

Commissioners' Journal
October 9, 2014

The Geauga County Board of Commissioners met in session on October 9, 2014 at 10:00 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 10:01 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

**Commissioner Samide was absent from today's meeting.*

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – OHIO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM STATUS REPORT – B-W-13-IAZ-1

Program Administrator Joni Stusek stated that this status report is required showing how the money has been spent for the Thompson Township water and sewer project.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Ohio Community Development Block Grant Program Status Report for Grant #B-W-13-IAZ-1 (Thompson Township Water and Sewer Grant) for the period March 3, 2014 through September 1, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent*</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – NEW POSITION AND JOB DESCRIPTION – ASSISTANT PROGRAM ADMINISTRATOR (#1404)

Director Anita Stocker stated that in making plans for the future she is looking to make sure there is stability in the office to handle the money that is handled through the office.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the new position and job description for Assistant Program Administrator (#1404) to be effective October 12, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – REVISED ORGANIZATIONAL CHART – ASSISTANT PROGRAM ADMINISTRATOR (#1404)

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the revised Organizational Chart to include the position of Assistant Program Administrator (#1404) to be effective October 12, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – PROMOTE KELLY BELCONIS – ASSISTANT PROGRAM ADMINISTRATOR (#1404)

Ms. Stocker thanked the Board, adding that it secures the position and the employee.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the promotion of Kelly Belconis to the position of Assistant Program Administrator (#1404) to be effective October 12, 2014 at the rate of \$16.94 per hour. After the successful completion of a 180 day probationary period the rate will increase to \$17.83 per hour.

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| Roll Call Vote: | Commissioner Samide | Absent |
| | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |

COUNTY HOME – RECLASSIFY DAWN CLIPSTON – FULL-TIME ATTENDANT (#1504)

Director Karen DeCola stated that Ms. Clipston is an excellent worker and she is looking to make some adjustments to the shift. Ms. DeCola stated that changes being made are also a result of the review of the department.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the reclassification of Dawn Clipston from Part-time Attendant (#1504-1) to Full-time Attendant (#1504) to be effective October 12, 2014 at the rate of \$9.39 per hour. At the completion of her 1000 hour probationary period the rate will increase to \$9.89 per hour.

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| Roll Call Vote: | Commissioner Samide | Absent |
| | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |

COUNTY HOME – NEW POSITION AND JOB DESCRIPTION – SENIOR ATTENDANT (#1506)

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the new position and job description for Senior Attendant (#1506) to be effective October 9, 2014.

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| Roll Call Vote: | Commissioner Samide | Absent |
| | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |

COUNTY HOME – REVISED ORGANIZATIONAL CHART – SENIOR ATTENDANT (#1506)

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the revised Organizational Chart to include the position of Senior Attendant (#1506) to be effective October 9, 2014.

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| Roll Call Vote: | Commissioner Samide | Absent |
| | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |

COUNTY HOME – ADVERTISE INTERNALLY – THREE (3) SENIOR ATTENDANT (#1506)

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to grant permission to advertise internally for a period of five days for three (3) positions of Senior Attendant (#1506), one position for each shift.

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| Roll Call Vote: | Commissioner Samide | Absent |
| | Commissioner Rear | Aye |
| | Commissioner Spidalieri | Aye |

DEPARTMENT OF WATER RESOURCES – AGREEMENT – HESS AND ASSOCIATES ENGINEERING, INCORPORATED – ENGINEERING SERVICES FOR REPLACEMENT OF COY LANE LIFT STATION

Assistant Sanitary Engineer Gerald Morgan explained that they are asking to contract with Hess and Associates for engineering services for the replacement of the pump station at the Scarsdale Sewer system. Mr. Morgan stated that the system was put in back in 1964 and that they have been working to maintain and upgrade what they could to keep it running, but it is deteriorating and needs to be replaced, which will make it more efficient and easier to repair. Currently it is almost impossible due to the old system design of a wet well to pumps and then a dry well. Mr. Morgan stated that it is located in Russell but you have to go through Chagrin Falls to reach it off of Falls Road. There was discussion that the Scarsdale Subdivision serves thirty-seven properties, and the pump station serves 9 properties lifting up the hill to the plant and then it being handled with gravity.

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Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Agreement between the Geauga County Board of Commissioners and Hess and Associates Engineering, Incorporated for Engineering Services for a Replacement of the Coy Lane Lift Station in an amount not to exceed \$18,000.00.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

MAINTANENCE DEPARTMENT – SERVICE CONTRACT AGREEMENT – ETECHNOLOGIES – UPGRADE UPS AT SAFETY CENTER

Director Glen Vernick explained that this is for a new system that has a capacity of 50Kw, expressing that they hoped to have it in place by the end of the weekend. There was discussion on the price being slightly different because of a communication card allowing the system to be monitored offsite. Mr. Vernick thanked staff members for helping out during this process with the system being down.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute a service Contract Agreement with ETechnologies for Upgrading the UPS at Geauga County Safety Center for the Year 2014 in an amount not to exceed \$41,157.00.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

APPROVE FINANCIALS

Budget and Finance Manager Heidi Delaney explained the financials for today as including a Supplemental Appropriation for the Building Standards Assessment fund for the state remittance payment; and a Contract for E Technologies, Incorporated for the purchase of a new UPS system for the Safety Center in the amount of \$41,157.00.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #14-158 itemizing the financials for the meeting of October 9, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

COMMISSIONERS' OFFICE – RESOLUTION

County Administrator David Lair explained that this was a request by the Library Foundation.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #14-159 Honoring 2014 Chapman Award Winner Dorothy G. Allen.

Board of County Commissioners, Geauga County, Ohio

Date: October 9, 2014
Resolution: 14-159

**RESOLUTION HONORING 2014 CHAPMAN AWARD WINNER
DOROTHY G. ALLEN**

WHEREAS, Dorothy G. Allen is the recipient of the prestigious Chapman Award, which is bestowed once a year by the Geauga County Library Foundation and is given to someone that best represents the values of bringing books and people together, along with promoting the interest of reading; and

WHEREAS, Dorothy G. Allen was born in Twinsburg and grew up on the east side of Cleveland where she attended Miles Elementary and John Adams High. Dorothy G. Allen was able to take several classes at Dyke Spencerian Business College and worked at various

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businesses in downtown Cleveland before beginning work for the Marotta-Glazer Company , best known for the “Mr. Coffee” coffee maker, where she retired from in 1987; and

WHEREAS, Dorothy G. Allen joined the East Geauga Friends of the Library in 1994 and quickly began focusing her energy on the Middlefield Library, with dedication and guidance increased book sales with great success; and

WHEREAS, Dorothy G. Allen served as the Treasurer for twenty (20) years and during that time with book sales so successful that when the plans for the new Middlefield Library were underway, the East Geauga Friends had earned enough to provide funds for the book sale rooms and the library’s beautiful stained glass window. Dorothy G. Allen credits her volunteers for all of their success; and

WHEREAS, Dorothy G. Allen’s commitment is an inspiration to all who work with her as she continues to oversee the operation of the book sales, she had statues of children placed in front of the library that are an inviting welcome to visitors and readers of all ages; and

THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners do hereby recognize Dorothy G. Allen for her dedication to the library, the community and congratulate her for being the recipient of the 2014 Chapman Award.

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

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

COMMISSIONERS’ OFFICE –REVISED BUDGET HEARING SCHEDULE

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the revised Budget Hearing Schedule that includes moving the Sheriff from October 16th at 1:00 p.m. to 8:30 a.m. on October 30th and Mental Health from 1:45 p.m. on October 16th to 8:30 a.m. on October 28th, and shifting Board of Developmental Disabilities from 2:30 p.m. up to 1:00 p.m. and Department of Emergency Services from 3:15 p.m. up to 1:45 p.m. on October 16, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

LIQUOR LICENSE – SAI OM BEVERAGE, INCORPORATED - PARKMAN

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to concur with Parkman Township Trustees in not requesting a hearing on the liquor license requested by Sai Om Beverage, Incorporated located at 16268 Main Market Road, Parkman (C TRFO 7677210).

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

COMMISSIONERS’ OFFICE – ADOPT RETIRED REHIRANTS POLICY

Prosecutor Jim Flaiz explained that this was originally brought up by Commissioner Spidalieri along with recently obtaining information from Commissioner Rear and that both are in support of the concept of having a policy discouraging the rehiring of retired employees. Mr. Flaiz explained that there was a case in the Court of Claims, regarding ODNR having a policy that discourages rehiring retired workers and an employee that retired and was not rehired filed a lawsuit claiming age discrimination and the Court of Claims found that the policy was age discriminatory. It was then appealed to the 10th District Court of Appeals. Mr. Flaiz explained that after quite some time an opinion was released reversing the decision of the Court of Claims and found that the policy was not age discriminatory. Mr. Flaiz stated that while he doesn’t feel the law is settled, and expects more litigation in some time, it was a win for those who wish to do these policies. Mr. Flaiz noted that the Prosecutor’s Office has spoken with both Commissioners separately and drafted a policy that is the strongest most defensible policy to

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discourage rehiring of retired workers. Mr. Flaiz stated that the policy draft was approved by insurance council. Mr. Flaiz stated that the safest thing to do is nothing, but in looking at 1.0 which is the basis for the policy and if this is what the Board feels is appropriate for the county and that it is legally defensible, there is a court case that backs it up and insurance counsell is fine with it. Mr. Flaiz stated that this is the strongest policy that could be in place to discourage this practice and still be legally defensible. Mr.Rear inquired about what was proposed to be adopted into the manual is for the 2.0 two paragraphs, which Mr. Flaiz expressed that his preference is to include the 1.0 basis for the policy into the policy manual. There was discussion surrounding the policy and the process that it has taken to get to this point and while this is not aimed at any one person or department that the practice had been happening across the board. By getting this policy into place it will look ahead to the future as a way to protect dollars for public employees. In the second paragraph of 2.0 it explains that this is not a complete ban, but it discourages the practice with an option for emergency situations. Mr. Flaiz stated that there are arguments on either side, and if the Board wishes to adopt this policy it accomplishes what you are looking to do. Mr. Lair added that by putting this policy in place it allows employees to plan whether they wish to continue to work after retirement, and encourages succession planning in the departments. Mr. Flaiz expressed that you cannot force hiring authorities to accept this, but the Commissioners personnel policy manual is the standard in the County and that many hiring Authorities adopt the Commissioners manual as policy.

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and adopt the revised Section 9. Programs, adding a Retired Rehirkants Policy, 1.0 Basis for Policy, 2.0 Rehired Retired Policy to the Geauga County Personnel Policy and Procedure Manual to be effective October 9, 2014.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

COMMISSIONERS' OFFICE – CANCEL SESSION

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to cancel session for Tuesday, November 4, 2014 due to Election Day.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to cancel session for Tuesday, November 11, 2014 due to Veterans' Day and the offices will be closed.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

ARCHIVES AND RECORDS CENTER – UNPAID LEAVE – CLAIR WILSON

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve an unpaid personal leave of absence for Clair Wilson for a total of 8.9 hours, per section 6.12 of the Geauga County Personnel Policy and Procedure Manual.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 1, 2014 as required by O.R.C. 955.12.*
- b) The Monthly Financial Report from the County Building Department for the month of September, 2014.*

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OTHER

The Board reviewed upcoming events.

MEETINGS

Fri., 10/10 NOACA Board of Directors, 10:00 a.m., Cleveland

Mr. Spidalieri stated that the Board had directed Mr. Lair to find out further information regarding the agenda item relating to the options for Geauga County to leave NOACA that was brought up at the Tuesday meeting. Mr. Lair stated that he had spoken to Ms. Gallucci and that the Governance Committee was reacting to comments that were heard over time from people in Geauga County wanting to leave, so that committee asked the NOACA staff to research those options and present them. Mr. Lair stated that Ms. Gallucci did indicate that Commissioner Samide was not in favor of presenting this to the Board but that the majority of the Governance Committee wanted it to be presented. Mr. Lair stated that it was indicated that it was strictly for discussion and that no action was to be taken. They noted that Mr. Cattell and Mr. Claypool will be in attendance along with Commissioner Samide at the NOACA meeting.

*Mon., 10/13 **County offices will be closed for general business due to Columbus Day. Twenty-four hour operations will continue to operate as usual.***

*Tue., 10/14 **The Regularly scheduled Commissioners' meeting is cancelled.***

Tue., 10/14 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

Thu., 10/16 The Commissioners will hold Budget Hearings beginning at 1:00 p.m.

Mon., 10/20 Family First Council, 2:00 p.m. at Mental Health

Tue., 10/21 The Commissioners will hold regular session

Tue., 10/21 The Commissioners will hold Budget Hearings beginning at 1:00 p.m.

Tue., 10/21 ADP Board, 2:00 p.m. Auditor's Office

Thu., 10/23 The Commissioners will hold Budget Hearings beginning at 1:00 p.m.

*Thu., 10/23 The Commissioners will hold regular session at 6:30 p.m. with a presentation on NatureScopes**

**This meeting has been changed to 10:00 a.m. and it is not confirmed if the Nature Scopes presentation will still be presented.*

Tue., 10/28 The Commissioners will hold a Budget Hearing beginning at 8:30 a.m.

Tue., 10/28 The Commissioners will hold regular session

Thu., 10/30 The Commissioners will hold a Budget Hearing beginning at 8:30 a.m.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to move into executive session for the purpose of discussing the discipline of a public employee in the Transit Department.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

It was noted that Mr. Lair, Linda Burhenne, Mike Kasper, Jack Jackson would be joining the Board in executive session. The Board returned at 11:00 a.m. and as a result the following action was taken:

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Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the disciplinary recommendation of the hearing officer, Karen DeCola and to suspend without pay, Jack Klingman, Full-time Transit Driver in the Transit Department for twenty-four (24) hours (3 work days) for violation of Transit Policy Manual, pages 9 and 10, and the Geauga County Personnel Policy and Procedure Manual under Conduct, page 3.3, page 12, and O.R.C. 124.34 Neglect of Duty and Unsatisfactory Job Performance.

And further approve and execute the Order of Removal, Reduction, Suspension, Involuntary Disciplinary Separation form per O.R.C. 124.34 for the twenty- four hours. Time off is to be scheduled by the Director.

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| <i>Roll Call Vote:</i> | <i>Commissioner Samide</i> | <i>Absent</i> |
| | <i>Commissioner Rear</i> | <i>Aye</i> |
| | <i>Commissioner Spidalieri</i> | <i>Aye</i> |

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER REAR ADJOURNED THE MEETING AT 11:02 A.M.

Geauga County Board of Commissioners

Ralph Spidalieri

Blake A. Rear

Mary E. Samide

Christine Blair, Commissioners' Clerk

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