

Commissioners' Journal
April 26, 2022

The Geauga County Board of Commissioners met in session on April 26, 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 9:42 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

*Thank you, God,
For all your Blessings to me and my family
For the strength you give me each day and for all the people around me who make life more meaningful
Amen*

FINANCIALS

County Administrator Gerard Morgan reported on financials from April 19, 2022, Resolution #22-046 that included Cash transfers from the General Fund to Community Development and Metzbaum for the 1st Quarter 2022 interest transfer, to the Board of Developmental Disabilities for gas well proceeds from January – February 2022 and to Court Technology for a portion of their 2022 funding, a Contract PO for the Commissioners' Office to CORSA for the 2022 property and liability insurance premium, a Travel PO for the Treasurer's Office to attend the County Treasurers Association of Ohio 2022 Spring Conference, a payment for the Auditor's Office to Integrity Appraisal Services for re-eval and new construction property valuations assistance in the amount of \$51,218.00, a payment for the Commissioners' Office to Ohio State University for the County's 2nd quarter 2022 program support payment in the amount of \$65,102.75, a payment for the Maintenance Office to CMRS for additional postage for the mailing machine in the amount of \$50,000.00 and a payment for the Probate Court to Samuel Matthews for travel related expenses paid by the Auditor's Office under protest due to the service dates being prior to the encumbrance date in the amount of \$15.00 and on April 20, 2022, Resolution #22-047 for Supplemental Appropriations for Board of Elections in the Election Revenue Fund's payroll accounts to pay employees for work being done for hiring and training temporary staff for data entry, voting machine programming, reprogramming, testing and training costs, ensuring accurate voter rolls, poll worker recruitment and training and reviewing and improving processes to promote efficiency for the primary elections; as approved by the County Administrator pursuant to Resolution #22-032 approved March 15, 2022 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 2022, 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 April 14, 2022 for Transit approved hiring Steven Corso to the position of Part-time Transit Driver (#2210-1) to be effective April 18, 2022 at rate of \$14.83 per hour with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions and Approved hiring Christopher Black to the position of Part-time Driver (#2210-1) to be effective May 9, 2022 at the rate of \$15.36 per hour (Grade 6, Step 2) with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions and on April 18, 2022 for the Department of Water Resources approved an unpaid medical leave of absence for Rob Edmonds, in accordance with the Union Contract, for the period April 23, 2022 through May 22, 2022, and accepted the resignation of Bernard Pilarczyk, McFarland Wastewater Treatment Plant Supervisor (#2301) to be effective April 26, 2022; 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.

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MEETING MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes 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>

COMMISSIONERS' OFFICE – SCHEDULE SPECIAL MEETING – APRIL 27, 2022 –
RESOLUTION TO ESTABLISH LOCATION OF SPECIAL MEETING – COMMON PLEAS
COURT, FRONT COURTHOUSE STEPS

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve scheduling a Special Meeting to be held on Wednesday, April 27, 2022 at 10:30 a.m. and to further approve and execute Resolution #22-048 Establishing the Location of the April 27, 2022 Special Meeting of the Board of County Commissioners, as the Common Pleas Court, 100 Short Court Street, on the front Courthouse Steps, Chardon, Ohio.

<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 – UNEMPLOYMENT COMPENSATION SERVICE AGENCY
AGREEMENT – SEDGWICK CLAIMS MANAGEMENT SERVICES, INCORPORATED

Human Resources Specialist Kelly Bidlack asked the Board to approve the Sedgwick Claims Management Services Agreement for Unemployment Compensation Services.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Unemployment Compensation Service Agency Agreement between Sedgwick Claims Management Services, Incorporated and Geauga County for the period May 1, 2022 through April 30, 2023 in the amount of \$1,205.00.

<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>

COMMISSIONERS' OFFICE – WORKERS' COMPENSATION SERVICE AGENCY
AGREEMENT – SEDGWICK CLAIMS MANAGEMENT SERVICES, INCORPORATED

Ms. Bidlack asked the Board to approve the Sedgwick Claims Management Services Agreement for Workers' Compensation Services.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Workers' Compensation Service Agency Agreement between Sedgwick Claims Management Services, Incorporated and Geauga County for the period May 1, 2022 through April 30, 2023 in the amount of \$9,300.00.

<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>

COMMISSIONERS' OFFICE – AGREEMENT – SMOOTH RIDER, LLC – EMPLOYEE
HEALTH AND WELLNESS EXPO

Ms. Bidlack asked the Board to approve the agreement with Smooth Rider to provide smoothies during the Employee Health and Wellness Expo. Ms. Bidlack noted that this was being paid for out of the Wellness Grant Funds.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Agreement with Smooth Rider, LLC to provide One-Hundred and Fifty (150) 20 oz. smoothies via the Smooth Rider Smoothie Food Truck during the Geauga County Employee Health and Wellness Expo on May 5, 2022 in an amount not to exceed \$1,200.00.

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

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including a Cash transfer from the General Fund to Transit for 2022 operations commitment (increased \$17,107.00 from \$53,045.00, last time it was adjusted was back in 2009, covers the whole year), Contract PO for the Commissioners Office to Sedgwick Claims Management Services, Incorporated for one year of Worker's Compensation and Unemployment Administrative Assistance, Travel request for the Common Pleas Court, a Then and Now for Emergency Services to Inspiron Logistics, LLC for the Geauga County EMA Mass Notification System not previously encumbered, a payment for the Commissioners Office to Ravenwood for the 2nd quarter commitment to Youth Center Operations in the amount of \$104,105.00, a payment for the Commissioners Office to CORSA for 2022 property and liability insurance premium (up \$9,095.00 from 2021) in the amount of \$360,535.00, a payment for Water Resources to Glaus Pyle Schomer Burns and Dehaven, Incorporated for services related to the Chardon Township Wastewater Treatment Plant and sewer collection system in the amount of \$42,103.50, a Revenue Certification for Aging in their operating fund for unbudgeted insurance reimbursement being received in 2022 and a Revenue Certification from Community Development in the Block Grant Fund for additional revenue to be received this year.

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-049 itemizing the financials for the meeting of April 26, 2022.*

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

COUNTY ENGINEER'S OFFICE – UNIT PRICE CONTRACT – CHAGRIN VALLEY PAVING, INCORPORATED – ASPHALT RESURFACING JUG STREET – BURTON AND TROY TOWNSHIPS

Deputy Engineer Nick Gorris asked the Board to approve and execute the Unit Price Contract with Chagrin Valley Paving for the Asphalt Resurfacing of Jug Street.

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Unit Price Contract with Chagrin Valley Paving, Incorporated for the Asphalt Resurfacing of Jug Street (CH 0046, Sections F-G) in Burton and Troy Townships in the amount of \$637,759.90*.*

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

**Amount changed from \$637,759.00 read and on agenda to reflect actual contract amount awarded.*

COUNTY ENGINEER'S OFFICE – UNIT PRICE CONTRACT – CHAGRIN VALLEY PAVING, INCORPORATED – ASPHALT RESURFACING CHAGRIN ROAD – BAINBRIDGE TOWNSHIP

Mr. Gorris asked the Board to approve and execute the Unit Price Contract with Chagrin Valley Paving for the Asphalt Resurfacing of Chagrin Road.

Motion: *by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the Unit Price Contract with Chagrin Valley Paving, Incorporated for the Asphalt Resurfacing of Chagrin Road (CH 0009, Section A) in Bainbridge Township in the amount of \$374,025.80.*

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

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COUNTY ENGINEER'S OFFICE – AWARD BID – GRADE LINE, INCORPORATED –
ROLLING BROOK DRIVE BRIDGE – BAINBRIDGE TOWNSHIP

Mr. Gorris asked the Board to award the Bid to Grade Line, Incorporated for the Rolling Brook Drive Bridge as they represented the lowest and best bid. This project is in the Bainbrook Development off State Route 306 in Bainbridge Township.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to award the Bid to Grade Line, Incorporated for the Rolling Brook Drive Bridge (Structure #BR-0578-A-00.030-2022) in Bainbridge Township in the amount of \$158,959.00 as they represented the lowest and best bid. The Bid Bond submitted shall be held to serve as the Performance Bond for this project.

<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>

COUNTY ENGINEER'S OFFICE - REJECT ALL BIDS – APPLICATION OF POLYESTER
PAVEMENT MARKINGS TO VARIOUS ROADS – ALL BIDS IN EXCESS OF ALLOWABLE
TEN PERCENT ABOVE ENGINEER'S ESTIMATE

Mr. Gorris asked the Board to reject all the Bids submitted for the Application of Polyester Pavement Markings in accordance with the ORC as all bids were in excess of the allowable ten percent above the estimate. There was only one bid received and it was 17% above.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to reject all bids for the Application of Polyester Pavement Markings to Various Roads in Geauga County, pursuant to O.R.C. 153.12(A) as all bids received were in excess of the allowable ten percent above the Engineer's estimate.

<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>

COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER APPLICATION OF
POLYESTER PAVEMENT MARKINGS TO VARIOUS ROADS (REBID) – EXECUTE BID
SPECIFICATIONS COVER – SET BID OPENING

Mr. Gorris asked the Board to approve and execute the resolution to order the Re-Bid of the Application of Polyester Pavement Markings, execute the cover page for the Bid Specifications and set a bid opening. Mr. Gorris explained that they revisited and looked at market and are asking to go back out for bid. Mr. Gorris stated that fuel cost is primarily the cost and labor increases.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-050 to Order the Application of Polyester Pavement Markings to Various Roads in Geauga County, Year 2022 (Re-Bid).

This resolution also requests the Board approve and execute the Bid Specifications Cover page for the same.

Further, this resolution sets a bid opening on May 25, 2022 at 2:00 p.m. Notice of this Bid Opening will be advertised on May 5, 2022 and on the County website.

Board of County Commissioners, Geauga County, Ohio

Date: April 26, 2022

Resolution: #22-050

**RESOLUTION TO ORDER THE APPLICATION OF PAVEMENT MARKINGS TO VARIOUS
ROADS (RE-BID) GEAUGA COUNTY, YEAR 2022**

WHEREAS, the Geauga County Board of Commissioners has determined by Resolution 22-003 that the public convenience and welfare require the application of polyester pavement markings on various roadways in accordance with Section 5555.06 of the Ohio Revised Code; and

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WHEREAS, lands will not be taken relative to the improvements; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and

WHEREAS, the Geauga County Board of Commissioners, after reviewing the plans with the County Engineer in public session, is satisfied that the public convenience and welfare require that said improvement be made.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners in accordance with Section 5555.13 of the Ohio Revised Code hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Board of County Commissioners in accordance with Section 5555.022 of the Ohio Revised Code hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from local and/or state funding sources in accordance with Section 5555.43 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners is hereby ordered to let this project for bids in accordance with Section 5555.61 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received until 1:45 PM and opened and read aloud at 2:00 PM on Wednesday, May 25, 2022.

BE IT FURTHER RESOLVED, that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to the Geauga County Engineer.

<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>

SHERIFF'S OFFICE – OHIO OFFICE OF CRIMINAL JUSTICE SERVICES (OCJS)
SUBGRANT AWARD AGREEMENT – STOP VIOLENCE AGAINST WOMEN GRANT – VAWA
#2021-WF-VA2-8214

Chief Deputy Tom Rowan asked the Board to approve and execute the VAWA Subaward Grant Agreement for this year, which is handled by Deputy Robin Taylor who handles the investigations, like sex crimes and such.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Ohio Office of Criminal Justice Services (OCJS) Subgrant Award Agreement for the STOP Violence Against Women Grant (VAWA #2021-WF-VA2-8214) in the amount of \$63,139.31 (\$47,354.48 from OCJS and \$15,784.83 Local County match). This grant is for the period January 1, 2022 through December 31, 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>

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – AGREEMENT TO
PERFORM WARRANTY WORK – OHIO PAVING AND CONSTRUCTION COMPANY,
INCORPORATED – AGRICULTURAL SOCIETY FAIRGROUNDS PAVING PROJECT

Program Manager Gina Hofstetter is requesting the Board approve the Agreement with Ohio Paving and Construction Company for the paving project at the Fairgrounds.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Agreement to Perform Warranty Work with Ohio Paving and Construction Company, Incorporated for the Geauga County Agricultural Society, Fairgrounds Paving Project as part of the Community Development Block Grant (CDBG), under Grant #B-F-19-1AZ-1 with work to be performed by June 30, 2022.

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

COMMISSIONERS' OFFICE – APPOINT GINA HOFSTETTER – DIRECTOR, COMMUNITY AND ECONOMIC DEVELOPMENT (#1410)

Mr. Morgan explained that Ms. Hofstetter had applied for the Director position of Community and Economic Development and is recommending her for the position adding that he feels she will do a great job and bring some stability to the department.

Motion: *by Commissioner Dvorak, seconded by Commissioner Spidalieri to appoint Gina Hofstetter to the position of Director, Community & Economic Development (#1410) to be effective April 24, 2022 at the rate of \$30.39 per hour (Grade E15, Step 2).*

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

DEPARTMENT OF EMERGENCY SERVICES – CONTRACT AGREEMENT – INSPIRON LOGISTICS, LLC – EMA MASS NOTIFICATION SYSTEM

Director Roger Peterson asked the Board to approve and execute the Contract Agreement with Inspiron Logistics for the EMA Mass Notification System for county wide emergencies. Mr. Peterson stated that we have been using this notification system for eleven years and it is split with the LEPC and the Sheriff's Office.

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Contract Agreement with Inspiron Logistics, LLC to furnish the Geauga County EMA Mass Notification System for a one year term, April 1, 2022 through March 31, 2023 with the right to extend the term up to five additional one-year terms, in the amount of \$23,650.00 with one third being paid by the Department of Emergency Services (\$7,883.34) one third being paid by the Local Emergency Planning Committee (LEPC) (\$7,883.34) and one third being paid by the Sheriff's Office.*

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

TRANSIT – RESOLUTION AUTHORIZING SUBMITTAL OF A PROPOSAL / APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) GRANTS THROUGH US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) AND STATE OF OHIO

Director JoAnna Santilli asked the Board to approve the resolution authorizing the submittal of a proposal / application to ODOT for grants through the US DOT Federal Transit Administration (FTA) and the State of Ohio, noting that usually the grants are applied separately, however this year the application is combined for everything and they will designate funds for each category.

Motion: *by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-051 Authorizing the Submittal of a Proposal / Application with the Ohio Department of Transportation for Grants through the US DOT Federal Transit Administration (FTA) and the State of Ohio, as Authorized under Federal Transit Laws and State of Ohio Laws executing a Contract with the Ohio Department of Transportation upon project approval.*

Board of County Commissioners, Geauga County Ohio

Date: *April 26, 2022*

Resolution: *#22-051*

RESOLUTION AUTHORIZING THE SUBMITTAL OF A PROPOSAL/APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR GRANTS THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) AND THE STATE OF OHIO, AS

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AUTHORIZED UNDER FEDERAL TRANSIT LAWS AND STATE OF OHIO LAWS EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON PROJECT APPROVAL.

WHEREAS, the Director of the Ohio Department of Transportation is authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the proposer/applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of a proposal/application for assistance, which may be funded under 49 USC Section 5311, 5339 (CFDA 20.526), and Ohio Transit Partnership Program (OTP2) the proposer/applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Proposer/Applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY the Geauga County Board of Commissioners

1. That the Director of Transportation is authorized to execute and electronically submit (a) proposal/application (s) on behalf of the Geauga County Board of Commissioners with the Ohio Department of Transportation to aid in the financing of capital and operating assistance projects, which may be funded pursuant to 49 USC Section 5311, 5339 (CFDA 20.526) and the Ohio Public Transportation Grant Program and Ohio Transit Partnership Program (OTP2).

2. The Director of Transportation is authorized to execute and file with such proposal/application and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Director of Transportation is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the proposal/application for the program of projects submitted to FTA.

4. That the Director of Transportation is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.

5. That the President of the Board is authorized to execute grant agreements on behalf of the Geauga County Board of Commissioners with the Ohio Department of Transportation for aid in the financing of operating and capital assistance projects.

6. That the Director of Transportation is authorized to sign and submit reimbursement invoices on behalf of the Geauga County Board of Commissioners as they have already taken action during public session for all expenses incurred by Transit.

BE IT FURTHER RESOLVED, that the Clerk of Geauga County Board of Commissioners is hereby instructed to transmit a certified copy of this resolution to Geauga County Transit.

<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 OF WATER RESOURCES – OHIO WATER DEVELOPMENT AUTHORITY
ACKNOWLEDGEMENT OF PAYMENT COMMENCEMENT – AUBURN CORNERS
WASTEWATER TREATMENT PLANT EXPANSION AND TROY OAKS PUMP STATION
Director Steven Oluic asked the Board to authorize the President of the Board to execute the acknowledgment of payment commencement on the Auburn Corners Wastewater Treatment

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DEPARTMENT OF WATER RESOURCES – OHIO WATER DEVELOPMENT AUTHORITY
COOPERATIVE AGREEMENT – REFINANCE USDA REVENUE BOND LOAN #93-11 –
PARKMAN WASTEWATER TREATMENT PLANT

Dr. Oluic asked the Board to authorize the President to execute the Cooperative Agreement with OWDA for the refinance of the USDA Revenue Bond for Parkman Wastewater Treatment 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 Cooperative Agreement for Refinancing of State Water Project or Wastewater Project, for the USDA Revenue Bond Loan #92-11 for the Parkman Wastewater Treatment Plant project.

<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 – RESOLUTION TO EXTEND CURRENT TIME ALLOWED BY
FOURTEEN DAYS FOR ASSESSED AMOUNT TO BE PAID AGAINST PARCELS WITHIN
LEVIED ASSESSMENTS FOR CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT

Mr. Morgan explained that he had discussions with the Prosecutors Office about the findings on the ARPA funds which he stated that they cannot be used to pay down the assessment cost as it would be paying down a loan and are denied within the ARPA rules. We are asking the Board to extend the time allowed to pay off the assessment. Mr. Morgan noted that several residents had contacted them about paying the assessment off and this is an extension for an additional 14 days. Mr. Morgan explained that they will be holding a meeting with the residents next week sometime to discuss the project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-052 to Extend the Current Time Allowed by Fourteen (14) days for the Assessed Amount to be Paid Against Parcels within the Levied Assessments 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: April 26, 2022
Resolution: #22-052

The Board of County Commissioners of the County of Geauga met on April 26, 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

RESOLUTION #22-052

A RESOLUTION TO EXTEND THE CURRENT TIME ALLOWED BY FOURTEEN (14) DAYS FOR THE ASSESSED AMOUNT TO BE PAID AGAINST PARCELS WITHIN THE LEVIED ASSESSMENTS FOR THE CHARDON TOWNSHIP WASTEWATER TREATMENT PLANT AND SEWER 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

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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 No. 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, on March 22, 2022, this Board further adopted Resolution No. 22-035 which extended the 30-day timeframe for property owners to pay all or part of the amount assessed and for certification to the County Auditor by 30 days; and

WHEREAS, the Board has chosen to provide additional time for property owners to pay all or a part of the amount assessed before any amounts not paid are certified to the County Auditor as provided by law to be placed on the tax list;

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 Resolution No. 22-035 revised set time of the close of business 30 days after the adoption of this resolution (March 28, 2022) (Correction to 60 days after Resolution #22-020 should be April 25, 2022) to the close of business 14 days after the adoption of this Resolution (May 10, 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 1.50% 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

COMMISSIONERS' OFFICE – RESOLUTION IN THE MATTER OF ELECTING TO TAKE STANDARD ALLOWANCE – OF UP TO \$10,000,000.00 – REVENUE LOSS FOR USE FOR THE PROVISION OF GOVERNMENTAL SERVICES – AMERICAN RESCUE PLAN

Mr. Morgan explained that in the final rules to calculate loss, you could take a standard deduction of \$10 million dollars to be used for government purposes but it has to be done and reported on the March reporting.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-053 In the Matter of Electing to Take the “Standard Allowance” of up to \$10,000,000.00 as the Amount of the Revenue Loss for Use for the Provision of Governmental Services under Section 603(C)(1)(C) of the American Rescue Plan.

Board of County Commissioners, Geauga County, Ohio

Date: April 26, 2022

Resolution: #22-053

IN THE MATTER OF ELECTING TO TAKE THE “STANDARD ALLOWANCE” OF UP TO \$ 10,000,000.00 AS THE AMOUNT OF REVENUE LOSS FOR USE FOR THE PROVISION OF GOVERNMENTAL SERVICES UNDER SECTION 603(C)(1)(C) OF THE AMERICAN RESCUE PLAN

WHEREAS, the County has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

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WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024.

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, the U.S. Treasury has adopted various rules attached to the use of these funds having issued a Final rule on January 6, 2022. The Department of Treasury Final Rule, published by the Federal Register on January 27, 2022, at Vol. 87, No. 18, 4438 – 4454, and effective April 1, 2022 (the “Final Rule”), provides in part that:

Treasury is including an option for recipients to use a standard allowance for revenue loss. Specifically, in the final rule, recipients will be permitted to elect a fixed amount of loss that can then be used to fund government services. This fixed amount, referred to as the “standard allowance,” is set at up to \$10 million total for the entire period of performance not to exceed the recipient’s SLFRF award amount.

WHEREAS, the Final Rule further observes based on extensive analysis by the Treasury that:

The \$10 million level is based on average revenue loss across state and local governments, taking into consideration potential variation in revenue types and losses and continued uncertainty faced by many recipients regarding revenue shortfalls.

WHEREAS, §35.6(d) of the Final Rule further provides that recipients can use SLFRF funds on government services up to the revenue loss amount, whether that be the “standard allowance” or for the use of a calculation formula by which an entity may determine the amount of “revenue loss” pursuant to Section 603(C)(1)(C) of the American Rescue Plan, but provides that recipients “must make a one-time election” between those options. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, the election provided for under §35.6(d)91) of the Final Rule allowing a recipient to take up to \$ 10,000,000.00 as a standard allowance provides the County with more certainty as to exactly how much “revenue loss” funds may be used to provide for the provision of government services over the multi-year performance period allowed for use of American Rescue Plan funds;

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WHEREAS, some common examples of “government services” identified by the Treasury in the Rule and in the “Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule” (hereinafter “the SLFRF Overview of Final Rule”) are as follows:

- *Road building and maintenance, and other infrastructure*
- *Health services*
- *General government administration, staff, and administrative facilities*
- *School or educational services*
- *Construction of schools and hospitals*
- *Environmental remediation*
- *Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)*
- *Maintenance or pay-go funded building infrastructure*
- *Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure*

WHEREAS, the Treasury has recognized in the SLFRF Overview of Final Rule “Government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise” and that “Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements.” and

WHEREAS, the SLFRF Overview of the Final Rule further states that funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including generally prohibiting:

- *Offsetting a reduction in net tax revenue*
- *Deposit into pension funds*
- *Debt service or replenishing financial reserves*
- *Satisfaction of settlements or judgments*
- *Contributions to financial reserves or “rainy day” funds*
- *Use for projects that conflicts with or contravenes the American Rescue Plan Act*
- *Use in violation of Terms and Conditions of the award or conflict of interest requirements under the Uniform Guidance*
- *Use of funds in violation of other applicable laws and regulations or outside of SLRF program requirements*

NOW THEREFORE, it is hereby RESOLVED by the Board of Commissioners, Geauga County, State of Ohio, that the County elects, under § 35.6(d)(1) of the Final Rule to take up to \$10,000,000.00 as a “standard allowance” and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein for the “provision of government services.”

BE IT FURTHER RESOLVED that the use of this standard allowance may be for the direct providing of government services, or they may be used as a secondary/additional legal justification or support for an ARP funded project/purchase in the event such a project was later deemed not to be otherwise appropriate for funding use under Section 603(C)(1)(A)(B) or (D) of the American Rescue Plan.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Commissioners concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Commissioners, and that all deliberations of the Board of Commissioners and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

<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 – AGREEMENT – THENDESIGN ARCHITECTURE (TDA) FOR DESIGN SERVICES RELATED TO THE RENOVATION OF EXISTING COUNTY BUILDINGS AND CONSTRUCTION OF NEW COUNTY BUILDINGS (PHASE II)

Mr. Morgan asked the Board to approve the agreement with ThenDesign Architecture for the Phase II project which includes any design for renovation of existing or construction of new buildings.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Agreement between ThenDesign Architecture (TDA) and the Geauga County Board of Commissioners for Design Services related to the Renovation of Existing County Buildings and Construction of New County Buildings (Phase II) in an amount not to exceed \$1,050,000.00.

<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>

COMMISSIONERS' OFFICE – CHANGE ORDER #13 – INCREASE CONTRACT – DONLEY'S INDEPENDENCE LLC – GUARANTEED MAXIMUM PRICE PHASE #1 AND #2 - DOWNSPOUTS

Mr. Morgan asked the Board to approve the Change Order #13 with Donley's Independence to put a facing on the downspouts.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute Change Order #13 increasing the Contract with Donley's Independence, LLC for Guaranteed Maximum Price, Phase #1 and Phase #2 for the addition of closed face downspouts in the amount of \$23,685.00.

<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>

COMMISSIONERS' OFFICE – CHANGE ORDER #14 – INCREASE CONTRACT – DONLEY'S INDEPENDENCE, LLC – GUARANTEED MAXIMUM PRICE PHASE #1 AND #2 – ADDITIONAL ADJUSTMENTS - ADP

Mr. Morgan asked the Board to approve Change Order #14 with Donley's Independence for the cabling and systems for ADP.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute Change Order #14 increasing the Contract with Donley's Independence, LLC for the Guaranteed Maximum Price, Phase #1 and Phase #2 for additional adjustments to cabling and systems for ADP in the amount of \$25,420.00.

<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>

COMMISSIONERS' OFFICE – STATE OF OHIO DEPARTMENT OF PUBLIC SAFETY LEASE – RENTABLE SQUARE FEET OF SPACE – 12611 RAVENWOOD DRIVE, CHARDON

Mr. Morgan asked the Board to approve and execute the Lease Agreement with the State of Ohio for the rentable space for the BMV in the new building which has unlimited two-year renewals.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the State of Ohio Department of Public Safety LEASE between the Geauga County Board of Commissioners and the Ohio Department of Public Safety for approximately 1,975 rentable square feet of space at 12611 Ravenwood Drive, Chardon beginning July, 2022 through June, 2023 with the cost of rent at \$16.00 per square foot for a total cost per year in the amount of \$31,600.00 with unlimited two-year renewal options.

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<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 – RESOLUTION APPOINTING MICHAEL MURPHY –
NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM (NEOCAP) FACILITY
GOVERNING BOARD

Clerk Christine Blair explained that she had sent the Board an email regarding an appointment for the NEOCAP Board and that Ms. Drum had retired from her position, two applications that were submitted for your consideration. Ms. Blair noted that this appointment is a short term from May 1st through November, 2022. Ms. Blair had a conversation with the Director about the appointment and while he would lean towards Mr. Murphy based on qualifications, the appointment is up to the Board.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #22-054 Appointing Michael Murphy to the Northeast Ohio Community Alternative Program (NEOCAP) Facility Governing Board to fill the Unexpired Term of Marna Drum.

Board of County Commissioners, Geauga County, Ohio

Resolution: 22-054
Date: April 26, 2022

**RESOLUTION APPOINTING MICHAEL MURPHY TO THE NORTHEAST OHIO
COMMUNITY ALTERNATIVE PROGRAM (NEOCAP) FACILITY GOVERNING BOARD
TO FILL THE UNEXPIRED TERM OF MARNA DRUM**

WHEREAS, the Northeast Ohio Community Alternative Program (NEOCAP) was established by the Common Pleas Judges of Portage, Geauga, Lake, Ashtabula and Trumbull counties in 1997 and serves as the Community Based Corrections Facility (CBCF); and

WHEREAS, Ohio Revised Code Section 2301.51(E) provides that the CBCF be governed by a Facility Governing Board to which the judicial advisory board of the CBCF shall appoint two-thirds of the members and the boards of county commissioners of the member counties of the CBCF shall appoint the remaining one-third of the members; and

WHEREAS, it is within the discretion of and has been mutually determined by the CBCF's member counties that the Facility Governing Board should be comprised of nine members which requires that boards of county commissions of the member counties of the CBCF shall appoint three of the members; and

WHEREAS, Marna Drum retired from her position on the Board in November 2021 and Michael Murphy has expressed an interest in being appointed to the board to fill the unexpired term of Marna Drum as her current term expires on November 9, 2022; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners, in agreement with all members of the CBCF, appoints Michael Murphy to serve on the Facility Governing Board for the term May 1, 2022 through November 9, 2022; and

BE IT FURTHER RESOLVED, that the Commissioners' Clerk forwards a copy of this resolution to County Commissioners of Ashtabula, Lake, Portage and Trumbull counties and that this Resolution becomes part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

<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 – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE CONSTRUCTION AGREEMENT – MOVE MANAGEMENT VENDOR – RIVER CITY FURNITURE (RCF GROUP)

Mr. Morgan expressed that he would like the Board to consider giving him authorization to execute the Contract with the Move Management Vendor, River City Furniture due to not having session next week and if possible to begin the moving process in the middle of May.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the County Administrator to execute the Construction Agreement between Owner and Move Management Vendor with River City Furniture (RCF Group) in the amount of \$220,954.00, pursuant to O.R.C. 305.30.

<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 – RE-APPOINT MIKE PETRUZIELLO – GEAUGA METROPOLITAN HOUSING AUTHORITY BOARD – FIVE YEAR TERM

Commissioner Spidalieri explained that he has spoken with Mr. Petruziello and he would like to remain on the Board, as there are four projects they are working on. Mr. Dvorak and Mr. Lennon noted that they had spoken to people and feel it would be good to keep him on the position.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to re-appoint Mike Petruziello to the Geauga Metropolitan Housing Authority Board for a five-year term ending April 4, 2027.

<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>

PUBLIC COMMENT

A local resident expressed that she was confused on the use the ARPA funding, that she did not agree or take out a loan. Mr. Morgan stated that the County took out a loan for the project in 2018. The resident stated that the county should pay for it. Mr. Morgan explained that they need to be honest and that the issue is not with the county, the issue was that the residents had failing septic systems. This resident expressed that she felt the county was doing everything to avoid not helping the residents, that the final rule states that you can give individual homes funds and you are not. Mr. Morgan stated that the county is looking to find ways to help you, that the system went in due to failing septic systems. The resident stated you can help Legend Lakes but not us. If Legend Lakes ties in to the system at some point they still have to pay their cost, they still have to pay to run the line and pay service fees. The property was valued at their connection charge to obtain the property for the plant.

Resident Jim Laudato asked the Board to grant a special meeting to discuss what the county is participating in and what they are not. Mr. Morgan stated that they were still working through other opportunities, but the ARPA funds cannot be used to pay for the assessment. Mr. Ladauto asked what the standard allowance was, to which Mr. Morgan stated that the County could take a standard allowance of \$10 million to be used for government purposes but that the final rules still apply regarding how it could be used. It cannot be used to pay off a loan or reduce taxes. Mr. Lennon stated that they were still looking at options for the connection costs, noting that they were looking at Community Development and CDBG, looking at other grants possibly through the USDA, and Diane Grendell's budget request is still out there. Mr. Ladauto stated that they needed a meeting to work on the communication and trust issues. Mr. Lennon stated that it boils down that the Prosecutor told them they could not use the funds for the assessment to pay down the loan.

Mr. Ladauto continued to express his frustration to the Board about not providing funding to help the residents and that the process needs to change. Mr. Lennon expressed that they understood his frustration but the Board's hands were tied by the EPA, and agrees that somethings need to change. Mr. Ladauto continued that the residents have a problem with 50,000 gallons a day and that the plant is too big and that it doesn't sit well. Mr. Morgan stated that the plant in Parkman that has been in operation for sixteen years there is still rumors in

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Parkman that the plant is not in operation and they are still hauling it away. Mr. Morgan stated that standard design for plants is 400 gallons a day per household and are done in 10,000-gallon increments, which is the reason for the 50,000 gallons.

Mr. Morgan briefly explained what they planned to cover and discuss at the meeting for the residents. It was asked if the Board would be in attendance, and Mr. Dvorak stated that he would be there. Mr. Ladauto provided his list of what he wants from the Board, regarding interest, tie in fees, application fee. Mr. DiCillo added that 40% of the owners that updated their systems that now have to crush their tanks. Mr. Ladauto added that they need to address the Legend Lake and the size of the plant. A local resident noted that ARPA couldn't be used for the assessment but could they use ARPA for the tie ins or the crushing of the tanks. Mr. Morgan stated that they were working on that and unfortunately the properties are different so it's not a standard tie in. Resident Mr. Beharry inquired about the size of the capacity being so large instead of the average gallons used from the US Geological survey. Mr. Beharry asked about them jumping to the property on the corner, to which Mr. Morgan explained the different locations they looked at for options. Resident Mr. Valko expressed that according to his notes from April Mr. Dvorak reached out to Mr. Joyce office, to which Mr. Dvorak stated that Mr. Cooper is looking however they can't use funding due to the project being in debt. Mr. Valko asked about Mr. Lennon speaking to the State Auditor, Mr. Lennon stated that they were given an informal opinion but ARPA couldn't be used on project started prior to the March 2021 date. Mr. Lennon mentioned that a letter of support was provided by our office to Ms. Grendell's office in regards to a budget request. Mr. Valko asked if there had been any additional requests for ARPA funds. There have been a few requests, including the Hospital, the Airport Authority, United Way. Mr. DiCillo stated that their roads are terrible since the project and wanted to know if ARPA funds can be used to pave the roads. Mr. Morgan noted that the Township chip and sealed the road. Mr. Dvorak expressed that a RUMA agreement is typically put into place when a project happens, and he wasn't sure if one had been put into place. Mr. DiCillo expressed frustration about taxes going up, our livelihood going down, and no one is going to buy our house. Mr. Ladauto asked if the Township can request money from the County to pave the roads. Mr. Ladauto made a statement about there being 3 votes and the ARPA money is available would the Board do something... if the ARPA funds are able to be used...is there a rainy-day fund available to help the residents. They didn't ask for this, and Mr. Ladauto stated that he knows the Board is sitting on a ton of cash, this is a rainy day, that it is pouring in their neighborhood. Mr. Beharry asked a question about if he sells his property, what happens with the assessment, to which it was noted that the new owner would absorb the cost and have the same assessment over time.

Prosecutor Jim Flaiz arrived at the meeting and stated that he wasn't sure what had happened during the meeting, but that his phone was blowing up. Mr. Flaiz stated that the Prosecutor's office has not issued a formal opinion on the spending of the ARPA funds, there are a couple of major obstacles with the project. Mr. Flaiz noted that the commencement date of the project and that the loans have already been occurred for a direct pay from ARPA funds. The opinion will be issued very soon. The Townships and the County need to do the resolutions to take the Standard Allowance, the standing just came out April 1st and we didn't get guidance until about 12 days ago. One resolution was passed today and two others need to be done before any money can be spent and it's a lengthy process. Mr. Lennon asked Mr. Flaiz about being able to use the funds for the tie ins – adding that there may be other avenues to get answers, noting the State Auditor and outside legal counsel. Mr. Flaiz expressed that he doesn't feel that we have enough money to justify the expense, noting that \$18 million sounds like a lot, but a lot of other areas are getting much more. The Townships are combining some of their resolutions into one. Mr. Flaiz stated that they needed a little more time. Mr. Lennon expressed that it was probably Mr. Walder who was blowing up Mr. Flaiz's phone again, and that the just of the conversation was that the ARPA funds are not going to fit this project for the assessment, because we cannot use the funds to repay the loan. Mr. Flaiz agreed that there are hurdles, the commencement date and the loan is already in place. Mr. Flaiz stated that until the resolution was done today, and the other two are passed no money can be spent.

Resident Diane Jones asked about a change order for the building for ADP. Ms. Jones asked what the special meeting on the courthouse steps was about, to which it is for pending litigation. Ms. Jones asked about the writ of prohibition, to which it was noted that the hearing that was scheduled, has been cancelled that they were set by clerical error.

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ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the weeks ending March 23, 2022, March 30, 2022, April 6, 2022 and April 13, 2022 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

MEETINGS

- Tue., 5/3 The Regular Commissioners meeting for today has been cancelled*
- Tue., 5/10 Planning Commission, 7:30 a.m. 470 Center St., Building #8 meeting room, Chardon*
- Tue., 5/10 The Commissioners will hold regular session at 9:30 a.m.*
- Fri., 5/13 NOACA Finance & Audit 8:30 a.m., Governance 10:00 a.m., Executive 11:30 a.m. Cleveland*
- Mon., 5/16 Family First Council, 1:30 p.m. Mental Health Offices*
- Tue., 5/17 The Commissioners will hold regular session at 9:30 a.m.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to adjourn the meeting at 10:55 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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