to go farther. Ms. Spotts questioned the Decatur incident and those residents are very concerned, citing the ADP Board members and Mr. Hitchcock noted that they need to speak with Mr. Gliha who signed every fictitious contract and payments to a fictitious company. That was not the ADP Board; they don't oversee the office of the Auditor, that is a different individual dually elected by the citizens.

Commissioner Lennon stated that they wanted to stay on task, and asked if this firm was strictly doing an advisory role and that they wouldn't be making investments or trades, to which Mr. Nelson stated that it is correct, and that they have a conference with the Treasurer's Office before any investment is made. The fee structure is a flat fee, not based on assets or performance based. Mr. Hitchcock stated that this is a savings from the previous advisor for better service. Ms. Jones inquired about the total amount of the portfolio value, to which Mr. Hitchcock stated its \$64.4 million with an additional \$23.2 million in cash which some will be going to pay taxes.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the RedTree Investment Group, Investment Management Agreement (Kindred Spirits Investment Management, LLC) to act as Advisor and provide advice and supervision for Geauga County's investment portfolio and acknowledge the Custody Account Application – RedTree Investment Group and US Bank, upon recommendation from County Treasurer Christopher Hitchcock.

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Roll Call Vote:	Commissioner Dvorak	Aye
	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – SUBORDINATION AGREEMENT REAL ESTATE MORTGAGE – FARM CREDIT MID AMERICA – GREAT LAKES GROWERS, LLC / BROADVIEW AVENUE LLC

Mr. Morgan stated that this is a subordination agreement for Great Lakes Growers as they are consolidating some of their other loans, the current loan with the County will remain in its position with regards to the equipment and business assets, the original loans are under a different collateral with real estate in a different location from the business.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute the Subordination Agreement Real Estate Mortgage with Farm Credit Mid America in regards to Great Lakes Growers, LLC / Broadview Avenue LLC securing a new loan in the amount of \$2,895,000.00, keeping the Revolving Loan Fund Loan of \$199,640.00 in first position on all business assets, machinery and equipment on said premises.

Roll Call Vote:	Commissioner Dvorak	Aye
	Commissioner Spidalieri	Aye
	Commissioner Lennon	Aye

DEPARTMENT OF WATER RESOURCES – RESOLUTION RATIFYING THE PLANS AND SPECIFICATIONS FOR THE CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT IN THE GEAUGA COUNTY SANITARY SEWER DISTRICT, RATIFYING THE CHARACTER AND TERMINI THEREOF, BOUNDARIES OF THE ASSESSMENT DISTRICT AND TENTATIVE ASSESSMENTS AND ESTIMATE OF COST OF THE PROJECT

Director Steven Oluic explained that as part of the process of the findings and orders issued from the Ohio EPA we are moving forward with the resolution to ratify the plans and specifications for the Chardon Township Wastewater Treatment Plant and Sewer District.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #19-153 Ratifying the Plans and Specifications for the Chardon Township Wastewater Treatment Plant and Sewer Project in the Geauga County Sanitary Sewer District, and Ratifying the Character and Termini Thereof, the Boundaries of the Assessment District, and the Tentative Assessments and the Estimate of Cost for the Project.

Board of County Commissioners, Geauga County, Ohio

Date: October 29, 2019
Resolution: #19-153

The Board of County Commissioners of the County of Geauga met on October 29, 2019, commencing at 9:00 o'clock, a.m., in regular session in the Commissioners' Chambers at 470 Center Street, Building No. 4, Chardon, Ohio, with the following members present:

<i>Timothy C. Lennon</i>	<i>Ralph Spidalieri</i>	<i>James W. Dvorak</i>
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The Clerk advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Commissioner Dvorak presented the following preambles and resolution and moved their adoption, which motion was duly seconded by Commissioner Spidalieri:

RESOLUTION NO. 19-153

A RESOLUTION RATIFYING THE PLANS AND SPECIFICATIONS FOR THE CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT IN THE GEAUGA COUNTY SANITARY SEWER DISTRICT, AND RATIFYING THE CHARACTER AND TERMINI THEREOF, THE BOUNDARIES OF THE

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*ASSESSMENT DISTRICT, AND THE TENTATIVE ASSESSMENTS
AND THE ESTIMATE OF COST FOR THE PROJECT.*

WHEREAS, on August 27, 2019, this Board adopted Resolution No. 19-102 declaring it necessary to construct a wastewater treatment plant and gravity sewers to provide sanitary sewer service to the properties in the Berkshire Heights Subdivision in Chardon Township in the Geauga County Sanitary Sewer District, also known as the Chardon Township Wastewater Treatment Plant and Sewer Project (the Project); and

WHEREAS, notice was duly given and a public hearing of objections to or endorsements of the Project, the character and termini thereof, the tentative assessments therefor or the boundaries of the assessment district for the same was duly held, in accordance with law; and

WHEREAS, numerous written objections were received within five days following that hearing; and

WHEREAS, this Board has determined that it is appropriate to deny all objections and to proceed with the construction of the Project in accordance with the detailed plans and specifications for the Project and, accordingly deems it proper at this time to ratify the detailed plans and specifications for the Project, the character and termini thereof, the boundaries of the assessment district, and the tentative assessments and the estimate of cost for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County, State of Ohio, that:

Section 1. This Board hereby finds, determines and declares that no changes shall be made to the detailed plans and specifications which are on file in the office of the Clerk of this Board and in the office of the County Sanitary Engineer, character and termini, the boundaries of the assessment district, tentative assessments or estimate of cost for the Project.

Section 2. The detailed plans and specifications for the Project, the character and termini thereof, the boundaries of the assessment district, the tentative assessments and the estimate of cost therefor, all as are now on file in the offices of the Clerk of this Board and in the office of the County Sanitary Engineer, are hereby ratified, confirmed and approved.

Section 3. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

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

**DEPARTMENT OF WATER RESOURCES – RESOLUTION DETERMINING TO PROCEED
WITH CONSTRUCTION OF THE CHARDON TOWNSHIP WASTEWATER TREATMENT
PLANT AND SEWER PROJECT TO PROVIDE SANITARY SEWER SERVICE TO PROPERTIES
IN THE BERKSHIRE HEIGHTS SUBDIVISION IN CHARDON TOWNSHIP IN THE GEAUGA
COUNTY SANITARY SEWER DISTRICT**

Dr. Oluic asked the Board to then approve the resolution determining to proceed with the construction of the treatment plant project.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #19-154 Determining to Proceed with the Construction of the Chardon Township Wastewater Treatment Plant and Sewer Project to provide Sanitary Sewer Service to Properties in the Berkshire Heights Subdivision in Chardon Township in the Geauga County Sanitary Sewer District.

Board of County Commissioners, Geauga County, Ohio

Date: October 29, 2019
Resolution: #19-154

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The Board of County Commissioners of the County of Geauga met on October 29, 2019, commencing at 9:00 o'clock, a.m., in regular session in the Commissioners' Chambers at 470 Center Street, Building No. 4, Chardon, Ohio, with the following members present:

Timothy C. Lennon

Ralph Spidalieri

James W. Dvorak

The Clerk advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Commissioner Dvorak presented the following preambles and resolution and moved their adoption, which motion was duly seconded by Commissioner Spidalieri:

RESOLUTION NO. 19-154

A RESOLUTION DETERMINING TO PROCEED WITH THE CONSTRUCTION OF THE CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT TO PROVIDE SANITARY SEWER SERVICE TO PROPERTIES IN THE BERKSHIRE HEIGHTS SUBDIVISION IN CHARDON TOWNSHIP IN THE GEAUGA COUNTY SANITARY SEWER DISTRICT.

WHEREAS, on August 27, 2019, this Board adopted Resolution No. 19-102 (the Resolution of Necessity) declaring it necessary to construct a wastewater treatment plant and gravity sewers to provide sanitary sewer service to properties in the Berkshire Heights Subdivision in Chardon Township in the Geauga County Sanitary Sewer District, also known as the Chardon Township Wastewater Treatment Plant and Sewer Project (the Project); and

WHEREAS, notice was duly given and a public hearing of objections to or endorsements of the Project, the character and termini thereof, the boundaries of the assessment district for the same and the tentative assessments therefor was duly held, in accordance with law; and

WHEREAS, numerous written objections were received within five days following that hearing; and

WHEREAS, this Board has, by prior resolution adopted on this date, ratified, confirmed and approved the detailed plans and specifications for the Project, the character and termini thereof, the boundaries of the assessment district and the schedule of tentative assessments and the estimate of cost for the Project; and

WHEREAS, this Board has determined that it is appropriate to deny all objections and to proceed with the construction of the Project, in accordance with the detailed plans and specifications for the Project, the character and termini thereof, the boundaries of the assessment district and the schedule of tentative assessments and the estimate of costs for the Project as previously approved and ratified by this Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County, State of Ohio, that:

Section 1. This Board hereby determines to proceed with the construction of the Project in the Geauga County Sanitary Sewer District as provided for in the Resolution of Necessity, and in accordance with the detailed plans, specifications, character and termini, the boundaries of the assessment district and tentative assessments and estimate of cost for such Project as ratified, confirmed and approved by this Board in a resolution previously adopted on this date.

Section 2. The County intends to pay the costs of the Project from money in the County's treasury unappropriated for any other purpose in anticipation of the collection of the special assessments to be levied against the properties determined to be benefited by such Project, and such money is hereby appropriated for such purpose.

Section 3. After the completion of the construction of the Project and the ascertainment of the actual cost thereof, the County Sanitary Engineer is authorized and directed to prepare, or cause to be prepared, revised assessments for the Project based upon and in proportion to the tentative assessments heretofore ratified and approved, the same to be payable in cash at the option of the property owners assessed or in installments over a period of thirty years.

Section 4. The Clerk of this Board shall be and is hereby directed to certify a copy of this resolution to the County Auditor within fifteen days after its adoption.

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Section 5. This Board ratifies and confirms any and all acts and actions previously taken with respect to the construction of the Project, and approves and authorizes the advertising for and receipt of bids for the Project and the execution of the construction contract at the earliest possible date.

Section 6. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

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

Resident Charles DiCillo expressed that opposition to the project was over 80% from the community and we are just moving ahead. Dr. Oluic stated that we have to continue moving ahead with the process but that the ten day period to file an appeal to the Probate Court. Dr. Oluic stated that we have all the letters submitted and that we have delayed this by several weeks and in the meantime contacted several offices, Sherrod Brown for additional funding and in the process of re-approaching the EPA, but in the meantime we are still subject to the findings and orders or be fined. Commissioner Spidalieri stated that at this point the residents need to file an appeal to the Probate Court for the next step. A resident asked if they needed to hire an attorney. Mr. Morgan explained that they don't need an Attorney to file. This resident stated that they needed additional time to hire an Attorney for legal advice. This resident expressed concern over the golf course and new housing being put in and that they plan to tie in. Mr. Lennon expressed that this has been going on for six years, and in that time they have been working on trying to find an alternative option. Mr. Spidalieri and Mr. Lennon expressed that they are not promoting this and are not just approving things, but we are being held to moving forward because of the order from the EPA. Mr. DiCillo expressed that this has been mismanaged until Dr. Oluic came on board, and the EPA with a brushstroke say you have to do this. Dr. Oluic stated that if we had been pushing this through it would have been completed by July of this year and we extended it out to the end of January 2021. Mr. Spidalieri offered the residents a meeting place for them to get together to discuss what they need to do, we're not working against you, Dr. Oluic is as frustrated as the residents, but if we don't keep moving forward we will start to endure fines. Dr. Oluic explained that there is some confusion regarding the purchase of the property for the plant, Mr. Todd Peterson is an owner of the course and the negotiations for the property. Mr. Lennon expressed that he feels that there could be other communities that could be facing the same situation. Mr. DiCillo explained that many of the residents are retired and on fixed incomes, it's a lower level income area and these people are scared. Mr. Lennon stated that they are in a hands tied position. The residents inquired about how they could set up a room to use for the meeting, to which if they get in touch with Ms. Blair, the Clerk we can get something taken care of. Mr. DiCillo mentioned a conversation that he had with the EPA, noting that they don't care that the system is working, that they have the ORC and eventually they will force us to do this. Mr. DiCillo noted that he had done an interview with Channel 3 that will air tonight about this issue. Mr. Beharry explained that he didn't think they needed to meet before they got an Attorney but have the Attorney at the meeting to answer questions, adding that he felt that the boundaries were not correct on the subdivision, asking for a suggestion of an Attorney. Dr. Oluic explained that our hands are tied by the ORC and following the process, but we are still trying to help with finding additional funding sources, along with contact with the EPA for another approach on it. Dr. Oluic stated that true cost to each resident is \$42,000.00 but we know you don't care when you are still being required to pay \$28,000.00. The resident inquired about the contact information for the all the residents in the area and asked if that could be shared. Clerk, Ms. Blair explained that there are sections of the ORC that discuss the appeal, they include 6117.09 and 6117.10, both discuss the process to file the appeal to the Probate Court. There are ten days to file the appeal. The Commissioners have to set the bond amount and referring with legal counsel to figure out that amount.

COMMISSIONERS' OFFICE – RE-APPOINT MARNA DRUM – NEOCAP FACILITY GOVERNING BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #19-155 Re-Appointing Marna Drum to the Northeast Ohio Community Alternative Program (NEOCAP) Facility Governing Board for a three year term ending November 9, 2022.

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Board of County Commissioners, Geauga County, Ohio

Resolution: 19-155

Date: October 29, 2019

**RESOLUTION RE-APPOINTING MARNA DRUM TO THE NORTHEAST OHIO COMMUNITY
ALTERNATIVE PROGRAM (NEOCAP) FACILITY GOVERNING BOARD**

WHEREAS, the Northeast Ohio Community Alternative Program (NEOCAP) was established by the Common Pleas Judges of Portage, Geauga, Lake, Ashtabula and Trumbull counties in 1997 and serves as the Community Based Corrections Facility (CBCF); and

WHEREAS, Ohio Revised Code Section 2301.51(E) provides that the CBCF be governed by a Facility Governing Board to which the judicial advisory board of the CBCF shall appoint two-thirds of the members and the boards of county commissioners of the member counties of the CBCF shall appoint the remaining one-third of the members; and

WHEREAS, it is within the discretion of and has been mutually determined by the CBCF's member counties that the Facility Governing Board should be comprised of nine members which requires that boards of county commissions of the member counties of the CBCF shall appoint three of the members; and

WHEREAS, Marna Drum has expressed an interest in being reappointed to the board and it is now necessary to re-appoint Marna Drum as her term expires on November 9, 2019; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners, in agreement with all members of the CBCF, re-appoints Marna Drum to serve on the Facility Governing Board for a three year term to expire November 9, 2022; and

BE IT FURTHER RESOLVED, that the Commissioners' Clerk forwards a copy of this resolution to County Commissioners of Ashtabula, Lake, Portage and Trumbull counties and that this Resolution becomes part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

**COMMISSIONERS' OFFICE – RESOLUTION HONORING SPENCER WILLIAM BROWN
FOR ACHIEVING THE RANK OF EAGLE SCOUT**

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #19-156 Honoring Spencer William Brown for achieving the rank of Eagle Scout, the Highest Award of Advancement bestowed upon a Boy Scout.

Board of County Commissioners, Geauga County, Ohio

Resolution: #19-156

Date: October 29, 2019

**A RESOLUTION HONORING SPENCER WILLIAM BROWN FOR ACHIEVING EAGLE
SCOUT THE HIGHEST AWARD OF ADVANCEMENT BESTOWED UPON A BOY SCOUT**

WHEREAS, the Boy Scouts is a nationally acclaimed organization known for training young men to build character, citizenship, and leadership; and

WHEREAS, each scout must progress through the ranks in order, earn twenty-one (21) merit badges (that include first aid, citizenship in the community, nation and world, communication, environmental science, fitness, camping, family life, management, emergency preparedness or lifesaving, and cycling, hiking or swimming), serve six months in a leadership position within in the troop, plan and complete a service project, participate in a scoutmaster conference and complete an Eagle Scout Board of Review; and

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WHEREAS, the Eagle Scout Rank is the highest advancement and an accomplishment that only around five percent of all those who start Boy Scouting ever attain; and

WHEREAS, Spencer William Brown is a member of Boy Scout Troop #101, Auburn Township, Geauga County, and has excelled in his search for knowledge, leadership, planning and community support; and

WHEREAS, Spencer William Brown provided leadership at meetings, on campouts and has done an excellent job in all aspects of scouting; and

WHEREAS, Spencer William Brown's Eagle Scout project included building a primitive campsite at Camp Ho Mita Koda in Newbury Township; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners salutes Spencer William Brown for service to his community and to the Boy Scouts of America;

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

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

COMMISSIONERS' OFFICE – ADVERTISE SEASONAL HELP (#0101)

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to grant permission to advertise for Seasonal Help (#0101) for the approximate period of November 1, 2019 through April 30, 2019 for a maximum of thirteen weeks (520 hours) at the rate of \$10.00 per hour for the first year, \$10.25 per hour for the second year and \$10.50 per hour for the third and subsequent years. These positions will remain posted until filled.

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

Mr. Morgan asked to clarify that we have a Board to hold session next Tuesday, along with any need for alternate appointments for the NOACA meetings next Friday, November 8th.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to move into Executive Session for the purpose of preparing for Collective Bargaining Negotiations within the Department of Water Resources.

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

The Board moved into Executive Session at 10:06 a.m. with Mr. Morgan and Director Steven Oluic. The Board returned at 10:54 a.m. and as a result no action was taken.

ACKNOWLEDGEMENTS

- a) Geauga County Board of Developmental Disabilities Board Minutes from September 18, 2019.*
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 9, 2019 as required by O.R.C. 955.12.*
- c) The Annual Report filed by the Geauga County Sheriff's Office regarding all fines and costs in criminal prosecutions collected and paid from September 2018 through August 2019, as required by O.R.C. 311.16.*

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- d) *Western Reserve Land Conservancy Annual Stewardship visit to Irwin Farm conservation easement*

OTHER

The Board reviewed upcoming events.

MEETINGS

- Mon., 11/4 Board of Revision, Clerical Administrative meeting, 11:00 a.m., Auditor's Appraisal Conference*
- Tue., 11/5 The Commissioners will hold regular session at 9:00 a.m.*
- Wed., 11/6 NOC COG meeting, 2:00 p.m. at Auburn Career Center, with IStem Tour at 1:00 p.m.*
- Fri., 11/8 NOACA Finance & Audit 8:30 a.m., Governance 10:00 a.m., Executive 11:30 a.m., Cleveland*
- Mon., 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., 11/13 OPWC District 7 Round 34 Committee Meeting, 9:30 a.m. County Engineer's Office*
- Wed., 11/13 Geauga County Township Association Dinner meeting, 6:30 p.m. Montville Community Center*
- Thu., 11/14 Planning Commission meeting at 7:30 a.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*
- Thu., 11/14 The Commissioners will hold regular session at 9:30 a.m.*
- Mon., 11/18 Family First Council 1:30 p.m., Job and Family Services*
- Tue., 11/19 The Commissioners will hold regular session at 9:00 a.m.*
- Tue., 11/26 The Commissioners will hold regular session at 9:00 a.m.*
- Thu., 11/28 **County Offices will be closed for general business in observance of Thanksgiving Day. Twenty-four hour operations will continue to operate as normal.***
- Fri., 11/29 **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.***

NOACA

There was a brief discussion about the Resolution from NOACA for Board representation based on the census numbers, and asked Mr. Flaiz and Mr. Morgan to ensure that there is no hidden item in here to lose the ratification process. Mr. Lennon added that this is our only sticking point option on certain things and we don't want to give that up. Mr. Morgan noted that it looks like that they want to make each entity a minimum of three, and add two members. The Board wonders if the City of Cleveland and Cuyahoga County may lose seats based on the new census numbers.

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BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: *by Commissioner Dvorak, seconded by Commissioner Spidalieri to adjourn the meeting at 10:57 a.m.*

Geauga County Board of Commissioners

Timothy C. Lennon

Ralph Spidalieri

James W. Dvorak

Christine Blair, Commissioners' Clerk

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