

**Commissioners' Journal**  
**March 22, 2022**

*The Geauga County Board of Commissioners met in session on March 22, 2022 at 9:30 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, James W. Dvorak opened the meeting at 9:43 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Dvorak read the following prayer:*

*Ukraine*

*O Lord Jesus Christ, have mercy on us, grant peace and protection to the people of Ukraine. Give them strength and courage to defend what is good, right and Holy. Keep them safe from harm and provide, for all their needs.*

*Hear our prayers, O Lord, and deliver us from distress, for you are merciful and compassionate and love mankind. To you, we give glory: the father, the son and the Holy Spirit, now and forever.*

*Amen*

**APPROVE FINANCIALS**

*Budget and Finance Manager Adrian Gorton explained the financials for today as including a Supplemental Appropriation for the Commissioners Phase 2 Capital Reserve Fund in the Contract Services account for upcoming encumbrances; an encumbrance increase for the Commissioner's Office to the Sheriff to cover an increase in auction items being sold through the County from seized equipment; a Travel request for the County Engineer's Office; a payment for Job and Family Services to Mental Health for the Youth Center for half of the Family First Council's yearly funding commitment in the amount of \$38,400.00; and a payment for Water Resources to Buckeye Pump for a spare influent pump for McFarland wastewater treatment plant in the amount of \$34,960.00.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-033 itemizing the financials for the meeting of March 22, 2022.*

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

*There was a brief discussion on the Youth Center and that there was work currently being done on the bathrooms.*

**COMMISSIONERS OFFICE – AMENDMENT #2 TO AGREEMENT – PROFESSIONAL CONSULTING SERVICES WITH MAXIMUS CONSULTING SERVICES, INCORPORATED**

*Mr. Gorton asked the Board to approve the amendment for the Maximus Consulting Services agreement for the cost allocation for the departments for an additional year.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute Amendment #2 to Agreement to Provide Professional Consulting Services with Maximus Consulting Services, Incorporated extending the agreement for the period March 22, 2022 through June 30, 2023 and all other terms and conditions of the original agreement remaining unchanged and in full force and effect with a not to exceed amount of \$11,000.00.*

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

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COMMISSIONERS' OFFICE – APPROVE AN INCREASE TO MAXIMUM FEE PER CASE – PROSECUTION OF ANIMAL CRUELTY CASES – STATE V. 8141 MADISON ROAD

Senior Fiscal Specialist Deborah Ashburn explained that there is an animal cruelty case that has exceeded that \$500.00 cap and was asking the Board to approve an increase in the cap to cover the \$350.00.

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve an increase to the maximum fee to be charged per case for the Prosecution of Animal Cruelty cases from \$500.00 to \$850.00 in regards to Case No. ORC 959.132 (State v. 8141 Madison Road) as allowed, pursuant to O.R.C. 2931.18.

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

COUNTY ENGINEER'S OFFICE – HIGHWAY EASEMENT – FAIRMOUNT FARMS I, LLC – IMPROVEMENTS TO JUG STREET – TROY TOWNSHIP

Deputy Engineer Nick Gorris asked the Board to accept and execute a Highway Easement with Fairmount Farms I, LLC for improvements to Jug Street in Troy Township, noting that it was for a culvert extension.

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to accept and execute the Highway Easement between the Geauga County Board of Commissioners and Fairmount Farms I, LLC (Parcel #32-032900) for the roadway improvements to Jug Street (CH 46) in Troy Township in the amount of \$200.00.

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

COUNTY ENGINEER'S OFFICE – ACCEPT, APPROVE AND ADOPT REVISED CHANGES TO POLICY AND GUIDANCE FOR APPLICATION AND DISTRIBUTION OF MUNICIPAL MOTOR VEHICLE LICENSE TAX

Mr. Gorris asked the Board to approve the revised changes to the policy and guidance for application and distribution of municipal motor vehicle license tax. Mr. Gorris stated that with the increase in census we had to adjust for the population and a few things to align with the ORC.

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to accept, approve and adopt the revised changes to the Policy and Guidance for the Application and Distribution of the Geauga County Municipal Motor Vehicle License Tax and further execute the Statement of Policy, to be effective March 22, 2022.

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

COUNTY ENGINEER'S OFFICE – CONTRACT AGREEMENT – CENTERRA CO-OP – DELIVERY OF GASOLINE AND DIESEL FUEL

Human Resources and Finance Manager Andrew Coll and Human Resources and Fiscal Officer Katie Taylor asked the Board to execute the Contract Agreement with Centerra Co-Op for the purchase and delivery of fuel, that will mimic the State Bid with a slight reduction of the state term pricing. Mr. Coll explained that the core of the contract is based on the OPUS pricing index that is published daily, giving a quick example, on January 18, they paid \$3.40 per gallon and under this contract they would have paid \$3.15. Roughly use about 60,000 gallons a year for Diesel. Mr. Coll stated that they usually spend about \$200,000.00 a year in fuel, and this contract exceeds that amount and won't actually start until about April.

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*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Contract Agreement with Centerra Co-op for the delivery of Gasoline – Ethanol 87 Gasoline (aka 87e10), Premium Diesel Clear, and Premium Diesel Dyed, and pursuant to O.R.C. 125.04 (C), that the County will purchase the supplies and services set forth in the State Contract for District 12 upon equivalent terms, conditions and specifications but at a lower price than the State Contract, through December 31, 2022, unless otherwise extended in writing, in an amount not to exceed \$240,000.00.

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

*PLANNING COMMISSION – REPLAT – AUBURN WOODS SUBLOT 3-R1 AND 3-R2 – AUBURN TOWNSHIP*

*Planner II Allyson Kobus explained that this is within the Auburn Woods subdivision on Quinn Road for a replat of 3R to create 3R1 and 3R2, which Mr. Ryan Petrowski worked with Mr. John Bebe to split the southern 17.031 acres and consolidate that results in 29 acres for Mr. Petrowski and 62 acres for Mr. Bebe.*

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Replat of Auburn Woods Sublot 3-R1 and 3-R2 in Auburn Township.

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

*DEPARTMENT ON AGING – RECLASSIFICATION OF NATALIE PAJK TO PART-TIME SOCIAL SERVICES WORKER (#1022-1)*

*Social Services Coordinator Reba Dykes asked the Board to reclassify Ms. Pajk from Full-time to Part-time Social Services Worker.*

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the reclassification of Natalie Pajk, from Full-time Social Services Worker (#1022) to Part-time Social Services Worker (#1022-1) to be effective May 2, 2022.

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

*TRANSIT - AGREEMENT AND ADDENDUM WITH UNIFIRST CORPORATION – THEY PURCHASED RENTWEAR, INCORPORATED IN DECEMBER 2021, CONTINUE THE ORIGINAL RENTAL SERVICE AGREEMENT IN PLACE THROUGH MARCH 29, 2024*

*Director JoAnna Santilli explained that last March we signed an agreement with Rentwear, they were bought by Unifirst, so we are asking to sign an addendum to the original contract to be with Unifirst and finish the remainder of the contract.*

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Agreement and Addendum with Unifirst Corporation, as they purchased Rentwear, Incorporated effective December 30, 2021 and wish to continue the original rental service agreement in place effective March 30, 2021 for garment and non-garment rental services and agree to comply with the duties, obligations, terms and conditions along with a fixed three-year term beginning March 30, 2021 through March 29, 2024 with no automatic renewal.

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

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DEPARTMENT OF WATER RESOURCES – OHIO WATER DEVELOPMENT AUTHORITY  
FUND PAYMENT REQUEST #4 – HDR ENGINEERING INCORPORATED – MCFARLAND  
WASTEWATER TREATMENT PLANT RENOVATION AND UPGRADE PROJECT

*Director Steven Oluic asked the Board to approve the President to execute the Ohio Water Development Authority Fund Payment request #4 for HDR Engineering for the McFarland plant.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Ohio Water Development Authority Fund Payment Request #4 for HDR Engineering Incorporated for the McFarland Wastewater Treatment Plant Renovation and Upgrade project in the amount of \$16,111.98.*

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

FARM BUREAU

*Bob Rogish provided packets to the Board members with an overview of what the Farm Bureau completed in 2021 and their goals for this year. Mr. Rogish expressed their gratitude for having an open working relationship with the Commissioners. Mr. O'Reilly expressed that it means a lot to work with the local leaders and keep agriculture what it is in Geauga County.*

*Mr. Lennon asked Ms. Blair to read the following resolution:*

*Board of County Commissioners, Geauga County, Ohio*

*Date: March 22, 2022*  
*Resolution: #22-034*

**RESOLUTION RECOGNIZING NATIONAL AGRICULTURE WEEK**  
**MARCH 21 – MARCH 27, 2022**

*WHEREAS, The Agriculture Council of America recognizes and celebrates National Agriculture Week as a way to remind citizens that agriculture is a part of all of us, this year on March 22, 2022, will be the 49<sup>th</sup> Anniversary of National Ag Day, and will be celebrated across the country as “Growing a Climate for Tomorrow”; and*

*WHEREAS, Agriculture is the foundation of our country, the backbone of a healthy and prosperous nation all made possible thanks to the hard work of America’s farms and farm families; and*

*WHEREAS, Agriculture plays an important role in our economy, by providing food, fiber and renewable resource products, along with the jobs involved in the processing, distribution and marketing of the food and fiber products. Agriculture touches everyone in almost every way; and*

*WHEREAS, Agriculture plays an important role here in Geauga County, with 1,049 farms totaling 69,907 acres of land being farmed for crops, livestock and other products. The top three agriculture producers are Dairy cattle and Milk production, Farm inputs, equipment and professional services and Greenhouse, Nursery and Floriculture production; and*

*NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners hereby recognize National Agriculture Week as March 21 – March 27, 2022 and encourages the residents of Geauga County to celebrate the achievements of the many working together, including our local farms that produce the abundance of agricultural products that strengthen and enrich our community and our nation; and*

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

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*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-034 Recognizing National Agriculture Week, March 21 – March 27, 2022.*

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

*The Board posed for a few pictures with members of the Farm Bureau and presented them with the resolution.*

*COMMISSIONERS' OFFICE – GREAT GEAUGA COUNTY FAIR CONTRACT – BICENTENNIAL BUILDING DURING FAIR - 2022*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Great Geauga County Fair Contract for the Bicentennial Building during Fair, August 31, 2022 through September 5, 2022.*

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

*COMMISSIONERS' OFFICE – CHANGE ORDER #10, #11, AND #12 – INCREASING THE CONTRACT WITH DONLEY'S INDEPENDENCE, LLC – GUARANTEED MAXIMUM PRICE PHASE #1 AND #2*

*Mr. Morgan explained each of the change orders, including the new door cores for electronic locking mechanisms, a floor coating and changes to the suppression system in the computer room and customer counter in the Title office and for adjustments to the BMV, with the cost of this change being recouped in the lease.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute Change Order #10 increasing the Contract with Donley's Independence, LLC for Guaranteed Maximum Price, Phase #1 and Phase #2 for the addition of new door cores to accommodate electronic locking mechanisms in the amount of \$37,344.00.*

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

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute Change Order #11 increasing the Contract with Donley's Independence, LLC for Guaranteed Maximum Price, Phase #1 and Phase #2 for the addition of antistatic floor coating, changes to the suppression system in the computer room and additional windows for the customer counter in the Title Office in the amount of \$74,159.00.*

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

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute Change Order #12 increasing the Contract with Donley's Independence, LLC for Guaranteed Maximum Price, Phase #1 and Phase #2 for adjustments requested by the Bureau of Motor Vehicles (BMV) Office in the amount of \$25,058.00.*

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

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COMMISSIONERS' OFFICE – REQUEST FOR PARTIAL PAYMENT #16 – DONLEY'S INDEPENDENCE, LLC – COUNTY OFFICE BUILDING – GMP PHASE #1 AND PHASE #2

Mr. Morgan asked the Board to approve the payment request #16 for Donley's on the new building.

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Request for Partial Payment #16 for Donley's Independence, LLC for the Geauga County Office Building, GMP #1 and #2 in the amount of \$1,507,635.11.

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

There was a brief discussion about trouble with obtaining some parts from the manufacturer for the switches for power, to get off temporary and onto permanent power.

COMMISSIONERS' OFFICE – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE SETTLEMENT AGREEMENT FOR GIANT EAGLE OPIOID LAWSUIT SETTLEMENT

Mr. Morgan explained that this settlement agreement for the Giant Eagle Opioid lawsuit that is about \$125,000.00.

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to authorize Gerard Morgan, County Administrator to execute the Settlement Agreement for the Giant Eagle Opioid Lawsuit Settlement.

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

COMMISSIONERS' OFFICE -RESOLUTION TO EXTEND CURRENT TIME ALLOWED BY THIRTY DAYS FOR ASSESSED AMOUNT TO BE PAID AGAINST PARCELS WITHIN THE LEVIED ASSESSMENT – CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT

Mr. Morgan explained that this resolution is for the Chardon Township Treatment Plant, and this will extend the time period an additional thirty days.

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-035 to Extend the current time allowed by thirty (30) days for the assessed amount to be paid against parcels within the Levied Assessment for the Chardon Township Wastewater Treatment Plant and Sewer project in the Geauga County Sanitary Sewer District.

Board of County Commissioners, Geauga County, Ohio

*Date:* March 22, 2022

*Resolution:* #22-035

The Board of County Commissioners of the County of Geauga met on March 22, 2022, commencing at 9:30 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:

James W. Dvorak    Timothy C. Lennon    Ralph Spidalieri

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

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RESOLUTION #22-035

**A RESOLUTION TO EXTEND THE CURRENT TIME ALLOWED BY THIRTY (30) DAYS FOR THE ASSESSED AMOUNT TO BE PAID AGAINST PARCELS WITHIN THE LEVIED ASSESSMENTS FOR THE CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWERS PROJECT IN THE GEAUGA COUNTY SANITARY SEWER DISTRICT.**

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

WHEREAS, on February 24, 2022, this Board adopted Resolution No. 22-020 declaring the final assessment amount to be \$3,164,000.00 for the cost of constructing the project, setting a 30 day period from the adoption of Resolution #22-020 for property owners to pay all or a part of the amount assessed, and that any amounts not paid within the 30 days to be certified to the County Auditor as provided by law to be placed on the tax list; and

WHEREAS, the Board has chosen to provide additional time to review other possible sources of funding, namely funds from the American Rescue Plan Act of 2021 (ARPA);

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

Section 1. The timeline for the amount assessed against any parcel of land may be paid in whole or in part in cash or by check is extended from the original set time of the close of business 30 days after the adoption of this resolution (March 28, 2022) to the close of business 60 days after the adoption of Resolution No. 22-020 (April 19, 2022).

Section 2. All assessments and installments thereof remaining unpaid at the expiration of the period referred to in the preceding Section 1 shall be certified to the County Auditor as provided by law to be placed on the tax list and duplicate and collected as other taxes are collected in 60 semi-annual installments, with 1.85% interest.

Section 3. The Clerk of this Board is hereby directed to forward a certified copy of this resolution to the County Auditor within twenty days after its adoption.

Section 4. 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.

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

Mr. Morgan explained that he has looked again into the ARPA funding guidelines and there are a few requirements that may exclude this project from us; including the requirement for Federal Procurement and the costs being expended prior to a March 1 2021 date. Mr. Morgan sent another request to the Prosecutor's Office for legal review and is part of the reason for the extension so there is time to allow for a response.

**PUBLIC COMMENT**

Mike Valko, a resident from Berkshire Heights asked for a clarification on the date of March 2021 and why does this effect the distribution of the funds. Mr. Morgan stated that in the ARPA rules it says funds expended after March 2021 and when they were appropriated, as this project was started well before ARPA funds. Mr. Valko asked about an evening meeting, to which Mr. Morgan stated that they will put together a meeting once they heard back from the Prosecutor's Office. The meeting will be noticed like a regular meeting and a letter will be sent to the residents.

Jim Laudato stated that in 2022 there is about \$3 million dollars appropriated for the Chardon Township treatment plant, is that different from what you are talking about. Mr. Morgan stated that March 2021 is in the ARPA rules and for funds expended after that date. Mr. Laudato asked if the Board was appropriating \$3.1 million to the project, to which it was noted that the money appropriated in the budget is not ARPA funds. Mr. Laudato asked why they asked for the ARPA funds, to which it was noted that the funding was allocated to counties, they just had to request

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*the funding to be received and can be used for other projects. Mr. Laudato asked what the other projects were, to which Mr. Lennon stated that there has not been any decisions made on how the funds will be spent, the requests have been received by the Commissioners and have included from the hospitals, through phone call and emails. Mr. Laudato expressed that the residents of the Berkshire Heights subdivision didn't ask for a \$54,000.00 bill for a sewer project, so these residents can use the money. Mr. Laudato explained his simple math for the assessment, and ask where has the effort been for assistance for the residents. Mr. Lennon stated that there was a grant of \$500,000.00 that was received on the project, but it didn't qualify for any others. A loan was secured for the project.*

*Mr. Lennon expressed that all 88 counties received funding, and there are rules for how to spend the ARPA funds. Mr. Morgan explained that the County requested the funds, there has been no determination of how to spend the funds, this project was started well before the ARPA funds were allocated. Mr. Laudato expressed his frustration and asked where the minutes are for 2022. Clerk, Christine Blair stated that they were sent to the HelpDesk and was waiting for them to be uploaded.*

*Mr. Morgan again stated that the ARPA funding requires that a project must follow Federal Procurement regulations and this project did not follow those Federal Procurement rules. Mr. Morgan noted that we have been warned about requests for Broadband as there are projects that are receiving separate funding for those projects and to not use the county ARPA funds on them. Mr. Laudato wanted to know if this project compares to other projects that have been assessed. There are other assessments out there, and they did average about \$1,000 a year on the property. Mr. Laudato expressed that he is looking for fairness and for someone to help them find some money. Mr. Morgan stated that Water Resources does not get funding from the General Fund, they are an enterprise fund.*

*Resident, Chuck DiCillo expressed that the Probate Court gave the Board the perfect vehicle to give the residents these funds, the Board didn't like that verdict and ruling and appealed it. Mr. Morgan stated that they appealed the wrong decision by the lower court, due to the court not following the law that was out there and why it was overturned and the Probate Court does not have the authority to authorize us to ignore all the other rules in ARPA. The Appellate Court stated that the Probate Court did not follow the requirements of the ORC. Mr. Morgan stated that in Mr. DiCillo's thinking the taxpayers of Geauga County would pay for this.*

*Mr. Valko asked for confirmation of dates on ARPA funding. Mr. Morgan stated that the ARPA funds were made available in April and were received in June / July / August 2021. Mr. Valko stated that from August to March the funds were sitting there and nothing was brought up until the meeting in March. Mr. Morgan stated that the rules in ARPA are for expenses after March 2021.*

*A resident asked about the road repair and the chip and seal that was done. The road was repaired during the project and the Township does the chip and seal. The resident asked if the ARPA funds could be used to repair the road.*

*Mr. Dvorak explained that the Township asked about using ARPA funds to assist the residents and the Prosecutor's office opinion to the Township was that it doesn't follow their normal basic business. Township Trustee Strazinsky stated that the Township received about \$445,000.00.*

*Mr. Laudato asked if it is customary for the implementation of a treatment plant to be completely funded by the residents. Mr. Morgan stated yes, except for the portion that Water Resources takes on or grant money cannot be obtained. Water Resources applies to the funding sources in the State. Mr. Morgan explained that they searched for funding and did surveys to try and determine the LMI in the area to try and get funding. Mr. DiCillo noted that Thompson got most of their project funded to which Mr. Morgan stated that was due to the LMI determination in the area. The LMI Studies done in Berkshire Heights did not meet the LMI necessary for the funding sources. It's too late to do any more survey studies.*

*A resident questioned the time of the project, this originally started with the EPA in 2012/2013 and here we are almost 9 years to complete the project, why was it delayed. Mr. Morgan stated that the orders were received and extensions were requested to try and find funding, to complete the survey studies and the design for construction. The grant and loans were put into place and*



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*the project moved forward, there was a lawsuit that delayed the assessment process and the CORONAVIRUS did not happen until well after this project was under construction.*

*A resident questioned a rumor of condo's going in on Auburn and if they tied into the system and do they pay it and will it reduce our fees. Mr. Morgan stated that they would have to pay for the costs to increase the capacity plant size and the cost to tie in, the residents would not be assessed for that cost. There are a lot of rumors going around about condo's and homes on the Golf Course, but that is what they are, rumors. A resident asked if something did happen would there be a re-assessment done for all the residents, to which Mr. Morgan stated that he couldn't speak to a hypothetical.*

*A resident asked if anyone thought it was unconstitutional and being forced into a new sewer system. Mr. Laudato expressed that he thought it was interesting that this was to fix a public health problem and causing a public health problem, asking Mr. Morgan to help them, to give them his best and help them. A resident asked who signed the loan papers, that she didn't sign for it. Mr. Morgan stated that the Commissioners signed it in accordance with the O.R.C. Several residents continued expressing their frustrations over the assessment. Mr. DiCillo asked when the Board requested the Prosecutor to look in to the use of the ARPA funds, to which Mr. Lennon stated, last week. Mr. DiCillo continued asked why that hadn't been done a year ago, with them using the funding all along. Mr. Morgan stated that when this project started there was no funding coming, ARPA came well after. Mr. Laudato aggravatedly asked about this not being an emergency and that they can't find the money to help the residents, find a loop hole and give us money, begging for help. A resident asked about someone being out of work for the last two years over the pandemic, that this is what the ARPA funds are for. Commissioner Spidalieri stated that there are help wanted signs posted, if you want a job in this county, everyone is hiring. A resident, who is a nurse, stated that she has been working. Mr. DiCillo stated that in the paperwork they have a six-month tie in period, but according to Ohio law don't we have a year. Mr. Morgan stated that they set a time period of six months, before it gets turned over to the Health Department, and there is a possibility to extend it. Mr. DiCillo continued with the one-year time period, according to the O.R.C., to which Mr. Morgan stated you get six months in accordance with the findings and orders issued from the EPA.*

**ACKNOWLEDGEMENTS**

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending March 10, 2022 as required by O.R.C. 955.12.*
- b) Ohio Environmental Protection Agency, Division of Surface Water NPDES Small MS4 General Permit Annual Report, submitted by Soil and Water Conservation District and the County Engineer*
- a) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the Inmate meals for the month ending February 2022.*

**OTHER**

*The Board reviewed upcoming events. It was noted that there was a Geauga Trumbull Solid Waste Management District meeting at 1:00 p.m. today in Warren.*

**MEETINGS**

*Mon., 3/21 Family First Council, 1:30p.m. Mental Health Offices*

*Mon., 3/28 Board of Revision, 9:00 a.m., Auditor's Office*

*Tue., 3/29 The Commissioners will hold regular session at 9:30 a.m.*

*Tue., 4/5 The Commissioners will hold regular session at 9:30 a.m.*

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

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to adjourn the meeting at 10:46 a.m.*

*Geauga County Board of Commissioners*

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*James W. Dvorak*

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*Timothy C. Lennon*

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*Ralph Spidalieri*

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*Christine Blair, Commissioners' Clerk*

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