

Commissioners' Journal
April 5, 2022

The Geauga County Board of Commissioners met in session on April 5, 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 9:34 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

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

Commissioner Dvorak read the following prayer:

A morning prayer

Psalm 32:8

Your word, O Lord

Is a lamp to my feet and a light for my path.

Dear Jesus, keep me safely in your loving arms

Bless me with your Peace that passes all understanding.

In Jesus name, I pray.

Amen

MEETING MINUTES

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the minutes for the meeting of March 8, 2022.

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

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on April 1, 2022 concurred with the Bainbridge Township Trustees in not requesting a hearing on the Liquor License being requested by TheVille LLC d.b.a. Greenville Inn and Patio located at 7150 Pine St. N Side ground level, Chagrin Falls, Ohio (C TRFO 8887150) and for Water Resources approved the promotion of Shawn Maruna to the position of Maintenance Foreman (#2317) at the rate of \$24.55 per hour to be effective April 3, 2022 with a thirty-day determination period, followed by a ninety-day probationary period; as authorized by Resolution #22-032 under the direction and supervision of the County Commissioners that was approved March 15, 2022 pursuant to O.R.C. 305.30.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including an Appropriation transfer to the Sheriff for miscellaneous refunds, reimbursements and web checks that were deposited into the General Fund; Travel request for the Common Pleas Court, Encumbrance for Water Resources to Valley Ford Truck for a model year 2022 Ford F-250 4x4 regular cab pick up truck with an 8' bed; a payment for ADP to Company 119 LTD for renewal of their Web Hosting Services in the amount of \$24,000.00, a payment for the Commissioners' Office to Geauga County Airport Authority to pay for Request #8 for the T-Hangar project and loan in the amount of \$37,724.50; a payment for Water Resources to Valley Ford Truck for a 2021 model year Ford Ranger 4x4 Super Cab truck which had been ordered back in July of 2021 in the amount of \$28,919.00 and a Revenue Certification for Water Resources in the Sewer Operating Fund for additional revenue to be received in 2022 in the amount of \$16,840.68.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #22-040 itemizing the financials for the meeting of April 5, 2022.

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

Commissioners' Journal
April 5, 2022

COUNTY ENGINEER'S OFFICE – MEMORANDUM OF UNDERSTANDING – VILLAGE OF SOUTH RUSSELL – IMPROVEMENT OF WASHINGTON STREET

Deputy Engineer Shane Hajjar asked the Board to execute the Memorandum of Understanding with the Village of South Russell for the improvements to Washington Street. It was noted that the funding for this project is Federal funds from NOACA.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Memorandum of Understanding between the Village of South Russell and the Geauga County Board of Commissioners for the Improvement of Washington Street in Bainbridge Township and South Russell Village Geauga County.

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

PLANNING COMMISSION – RE-PLAT OF BROADWOOD HILL SUBDIVISION NO. 2 – BURTON TOWNSHIP

Director Linda Crombie explained that the Planning Commission approved a replat on Broadwood for a small piece of parcel is being purchased and combined with a current subplot to create subplot RFD 1.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Re-Plat of Broadwood Hill Subdivision No. 2, to create subplot RFD 1 in Burton Township.

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

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – CERTIFICATION OF DETERMINATION OF SUBSEQUENT EXEMPTION – CATEGORICAL EXCLUSION PROJECT AND CERTIFICATION OF EXEMPT PROJECT – UNDER GRANT #B-F-21-1AZ-1

Project Manager Gina Hofstetter asked the Board to approve the certification of determination of subsequent exemption for a categorical exclusion for projects for Womensafe, DDC Clinic and Camp Ho Mita Koda and a certification of exempt project for the Department on Aging.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Ohio Department of Development, Certification of Determination of Subsequent Exemption for a Categorical Exclusion project for Grant #B-F-21-1AZ-1 for Womensafe, - Parking, DDC Clinic - Generator, and Camp Ho Mita Koda – improvements and a Certification of Exempt Project for Grant #B-F-21-1AZ-1 for the Geauga County Department on Aging.

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

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION FOR FEDERALLY FUNDED STATE PROJECTS – CDBG GRANT #B-F-21-1AZ-1

Ms. Hofstetter asked the Board to approve the request for release of fund for the CDBG projects.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve the submission of the Ohio Department of Development, Office of Community Development Request for Release of Funds (RROF) and Certification for Federally Funded State Projects for the Community Development Block Grant (CDBG) Grant #B-F-21-1AZ-1 for Womensafe in the amount of \$35,100.00, DDC Clinic in the amount of \$55,100.00, Camp Ho Mita Koda in the amount of \$65,600.00, the Geauga County Department on Aging in the amount of \$71,500.00, Fair Housing in the amount of \$15,000.00 and Administration in the amount of \$41,800.00.

Commissioners' Journal
April 5, 2022

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

*DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – SATISFACTION /
RELEASE OF MORTGAGE – RICKELMAN PROPERTIES, LLC*

Ms. Hofstetter asked the Board to approve the Satisfaction of Mortgage / Release of Mortgage for Rickelman Properties, LLC.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Satisfaction / Release of Mortgage for Rickelman Properties, LLC as the Revolving Loan Fund Loan for the purchase of land and building in the amount of \$200,000.00 has been satisfied.*

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

*DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – ACCEPT
RESIGNATION – MARTIN CASTELLETTI - DIRECTOR*

Mr. Morgan explained that Mr. Castelletti submitted his letter of resignation from the position of Director and am asking the Board to accept that.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to accept the resignation of Director, Martin Castelletti to be effective April 15, 2022.*

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

*DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – ADVERTISE
POSITION – DIRECTOR (#1410) INTERNALLY FOR FIVE DAYS – IF NO CANDIDATE IS
FOUND – EXTERNALLY UNTIL FILLED*

Mr. Morgan asked the Board to approve advertising for the position of Director, internally for a period of five days, if no candidate is found, then externally until filled.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to grant permission to advertise internally for the position of Director (#1410) for a period of five days, with applications accepted from April 11, 2022 through 4:30 p.m. on April 15, 2022. If no qualified candidate is found, the position will be advertised externally until filled.*

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

*MAINTENANCE – APPROVE REVISED ORGANIZATIONAL CHART – INCREASE NUMBER
OF POSITIONS – TECHNOLOGY MAINTENANCE (#1918) ONE TO TWO POSITIONS –
ADVERTISE POSITION - TECHNOLOGY MAINTENANCE (1918) UNTIL FILLED*

Director Glen Vernick asked the Board to revise the organizational chart to add an additional Technology Maintenance position and then request to advertise to fill the additional position.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve the revised Organizational Chart to increase the current number of positions for Technology Maintenance (#1918) from one to two positions, to be effective April 5, 2022.*

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

Commissioners' Journal
April 5, 2022

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to grant permission to advertise for the position of Technology Maintenance (#1918). This position will remain posted until filled.

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

DEPARTMENT OF WATER RESOURCES – FIRST ADDENDUM – CONTRACT AGREEMENTS – ARC-HOUND WELDING AND FABRICATION, LLC – FORMERLY BAMF WELDING AND FABRICATING, LLC

Budget and Personnel Specialist Kathleen Miller explained that they have current contracts with BAMF for welding and the company had a name change so we are requesting to do an amendment on the two current contracts open to recognize that change.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the First Addendum to Contract Agreement with Arc-Hound Welding and Fabrication, LLC (formerly known as BAMF Welding and Fabricating, LLC) recognizing the name change of the contractor, and that all remaining terms and conditions of the original contract executed on March 23, 2021 for a three-year period, (2021, 2022, 2023) shall remain in full force and effect.

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

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the First Addendum to the Contract Agreement with Arc-Hound Welding and Fabrication, LLC (formerly known as BAMF Welding and Fabricating, LLC) recognizing the name change of the contractor, and that all remaining terms and conditions of the original contract executed on January 4, 2022 for the Year 2022 shall remain in full force and effect.

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – MARK YOUNG GENERAL CONTRACTING, LLC

Ms. Miller asked the Board to approve the service contract with Mark Young to perform general construction and maintenance as needed.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the service Contract Agreement with Mark Young General Contracting, LLC to perform a variety of construction and / or maintenance needed, including associated equipment at various locations within the department for the period of one year in an amount not to exceed \$30,000.00.

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – DEANDRADE LANDSCAPE DESIGN D.B.A. US LAWNS CLEVELAND EAST

Ms. Miller asked the Board to approve the service contract for Deandrade Landscape d.ba. US Lawns to do mowing at all the Wastewater Treatment Plants and pump stations for the year.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the service Contract Agreement with DeAndrade Landscape Design d.b.a. US Lawns Cleveland East to perform lawn maintenance at the Northern and Southern Locations within the department of Water through December 2022 in an amount not to exceed \$48,000.00.

Commissioners' Journal
April 5, 2022

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

DEPARTMENT OF WATER RESOURCES – RESOLUTION AUTHORIZING JAMES W. DVORAK TO APPLY FOR, ACCEPT AND ENTER INTO A COOPERATIVE AGREEMENT – OHIO WATER DEVELOPMENT AUTHORITY FOR REFINANCING OF USDA REVENUE BOND LOAN #92-11 – PARKMAN WASTEWATER TREATMENT PLANT PROJECT

Ms. Miller explained that they would like to refinance the current USDA Revenue Bond for the Parkman Wastewater Treatment Plant project to a Ohio Water Development Authority loan at a lower interest rate and term.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #22-041 Authorizing James W. Dvorak, President of the Geauga County Board of Commissioners to Apply For, Accept and Enter into a Cooperative Agreement between the Geauga County Board of Commissioners and the Ohio Water Development Authority (OWDA) for the Refinancing of the USDA Revenue Bond Loan #92-11 for the Parkman Wastewater Treatment Plant Project and further authorize the President of the Board to execute the Fresh Water Refinance Loan Application.

Board of County Commissioners, Geauga County, Ohio

Resolution: #22-041
Date: April 5, 2022

A RESOLUTION AUTHORIZING JAMES W. DVORAK, PRESIDENT OF THE GEAUGA COUNTY BOARD OF COMMISSIONERS TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT BETWEEN THE GEAUGA COUNTY BOARD OF COMMISSIONERS AND THE OHIO WATER DEVELOPMENT AUTHORITY (OWDA), FOR THE REFINANCING OF THE USDA REVENUE BOND LOAN #92-11 FOR THE PARKMAN WASTEWATER TREATMENT PLANT PROJECT.

WHEREAS, the County of Geauga (hereinafter referred to as the “LGA”) has the opportunity to refinance all of the balance of USDA #92-11 revenue bond loan (the “Refunded Debt”) the proceeds of which were used for the purpose of the Parkman Wastewater Treatment Plant Project in the amount of \$1,670,000.00 with a current interest rate of 4.375%; and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as the “OWDA”) to refinance the Refunded Debt on the terms set forth in the Cooperative Agreement (defined below) (the “Refinancing”); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms;

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

Section 1. That the LGA hereby approves the refinancing of the USDA #92-11 revenue bond loan for the Parkman Wastewater Treatment Plant to an OWDA Fresh Water Refinance Loan in cooperation with the OWDA under the provisions, terms and conditions set forth in the “Cooperative Agreement” as set forth in Exhibit A attached hereto and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute the Cooperative Agreement with the OWDA substantially in the form set forth and attached hereto in Exhibit A.

Section 2. That the LGA hereby approves the redemption or pre-payment of the Refunded Debt, and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer to designate the date on which such redemption or pre-payment is to occur.

Section 3. That it is found and determined that all formal actions of this Board of Commissioners, concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. That this resolution is hereby declared to be a measure benefitting the financing of public debt at a reduced interest rate therefore saving the County money over the term of agreement. This resolution shall be in full force and effect from and immediately after its passage.

Commissioners' Journal
April 5, 2022

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

COMMISSIONERS' OFFICE – GEAUGA METROPOLITAN HOUSING AUTHORITY BOARD APPOINTMENT - TABLED

The following item was on the agenda and Mr. Dvorak expressed that since they did not have a full Board today, that he wished to table the item and request applications for the Board seat. The following item was tabled.

The Commissioners' Office is requesting the Board re-appoint Mike Petruziello to the Geauga Metropolitan Housing Authority Board for a five-year term beginning April 6, 2022 through April 5, 2027.

COMMISSIONERS' OFFICE – AUTHORIZE THE PROSECUTOR'S OFFICE TO SUBMIT A WRIT OF PROHIBITION AGAINST THE PROBATE COURT'S STATUS HEARING

Mr. Morgan explained there was a notice of a Status Hearing from the Probate Court and that he was requesting the Board to approve and authorize the Prosecutor's Office to submit a Writ of Prohibition against a status hearing being held by the Probate Court in regards to the case involving the Chardon Township Wastewater Treatment Plant, that when the Appeals Court made their decision it was not remanded back to the Probate Court and it out of their prevue to do anything further with the case.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the Prosecutor's Office to submit a petition for a Writ of Prohibition against the Probate Court's Status Hearing in the Cases of, In the Matter of Joanne Eging Defendant: Chardon Township Wastewater Treatment Plant & Sewer et al No. 19-000503 and In the Matter of Charles DiCillo, Defendant: Geauga County Board of Commissioners No. 19-000504.

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

OTHER

The Board reviewed upcoming events.

MEETINGS

Mon., 4/11 Board of Revision, 9:00 a.m. Auditor's Office

Tue., 4/12 Planning Commission, 7:30 a.m. 470 Center St., Bldg. 8 meeting room

Tue., 4/12 The Commissioners will hold regular session at 9:30 a.m.

Wed., 4/13 Geauga County Township Association Dinner, 6:30 p.m. EOUV Club

Mon., 4/18 Family First Council, 1:30 p.m. Mental Health Offices

Tue., 4/19 The Commissioners will hold regular session at 9:30 a.m.

Fri., 4/22 NOACA External Affairs 8:30 a.m., Policy 10:00 a.m., Planning & Programming 11:30 a.m.

Mon., 4/25 Board of Revision, 9:00 a.m. Auditor's Office

Tue., 4/26 The Commissioners will hold regular session at 9:30 a.m.

PUBLIC COMMENT

Mr. Dvorak opened the floor for public comment and asked that we not reiterate what has already been gone over multiple times. Mr. Dvorak explained that he was working with David Joyce's policy team to see if it was possible to get funding. Mr. Dvorak noted that two other projects have been awarded funds, but the Chardon Township project is about 98% complete,

Commissioners' Journal
April 5, 2022

but he was hoping to shake out some funding. Mr. Lennon stated that he met last week with State Auditor Fabor and he explained what they have been bumping up against, we can review applications through the State Auditor's office and hopefully soon there will be an opinion from the Prosecutor's office. Mr. Lennon also was contacted by Diane Grendell's office and she has put a budget request in for \$3.1 million and don't know what the time frame is on approval. Mr. Lennon asked for a letter of support be drafted and submitted from this office.

COMMISSIONERS' OFFICE – LETTER OF SUPPORT – REPRESENTATIVE DIANE GRENDALL - FUNDING FOR RESIDENTS – CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER PROJECT

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to write a letter of support and submit on behalf of the Commissioner's Office to Representative Diane Grendell in regards to funding for the residents of the Chardon Township Wastewater Treatment Plant and Sewer project.

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

Resident Jim Laudato thanked Mr. Morgan for responding to him, along with Mr. Lennon and Mr. Dvorak for their efforts. Mr. Laudato stated that he had spoken to a member from Mr. Joyce's office about some funding support. Mr. Laudato stated that he felt right now the Board was doing what they can. Mr. Laudato asked about the status hearing, to which Mr. Morgan stated that the Probate Court is out of the case since the Appeals Court made the decision, and for legal reasons we are opposing the status hearing. Mr. Lennon noted that based on advice from the Prosecutor's Office they are opposing it as the Judge is no longer part of the case. Mr. Laudato stated that he had also put a call into the EPA and are awaiting a call back.

Health Department Administrator Adam Litke explained that the Health Department was looking at funding options, that may be able to assist with the costs for tie in and tank crushing. Mr. Laudato expressed that the Board should waive the fees and the interest rate. Mr. Laudato thanked the Board for listening.

Resident Mike Valko asked about any additional interest in the ARPA funds, to which no other requests have been received.

Resident Linda Kerry asked if the County received \$9 million and are set to receive \$9 million more and why has that not been considered for use on this project. Mr. Dvorak explained that they are waiting for an opinion from the Prosecutor's office. Mr. Morgan stated that there are rules with the guidelines for use, the funding for the project had to be encumbered after March 3, 2021. Ms. Kerry questioned that date, to which Mr. Morgan stated that was why it was being looked into by the Prosecutor's Office.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to adjourn the meeting at 10:04 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

Commissioners' Journal
April 5, 2022

THIS PAGE INTENTIONALLY LEFT BLANK