

**Commissioners' Journal**  
**November 3, 2015**

*The Geauga County Board of Commissioners met in session on November 3, 2015 at 9:00 a.m. in the Commissioners' Chambers located at 470 Center Street in Chardon, Ohio.*

*It is declared and determined that all formal actions of the Board of County Commissioners concerning and relating to the adoption of all resolutions that were adopted in this meeting, and that all deliberations of the Board of County Commissioners that resulted in such formal action were open to the public and were in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.*

*The President of the Board, Walter M. Claypool opened the meeting at 9:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

**FINANCIALS**

*County Administrator David Lair reported on financials from October 29, 2015, Resolution #15-153, as including an Appropriation transfer for the Juvenile Court Care and Custody fund for OPERS Payment; Various Voucher payments for the Sheriff's Office; as approved by the County Administrator pursuant to the motion approved December 30, 2014 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 2015, as authorized by O.R.C. 305.30.*

**APPROVE MINUTES**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of October 27, 2015.*

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

**APPROVE FINANCIALS**

*Budget and Finance Manager Heidi Delaney explained the financials for today as including Revenue Certifications for the Department of Job and Family Services Public Assistance and Family First funds; an Appropriation transfer to return appropriations to the Sheriff's Office for expenses reimbursed and deposited into the General Fund; a Cash transfer out of the General Fund for the gas well allotment proceeds for the Board of Developmental Disabilities for the period July – September 2015; Contracts for Gillmore Security to replace and upgrade the fire alarm system at the Opera House in the amount of \$37,522.00 and to install an access control system at the Department of Job and Family Services in the amount of \$19,365.00; Travel requests for the Commissioners' Office, Engineer's Office, and the Department of Job and Family Services; and a payment to the Portage Geauga Juvenile Detention Center for 4<sup>th</sup> Quarter 2015 in the amount of \$147,793.00.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute Resolution #15-154 itemizing the financials for the meeting of November 4, 2015.*

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

**COUNTY HOME – APPROVE HIRING SHANNON HUMBERSON – PART-TIME ATTENDANT (#1504-1)**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve hiring Shannon Humberson to the position of Part-time Attendant (#1504-1) to be effective November 10, 2015 at a rate of \$10.47 per hour. After the successful completion of a 1,000 hour probationary period the rate will increase to \$11.02 per hour.*

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

**Commissioners' Journal**  
**November 3, 2015**

COUNTY ENGINEER'S OFFICE –MORTGAGE DEED FOR SUBLLOT #304 FOR  
PERFORMANCE GUARANTY OF SUBLLOT #22 – RELEASE MORTGAGE FOR SUBLLOT #22

Deputy Engineer Nick Gorris explained that they were asking the Board to accept the mortgage deed for subplot #304 in Canyon Lakes Colony Subdivision as the performance guaranty for subplot #22 and then release the mortgage deed for subplot #22.

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve, accept and execute the Mortgage Deed for Sublot #304 in Canyon Lakes Colony Subdivision No. 13A (Parcel #02-421184) for the Performance Guaranty for Sublot #22 (Parcel #02-421126) in the Edwards Landing Subdivision, both located in Bainbridge Township.

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

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Mortgage Release for Sublot #22 (Parcel #02-421126) in the Edwards Landing Subdivision in Bainbridge Township.

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

DEPARTMENT OF EMERGENCY SERVICES – GRANT AGREEMENT – FIRSTENERGY  
NUCLEAR OPERATING COMPANY (FENOC) WITH PERRY NUCLEAR POWER PLANT

Director Dale Wedge stated that he had summarized the grant agreement as being that Geauga County intends to engage in various planning, training, administrative and maintenance Activities in connection with emergency planning and preparedness for the Perry Nuclear Power Plant, and in the development, maintenance and effectuation of a plan for response to radiological emergencies at the Perry Nuclear Power Plant. The amount for 2016 will be \$201,960.00 plus an additional \$9,000.00 for capital improvements to the heating and ac units, for a total of \$210,960.00. Mr. Wedge stated that for the last three years they had \$27,000.00 that was transferred to the Maintenance Department for the roof and driveway and the remainder will go towards the heating and ac system. The amount for 2017 will be \$205,819.00 plus the additional \$9,000.00 for a total of \$214,819.00. Mr. Wedge stated that the Utility will provide community links, which include the Emergency Discussion Line, 5-way lines and JIC lines along with Portal Monitors and data from the plant so we can see what is being released through the vents. Mr. Wedge stated that the County will be providing scheduling, preparation and the conduct of drills and exercises and training, will update the Radiological Emergency Response Plan and Suggested Operating Guidelines, participate in the periodic test of communications systems and the siren system, Make necessary copies of Plans and submit to agencies, Equip, maintain and operate emergency facilities and equipment, and Participate in the biennial exercise objectives and other drills and activities. Mr. Wedge stated that Mr. Lair and Ms. Delaney sat down with him and his staff to negotiate the agreement with FENOC which works out to about 53-56% of the budget. Mr. Wedge explained that in 1985 FENOC paid for 100% of the cost of building the building, it has over gone two additional renovations on the building, and they want to make sure the building is kept up for the county and save money on the general fund.

*Motion:* by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Grant Agreement between the Board of County Commissioners and FirstEnergy Nuclear Operating Company (FENOC) in connection to emergency planning and preparedness with the Perry Nuclear Power Plant for the period January 1, 2016 through December 31, 2017 in the amount of \$201,960.00 in 2016 and \$205,819.00 in 2017 with an additional \$9,000.00 per year to be used for the replacement of the heating and cooling system.

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

**Commissioners' Journal**  
**November 3, 2015**

**DEPARTMENT OF EMERGENCY SERVICES – LETTER OF AGREEMENT WITH PERRY NUCLEAR POWER PLANT**

*Mr. Wedge explained that now we have a grant agreement, part of the requirement for the Utility is to have a letter of agreement with the Power Plant designating that we are the agency in charge of planning and preparedness for the County. While other counties leave it open ended, he suggests that we tie our letter of agreement with the grant agreement, thus not leaving it open.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute a Letter of Agreement with Perry Nuclear Power Plant naming the Department of Emergency Services as the lead agency for incidents involving the Perry Nuclear Power Plant that will be in effect through December 31, 2017.*

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

**DISCUSSION**

*There was a brief discussion about the government's idea of shutting down the power plants, and that with the process of shutting down so many options; the question will be what we will have left to generate electricity.*

**PROSECUTOR'S – VICTIM WITNESS PROGRAM – VICTIM OF CRIME ACT (VOCA) AND STATE VICTIM ADVOCACY ACT (SVAA) GRANT AWARD AND ACCEPTANCE**

*Victim Advocate Cindi Haycox-Wellman stated that the Board had previously approved the VOCA/SVAA application and that today she asks the Board to execute the Award and Acceptance. Prosecutor Jim Flaiz stated that they were excited to say that they received the grant again and is vital to what they are doing in their office. Mr. Flaiz stated that Ms. Haycox-Wellman has a lot of important roles keeping victims apprised of the court process, noting that they have had several child rape cases, murder cases and have assisted victims with the process. Mr. Flaiz stated that she assists with court prep, using the example of meeting with young children. Ms. Haycox-Wellman explained that when the new unit is a little more established they will come back and present information to the Board regarding the Sexual Assault Response Team.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Victim of Crime Act (VOCA) 2015-2016 Grant Award and Acceptance forms for the Geauga County Prosecutor Victim/ Witness Program, Grant #2016-VOCA-19812909 in the amount of \$71,670.00 (\$67,200.00 Federal VOCA funds, \$16,800.00 Local County Match) and State Victim Advocacy Act (SVAA) Grant #2016-SVAA-19812963 in the amount \$4,470.00 with no local match for the period October 1, 2015 through September 30, 2016.*

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

**DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT MAINTENANCE FORM #2 – INCREASE CONTRACT WITH GPD GROUP FOR ADDITIONAL WORK AT THE RUSSELL PARK WASTEWATER TREATMENT PLANT**

*Director Gerard Morgan asked the Board to approve an additional increase to the service contract for the Russell Park Wastewater Treatment plant upgrades for additional geotechnical work on the project.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute service Contract Maintenance Form #2 increasing the contract with GPD Group to perform additional engineering to complete soil borings not covered in the original contract at the Russell Park Wastewater Treatment Plant in the amount of \$5,000.00.*

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

**Commissioners' Journal  
November 3, 2015**

**DEPARTMENT OF WATER RESOURCES – CONTRACT AGREEMENT – PLATFORM CEMENT, INCORPORATED – HAWKSMOOR WAY SANITARY SEWER REALIGNMENT – ACCEPT PERFORMANCE BOND – RELEASE BID BOND**

*Mr. Morgan requested the Board execute the contract agreement with Platform Cement for the Hawksmoor Way Sewer Realignment and to accept their Performance Bond and releasing the Bid Bond for the project.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve and execute the Contract Agreement with Platform Cement, Incorporated for the Hawksmoor Way Sanitary Sewer Realignment in the amount of \$99,700.00.*

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

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the Performance Bond from Platform Cement, Incorporated for the Hawksmoor Way Sanitary Sewer Realignment and further release the Bid Bond.*

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

**DEPARTMENT OF WATER RESOURCES – SUBMIT LIST OF DELINQUENT SEWER USER FEES, WATER FEES, TAP-IN INSTALLMENTS AND CERTIFICATION TO AUDITOR**

*Mr. Morgan stated that this is the annual certification of the unpaid sewer and water fees from our customers. Mr. Morgan stated that there are 92 accounts less than last year being certified and a difference of about \$39,000.00. Mr. Morgan stated that it is a good trend, adding that they end up getting about 98% of the amount collected, unfortunately it's two years after the service has been provided.*

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to approve the submission of the list of delinquent sewer user fees, water fees, tap-in installments and subsequent certification to the Geauga County Auditor, in accordance with O.R.C. 6117.02 and the Geauga County Department of Water Resources Rules and Regulations (Section F.501) in the total amount of \$421,226.19 (\$376,096.22 arrearage and \$45,129.37 penalty).*

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

**LIQUOR LICENSE - ARAS ONE CORPORATION D.B.A. RED WINE AND BREW – CHESTER TOWNSHIP**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to concur with Chester Township Trustees in not requesting a hearing on the liquor license requested by ARAS One Corporation d.b.a. Red Wine and Brew located at 8099 Mayfield Road, Chesterland (C NEW 0252705-0010).*

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

**COMMISSIONERS' OFFICE – CANCEL SESSION DUE TO WINTER CONFERENCE**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to cancel session for Tuesday, December 8, 2015 due to the CCAO Winter Conference in Columbus, Ohio.*

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

**Commissioners' Journal**  
**November 3, 2015**

**DISCUSSION – TAXI DRIVERS IN THE COUNTY**

*Commissioner Spidalieri brought up the topic of having a conversation for a plan regarding private taxi service in the County. Mr. Spidalieri expressed concern on behalf of the Amish community regarding the drivers of the private taxi services, explaining that someone goes and buys a beater car, puts an ad in the paper and calls themselves a taxi service and this poses a great risk to our citizens in our County. Mr. Spidalieri expressed that some of these drivers are exposing the riders to drugs and alcohol, often because these drivers are not employable at a regular job. Mr. Spidalieri is asking for support from the Board to explore through the Prosecutor's Office what laws are available through the Ohio Revised Code. Commissioner Rear stated that as a rule he was not in favor of regulating rates because that is a smack against the free enterprise system, however he is in strong favor and concern of background checks and insurance, noting that school bus drivers must have CDL's. Mr. Spidalieri stated that this is just for safety, security and welfare for our residents. Mr. Rear stated that it seemed that a certain amount of review regarding the security and safety of these drivers is past due. Transit Director Mike Kasper expressed that these drivers should be held accountable to the same checks his drivers undergo for a livery service. Mr. Kasper stated that they need to be held accountable to someone in the county, citing an inspection of the vehicle, proof of insurance and the background of the driver.*

*Discussion was held regarding what these restrictions would do the end user and the higher costs that they would have to pay. An idea was brought up about generating a route system in the area. Mr. Spidalieri stated that he wanted to be proactive instead of being reactive. Mr. Lair noted that a municipality can set regulations but the county and townships cannot and we may need to be having discussion with our state legislators.*

*Mr. Claypool added that he has always had concern with the Amish with this situation and that they don't like Transit because of the inconvenience. Mr. Claypool stated that we need to look at existing laws that could come to establish a reasonable standard for this service. Mr. Rear agreed that what Mr. Spidalieri is bringing up is a good idea to explore and see what the options are out there.*

*Mr. Spidalieri expressed that the Amish population in this county have a great concern, noting that the community is continuing to grow and expand in the county, adding that the amount of drivers are not there like they used to be, along with the old time drivers that have passed on or can no longer drive anymore. Mr. Spidalieri stated that the word is out that this is an easy opportunity for an easy dollar, and this situation has opened the door for situations and crimes that can occur that aren't necessarily reported.*

*Mr. Rear noted the four biggest Amish population areas in the U.S. and posed the question to them to find out what is happening in their areas and what they are doing to combat this problem. Mr. Kasper stated that while you have free choice and free enterprise, having piece of mind is a good option to have. Mr. Spidalieri noted that we could bring them in and fill the room and they would all have one concern in common, safety. The Board agreed that they need to explore further to see what the options are that might be available to establish standards or best practices.*

**GREENLIGHT VETERANS**

*Mr. Claypool explained that Walmart is working with National Veterans Administrations to establish a Greenlight a Vet campaign to encourage individuals to light a green light bulb to show support for Veterans.*

**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.*

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

*It was noted that Mr. Lair and Director Mike Kasper would be joining the Board in executive session. The Board returned at 10:27 a.m. and a result the following action was taken:*

**Commissioners' Journal**  
**November 3, 2015**

*Motion: by Commissioner Rear, seconded by Commissioner Spidalieri to accept the disciplinary recommendation of the hearing officer, Karen DeCola, and to suspend without pay Paul Ovarik, Full-time Transit Driver in the Transit Department for four (4) hours for violation of Transit Policy Manual Pages 9 and 10, Best Practices, Preventable Accidents Level Two.*

*And further approve and execute the Order of Removal, Reduction, Suspension, Involuntary Disciplinary Separation form per O.R.C. 124.34 for the four hours.*

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

**ACKNOWLEDGEMENTS**

- a) Geauga County Board of Developmental Disabilities Board Minutes from September 16, 2015.*
- b) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending October 21, 2015 as required by O.R.C. 955.12.*
- c) 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 September, 2015, pursuant to ORC 135.35(L).*

**OTHER**

*The Board reviewed upcoming events.*

**MEETINGS**

*Tue., 11/10 The Commissioners will hold regular session at 9:00 a.m.*

*Tue., 11/10 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon*

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

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

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

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

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

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

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

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

**Commissioners' Journal**  
**November 3, 2015**

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

*Motion:*            *by Commissioner Rear, seconded by Commissioner Spidalieri to adjourn the meeting at 10:28 a.m.*

*Geauga County Board of Commissioners*

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*Walter M. Claypool*

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*Ralph Spidalieri*

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*Blake A. Rear*

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*Christine Blair, Commissioners' Clerk*

**Commissioners' Journal**  
**November 3, 2015**

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