

Commissioners' Journal
August 27, 2019

The Geauga County Board of Commissioners met in session on August 27, 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 9:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

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

MEETING MINUTES

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of August 20, 2019.

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

FINANCIALS

County Administrator Gerard Morgan reported on financials from August 22, 2019, Resolution #19-100, as including a Revenue Certification for Water Resources in the Parkman Revenue Bond Fund to recognize additional resources needed for debt payment; 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.

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on August 22, 2019 that included for the Department of Water Resources to accept the resignation of Lindsay Koncler, Administrative Assistant (#2345) to be effective September 6, 2019 and then granted permission to advertise for the position of Administrative Assistant (#2345). This position will remain posted until filled. On August 26, 2019 for Job and Family Services acknowledged the following new hire appointments, as the Director of Job and Family Services complied with the Board of Commissioners' recruitment and hiring procedures for: Heather Martin, Social Services Worker II (replacement) effective July 18, 2019, Lauren Spar, Unit Support Worker I (new) effective July 31, 2019, Brian Guarniere, Eligibility Referral Specialist II (replacement) effective August 12, 2019 and Douglas Kern, Unit Support Worker I (new) effective August 21, 2019; and for Transit accepted the resignation of Bryan Rowe, Full-time Driver (#2210) to be effective August 30, 2019 and approved hiring Jennifer Rice to the position of Full-time Driver (#2210) to be effective September 3, 2019 at the rate of \$14.54 per hour with a one year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions; 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.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including an Appropriations transfer from the Dog Warden to cover for planned expenses to the end of the year; Travel requests for the Common Pleas Court and Job and Family Services; a Then and Now for Community Development to 21st Century Media LLC for advertising expenses not previously encumbered; a payment for the Engineer's office to Kent State University for continuing education classes in the amount of \$7,590.00; a payment for Job and Family Services to Safely Home, Incorporated for July residency services in the amount of \$31,128.96 and a payment for Water Resources to Cleveland Division of Water for bulk water purchase in the amount of \$55,940.61.

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Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and execute Resolution #19-101 itemizing the financials for the meeting of August 27, 2019.

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

AIRPORT AUTHORITY – REIMBURSEMENT REQUEST #9 – FAA GRANT PROJECT – INSTALL RUNWAY LIGHTING

It was noted that this is the Reimbursement Request #9 for the Runway Lighting project.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to acknowledge and approve Reimbursement Request #9 for FAA Grant Project (#3-39-0054-020-2018) to Install Runway 11/29 Lighting, Taxiway Connector Lighting, Install Runway 11/29 End Identifier Lights, Install Precision Approach Path Indicator and Install Beacon and Lighted Wind Cone in the amount of \$21,392.58 (\$19,253.00 FAA Portion, \$1,070.00 ODOT Portion and \$1,069.58 Local County match).

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

COUNTY ENGINEER'S OFFICE – OHIO PUBLIC WORKS COMMISSION, APPENDIX E – DISBURSEMENT REQUEST #2 FINAL – ASPHALT RESURFACING OF MUNN ROAD

Deputy Engineer Nick Gorris asked the Board to authorize Mr. Lennon to execute the Ohio Public Works Disbursement #2, final for the resurfacing of Munn Road.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and authorize Timothy C. Lennon, Member and Chief Executive Officer to execute the Ohio Public Works Commission, Appendix E – Disbursement Request Form and Certification #2, Final, in order to release funds from the state portion of our OPWC grant for the Asphalt Resurfacing of Munn Road (CH 32, Section D) in Auburn Township in the amount of \$80,093.77.

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

DEPARTMENT OF DEVELOPMENT (COMMUNITY AND ECONOMIC) – SETTLEMENT AGREEMENT – DAVID ROBERT BAKER IN REGARDS TO BLUE TRACTOR FOODS, LLC

Executive Director Dave Favorite explained that this is a settlement agreement for the Blue Tractor Foods project, noting that there was multiple partners, some of which have moved to Canada, one partner filed bankruptcy, we have settled with a second and this is a settlement with now a third. Assistant Prosecutor Laura LaChapelle stated that the loan was made in 2012 and there was a judgement made against the company and guarantors in 2013. The original loan was for \$350,000.00 and we are recovering \$85,000.00. Our revolving loan is one of the most successful in the state, and there was discussion about the position the County sits on the loan and the interest rate.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Settlement Agreement between the Geauga County Board of Commissioners and David Robert Baker in regards to Blue Tractor Foods, LLC for the payment of \$45,000.00 over six payments each of \$7,500.00 through February, 2022.

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

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MAINTENANCE – LICENSE AGREEMENT – JAKE'S HUNT CLUB, JACOB P. MERKLE AND SHAWN MARUNA – BOW HUNT LEGAL GAME

Director Glen Vernick explained that this agreement is for bow hunting legal game on the County Home property. Mr. Vernick noted that they let him know if they find anything on the property that shouldn't be there.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and execute the License Agreement between the Geauga County Board of Commissioners and Jake's Hunt Club, Jacob P. Merkle and Shawn Maruna to allow the right to hunt legal game via bow on County owned property, located at 13211 Aquilla Road, Claridon Township (Parcel #13-705200) for the period August 27, 2019 through September 30, 2020.

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

TRANSIT – RECLASSIFY ANDREA SCHEID TO FULL-TIME DRIVER (#2210)

Mr. Morgan explained that this request is to reclassify Ms. Scheid from Part-time to Full-time Driver and will fill the vacant position that he accepted the resignation for last week.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve the reclassification of Andrea Scheid from Part-time Driver to Full-time Driver (#2210) to be effective September 2, 2019 at her current rate of pay and will complete the remainder of her one year probationary period.

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

DEPARTMENT OF WATER RESOURCES – RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, ESTIMATES OF COST AND TENTATIVE ASSESSMENTS FOR AND DETERMINING THE NECESSITY OF CONSTRUCTING SANITARY SEWERS TO PROVIDE SANITARY SEWER SERVICE TO BERKSHIRE HEIGHTS SUBDIVISION, CHARDON TOWNSHIP – SET PUBLIC HEARING – GIVE NOTICE

Director Steven Oluic explained that this resolution is in regards to the process of moving forward with the Chardon Township Wastewater Treatment Plant and Sewers project for the Berkshire Heights Subdivision, setting a public hearing and to provide notice to property owners. There was a brief discussion about session on the 24th being recessed and to then reconvene for the hearing.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and execute Resolution #19-102 Approving the Plans, Specifications, Estimates of Cost and Tentative Assessments for and determining the Necessity of, Constructing Sanitary Sewers to Provide Sanitary Sewer Service to the Berkshire Heights Subdivision in Chardon Township in the Geauga County Sanitary Sewer District.

This resolution sets a Public Hearing for this Assessment to be held September 24, 2019 at 7:00 p.m. at the 470 Center Street, Building #8 meeting room, Chardon, Ohio.

Further this resolution requires the Board give Public Notice of this Public Hearing directly to the Owners of Properties to be subject to the Assessment by mail and by advertisement on August 29, 2019, September 5, 2019 and on the County Website.

Board of County Commissioners, Geauga County, Ohio

Date: August 27, 2019
Resolution: #19-102

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The Board of County Commissioners of the County of Geauga met on August 27, 2019, commencing at 9:00 o'clock, a.m., in regular session in the Commissioners' Chambers at 470 Center Street, Building No. 8, 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 Lennon:

RESOLUTION NO. 19-102

A RESOLUTION DETERMINING THE NECESSITY OF IMPROVING HENNING DRIVE, HOWARD DRIVE AND THWING ROAD BETWEEN CERTAIN TERMINI, AND THE ENTIRE LENGTH OF OLMAR DRIVE AND HELMUT DRIVE BY CONSTRUCTING A WASTEWATER TREATMENT PLANT AND GRAVITY SEWERS WITH NECESSARY SERVICE CONNECTIONS, AND RELATED RESURFACING AND PAVING, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, TO PROVIDE SANITARY SEWER SERVICE TO PROPERTIES IN THE BERKSHIRE HEIGHTS SUBDIVISION IN CHARDON TOWNSHIP IN THE GEAUGA COUNTY SANITARY SEWER DISTRICT.

WHEREAS, by Resolution No. 81-172, adopted December 14, 1981, this Board has laid out and established the Geauga County Sanitary Sewer District for the purpose of preserving and promoting the public health and welfare in the District; and

WHEREAS, at the request of this Board, the County Sanitary Engineer has, in accordance with that general plan, accepted the detailed plans, specifications and estimates of cost prepared by GPD Group for the construction of the Chardon Township Wastewater Treatment Plant and Sewer Project (the "Project"), which is more specifically described in those detailed plans and specifications and which is the portion of such general plan which it is now necessary to construct; and

WHEREAS, those detailed plans, specifications and estimates of cost along with the tentative assessments prepared by the Department of Water Resources (collectively, the "Improvement Plans") are on file in the office of the Clerk of this Board and in the office of the County Sanitary Engineer and available for inspection by all persons interested in the Project; and

WHEREAS, on July 30, 2019 this Board accepted and approved the Improvement Plans; and

WHEREAS, this Board finds and determines that it is necessary and appropriate at this time to acquire and construct the Project in accordance with those Plans and Specifications and the general plan of the District; and

WHEREAS, the County Auditor has certified that there are no properties included in the list of tentative assessments which are listed on the records of his office for current agricultural use value taxation pursuant to Section 5713.31 of the Revised Code and which are not located in an agricultural district established under Section 929.02 of the Revised Code;

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

Section 1. It is necessary at this time for the preservation and promotion of the public health and welfare, as a part of the sewerage system serving the District, to improve the Berkshire Heights subdivision of the County by constructing (i) a new 50,000 gdp wastewater treatment plant at 11094 Thwing road, identified in the records of the Geauga County Recorder as Permanent Parcel No. 06-037100 and (ii) new gravity sewers, pump station and force main leading to the new wastewater treatment plant with necessary connections, and related resurfacing and paving, in order to provide sanitary sewer service for all 113 homes located on 114 lots in the Berkshire Heights Subdivision of Chardon Township, together with all incidental work and related appurtenances thereto and acquiring any real estate or interests therein required therefor, in accordance with the general plan of sewerage for the District. The new gravity sewers will be constructed along (w) Henning Drive from a point 360 feet south of its intersection with Chardon Road southerly to its intersection with Thwing Road, (x) Howard Drive from the westerly line of lots and lands identified in the records of the Geauga County Recorder as Permanent Parcel No. 06-

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120601 easterly to its intersection with Henning Drive, (y) Thwing Road from the westerly line of lots and lands identified in the records of the Geauga County Recorder as Permanent Parcel No. 06-000150 easterly to its intersection with Auburn Road, and (z) the entire length of Olmar Drive and Helmut Drive.

Section 2. The entire cost of constructing the Project shall be specially assessed against the benefited properties located in the District and within the boundaries of an assessment district comprised of the parcels identified by the Geauga County Auditor Permanent Parcel Numbers listed on Attachment I hereto, in proportion to the equal benefits that may result from the improvement upon all lots and lands as described in Section 1. Those lots and lands are hereby determined to be specially benefited by that improvement. None of the assessments proposed to be levied against those lots and lands is in excess of the special benefits conferred by that improvement and no proposed assessment against any individual lot or land is in excess of its proportionate share of the special benefits conferred by the improvement.

Section 3. September 24, 2019, at 7:00 p.m., is fixed as the time and the County Conference Room located at 470 Center Street, Building #8 in Chardon, Ohio is fixed as the place of 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.

Section 4. The Clerk of this Board is directed (i) to have a notice of that hearing published once a week for two consecutive weeks on the same day of each week in a newspaper published and of general circulation in Geauga County, the first such publication to be made at least twenty-four days prior to the hearing date fixed in Section 3, and (ii) on or before the date of the second publication of that notice, to mail a notice to every owner of property to be assessed by this County for the Project whose address is known, and each such notice so mailed shall state that the property of the addressee will be assessed by this County for the Project.

Section 5. The County Sanitary Engineer is hereby authorized and directed to review any timely written objections that may be filed with this Board with respect to that improvement and to make recommendations to this Board regarding the disposition of those objections.

Section 6. The Clerk of this Board is hereby directed to forward certified copies of this resolution to the Auditor of Geauga County and to the County Sanitary Engineer.

Section 7. 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.

Section 8. This Resolution shall be in full force and effect from and immediately after its adoption.

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

COMMISSIONERS' OFFICE – APPROVE HEALTHCARE COVERAGE – NEW DIRECTOR
PETE ZEIGLER – BOARD OF ELECTIONS

Mr. Morgan noted that this request is to approve healthcare for the new Director Mr. Zeigler for Board of Elections, allowing him to have healthcare right away.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to acknowledge a letter from the Board of Elections requesting the Board to approve Health Care Coverage for new Director Pete Zeigler to be effective August 1, 2019.

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

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to move into Executive Session for the purpose of discussing the discipline of a public employee in the Department on Aging.

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

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The Board moved into Executive Session at 9:19 a.m. with Mr. Morgan, Hearing Officer Roger Peterson, Director Jessica Boalt and Sandy McCleod. The Board returned at 9:44 a.m. and as a result the following action was taken:

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to suspend Christine Bacon, Recreation and Education Coordinator for three days unpaid for violation of the Geauga County Personnel Policy and Procedure Manual, Section 6.17 and 6.21, with time off to be determined by the Director, and further approve and execute the Order of Removal, Reduction, Suspension and Involuntary Disability Separation form per O.R.C. 124.34 for the suspension.

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

ACKNOWLEDGEMENTS

- a) *The Monthly Inventory Report, Consolidated Investment Portfolio and Obligations and Securities monthly reports filed by the Treasurer's Office for Geauga County for the Month of July 2019, pursuant to ORC 135.35(L).*

OTHER

The Board reviewed upcoming events.

MEETINGS

Thu., 8/29 The Commissioners will hold regular session at 10:00 a.m. at the Junior Fair Stage at the Great Geauga County Fair

Thu. 8/29 – Mon., 9/2 – The Great Geauga County Fair, Burton (Fairgrounds)

*Mon., 9/2 **County Offices will be closed in observance of the Labor Day Holiday. Twenty-four hour operations will continue to operate as usual.***

Thu., 9/5 The Commissioners' will hold regular session at 9:00 a.m.

Mon., 9/9 Board of Revision, 9:00 a.m., Auditor's Office

Tue., 9/10 Planning Commission meeting at 7:30 a.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

Tue., 9/10 The Commissioners' will hold regular session at 9:30 a.m.

Fri., 9/13 NOACA, Board of Directors, 9:00 a.m. Cleveland

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to adjourn the meeting at 9:46 a.m.

Geauga County Board of Commissioners

Timothy C. Lennon

Ralph Spidalieri

James W. Dvorak

Christine Blair, Commissioners' Clerk

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