

Commissioners' Journal
May 5, 2022

The Geauga County Board of Commissioners met in special session on May 5, 2022 at 10:00 a.m. in the Commissioners' Chambers located at 470 Center Street in Chardon, Ohio.

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

The President of the Board, James W. Dvorak opened the meeting at 10:12 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

**Commissioner Spidalieri was absent from this meeting.*

Commissioner Dvorak read the following prayer:

O God of Creation

You have blessed us with the changing of the seasons!

Remind us of the wonder of your creation

Remind us that it is you who give us breath of life

Amen

Prosecutor Jim Flaiz along with Assistant Prosecuting Attorney Laura LaChapelle appeared before the Board, Mr. Flaiz explained that they have had many meetings and the City of Chardon expressed their interest and desires and the County has made decisions that impact the City. Mr. Flaiz noted that Phase II has been discussed and is being worked on, and that there are issues with the buildings that need to be addressed. This settlement allows the County do the things they need to do for the residents and an investment on the square. read the following Joint Statement:

COMMISSIONERS' OFFICE – EXECUTE AGREED JUDGEMENT ENTRY

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize Prosecutor Jim Flaiz to execute the Agreed Judgement Entry with the City of Chardon.

Commissioner Lennon agreed with Mr. Flaiz and added that this has been discussed for years and while they have done some renovations, trying to maintain and upgrade buildings, these new projects are helping us move forward. Mr. Lennon added that is proud that they have been able to do this without raising taxes and burden on the residents. Mr. Lennon added that he feels there is a better working relationship with the City and obviously they want the City do well as well as the County. Mr. Dvorak stated that the Courthouse is an icon of the County, with this agreement both us and the City are investing in a synergy on the square, adding security and safety, and working together to make it better for all the residents of the 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>

Mr. Flaiz read the Joint Statement of the Geauga County Board of County Commissioners and the City of Chardon...

Over the last several months, the City of Chardon and the County have engaged in numerous productive conversations about the future of County offices. In an effort to address the shared vision of the County and the City of Chardon, the County and the City are proposing an ambitious and historic plan which will enable both the County and the City to continue to showcase the Geauga County Courthouse as the symbol of justice in Geauga County. The County and City of Chardon are excited to announce the Board of Commissioners and the Chardon City Council have agreed that the County will undertake efforts to renovate and expand the Geauga County Courthouse. This will include a significant investment by the County and the City into Chardon Square that will benefit all residents. The terms of this agreement are contained in the attached Agreed Judgement Entry which will need to be approved by the Court. The primary goal of the project is to maintain the historic beauty and stature of the Courthouse, infuse the facility with needed security and facility upgrades, and allow the courthouse to continue to service the needs of Geauga County residents for many generations to come.

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In the Court of Common Pleas, Geauga County, Ohio
City of Chardon – Plaintiff/Petitioner
Vs
Gauga County, Ohio, et al – Defendants/Respondents

Case No. 20M 000648 - Judge David M. Ondrey

Agreed Judgement Entry

Pursuant to the agreement of Plaintiff, City of Chardon, (hereinafter referred to as “City”) and Defendants, Geauga County, the Geauga County Board of Commissioners (hereinafter referred to as the “County”), collectively referred to as the “Parties” by and through their respective counsel, the Parties to this suit hereby agree and stipulate that the following judgment may be entered, resolving all issues arising out of the complaint filed by the Plaintiff in this action and any other issues that may have been raised by the Complaint, and therefore, it is the agreement of the parties and the Order of this Court that this matter be reduced to judgement upon the following terms:

- 1. The City agrees to transfer the land comprising the north end of the square to the County with a reverter to the City, if the County were ever to stop using the Geauga County Courthouse as a Courthouse.*
- 2. The County agrees to spend a minimum of \$15 million for an addition / renovation to the Courthouse.*
- 3. The ground breaking for the Courthouse addition shall occur on or before December 31, 2023; however, the Court may move the date upon application of the County at the Court’s discretion without City approval up to a maximum date of December 31 2024.*
- 4. The off-site parking on Permanent Parcel No. 10-165594, and the green space of the County comprising the North portion of the square, would be available for the City after hours, for use as public parking or for civic events such as the Maple Festival.*
- 5. The County will increase its contribution to the City for Municipal Court prosecution services to \$50,000.00 in 2023 and \$60,000.00 in 2024.*
- 6. The Prosecuting Attorney and the City agree to jointly approach the legislature promptly upon adoption of the Agreement Judgement Entry to change the law shifting the prosecution responsibilities for the Municipal Court from the City to the County Prosecutor’s Office. The Board of County Commissioners will not oppose a change in the law in that respect.*
- 7. This case is settled and dismissed with prejudice, and the court costs are to be split equally among the parties.*
- 8. The City agrees to contribute 10 percent (10%), capped at \$2 million dollars, toward the public infrastructure, site work and beautification of the square involved with the Courthouse expansion/renovation project. The City shall not be responsible for cost overruns as there is a \$2 million-dollar cap. These dollars will be in addition to the County’s expenditure set forth in section 2.*
- 9. The parties agree to release a joint statement drafted by both parties regarding the settlement. Additionally, the City agrees to facilitate and cooperate with the County regarding all project approvals and work in good faith with the County.*
- 10. The Court shall retain continuing jurisdiction to enforce the Agreed Judgement Entry.*

It is so ordered.

Both Mr. Lennon and Mr. Dvorak thanked Mr. Flaiz and Ms. LaChapelle for all their hard work and that they look forward to working better with the City of Chardon.

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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 10:21 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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