

**Commissioners' Journal**  
**October 25, 2022**

*The Geauga County Board of Commissioners met in session on October 25, 2022 at 9:30 a.m. in the Commissioners' Offices located at 12611 Ravenwood Drive, Room B303 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:*

*Heavenly Father*

*There's no storm that God won't carry you through*

*No Bridge that God won't help you cross*

*No Battle that God won't help you win.*

*Trust God and never give up.*

*Amen*

**MEETING MINUTES**

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of August 16, 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> |

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the minutes for the meeting of August 23, 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 - COUNTY ADMINISTRATOR'S REPORT**

*County Administrator Gerard Morgan reported on the items approved by the County Administrator on October 19, 2022 for the Department of Development (Community & Economic) approved and executed the Notice to Proceed for A.J. Goulder Electric, Incorporated for the DDC Clinic Generator Replacement Project under Grant #B-F-21-1AZ-1, and approved and executed an Amended Satisfaction / Release of Mortgage for Dangelo, Ltd (Ohio Valley Group, Incorporated) as the Mortgage in connection with the Local Revolving Loan Fund loan for the construction of Sapphire Creek Winery and Gardens, LLC in the amount of \$200,000.00 has been satisfied; for Job and Family Services acknowledged the following new hire appointments, as the Director of Job and Family Services complied with the Board of Commissioners' recruitment and hiring procedures for: Andrea McGee, Accountant (replacement) effective August 1, 2022, Leslie Abbuhl, Social Services Worker II (replacement) effective September 26, 2022, Laura Baron, Clerical Specialist III (replacement) effective October 2, 2022 and Amy Tressler, Social Services Worker II (replacement) effective October 5, 2022; and for Transit approved and executed the Ohio Motor Fuel Tax Refund Claim for Transit Buses for the period July 1, 2022 through September 30, 2022 in the amount of \$4,253.39 (\$244.26 Diesel and \$4,009.13 Gasoline); 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 Appropriation transfers from Commissioners' Miscellaneous to the Maintenance Utilities Natural Gas account for additional funds needed for the gas bill for the remainder of the year, Appropriation transfer from Commissioners' Contingency account to the Board of Elections contract services account for the payment of legal services up to the maximum amount requested, an Appropriation transfer from Commissioners' Miscellaneous to the Coroner's equipment account for the purchase of a new vehicle, Supplemental Appropriation from the*

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*Commissioners' Office in the General Fund for additional State Sales Tax expense and planned operational transfers that are expected in 9-1-1 and the 800 Mhz funds before the end of the year as well as reimbursements for interest income transfer for funds outside the General Fund; Travel requests for Commissioner's Office, Common Pleas Court, County Engineer's Office, Public Defender's Office, Treasurer's Office and Water Resources, a Then and Now for Water Resources to GPD Group, Incorporated for additional construction inspection and administration not covered in the original encumbrance for the Troy Oaks Wastewater Treatment Plant replacement project, a payment for the Auditor's Office to various contractors out of the American Rescue Plan Fund for Berkshire Heights connection contracts in the amount of \$33,400.00, a payment for the County Engineer's Office to Ronyak Paving, Incorporated to pay for the Asphalt Resurfacing of Munn Road, Sections A-C in the amount of \$274,268.00, a payment for Water Resources to R.W. Sidley for a 2021 Mack Granite Tandem Cab and Chassis along with \$87,950.00 to the Safety Company for a 4,200 gallon Dyna-Vac aluminum tank for a total price of \$199,553.90, a payment for Water Resources to Junction Auto Sales, Incorporated for the purchase of a 2019 RAM 1500 Crew Cab 4x4 pickup truck in the amount of \$35,159.50 and a Revenue Certification for the Juvenile Court in their Supreme Court Technology Grant Fund.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-173 itemizing the financials for the meeting of October 25, 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> |

**AIRPORT AUTHORITY – GRANT CONTRACT FY2023 AIRPORT MATCHING GRANT PROGRAM – OHIO DEPARTMENT OF TRANSPORTATION – PROPERTY ACQUISITION – HODGINS PROPERTY**

*Airport Manager Ric Blamer asked the Board to authorize the President to execute the Ohio Department of Transportation Grant Match Program grant contract for the property acquisition of the Hodgins property. There was a brief discussion about the demoing of the house on the property.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Grant Contract under the Fiscal Year 2023 Ohio Airport Matching Grant Program between the Geauga County Board of Commissioners, the Geauga County Airport Authority and the Ohio Department of Transportation Office of Aviation for ODOT Grant #M23-06 for the match portion of FAA AIP Project #3-39-0054-026-2022 for Property Acquisition – Hodgins Property, Runway 11, Runway protection zone in the amount of \$13,220.00.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <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> |

**COMMON PLEAS COURT / ADULT PROBATION – APPLICATION FOR AUTHORIZATION TO PERMIT USE OF COUNTY CREDIT CARDS (REPLACEMENT) – YEAR 2022**

*Clerk Christine Blair asked the Board to approve the application for the authorization to permit the use county credit cards for replacement cards for Adult Probation. There was a brief discussion about the reason for the replacement cards being due to fraudulent charges on the account, the cards were cancelled and these are replacements. The Credit Union caught the charges.*

*Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Application for Authorization permitting the use of County Credit Cards (replacements) for the Year 2022 in an amount not to exceed \$1,500.00 per person, per month for Nicole Walker, Matthew Zupancic and Danielle Baker.*

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

COMMON PLEAS COURT / DRUG COURT – APPLICATION FOR AUTHORIZATION TO PERMIT USE OF COUNTY CREDIT CARDS (NEW) – YEAR 2022

*Ms. Blair asked the Board to approve the application for authorization to permit the use of county credit cards for new cards for the Drug Court.*

*Motion:            by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Application for Authorization permitting the use of County Credit Cards for the Year 2022 in an amount not to exceed \$2,250.00 per person, per month for Maureen Maruna and Gregory Potts.*

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER THE ASPHALT RESURFACING OF MESSENGER ROAD (CH-0031, SECTION A) AUBURN TOWNSHIP – EXECUTE COVER SHEET OF SPECIFICATIONS – SET BID OPENING

*Deputy Engineer Shane Hajjar asked the Board to approve and execute Resolution to order the asphalt resurfacing of Messenger Road, execute the cover sheet and set the bid opening. This section is all in Auburn and runs from Washington Street to Stafford Road.*

*Motion:            by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-174 to Order the Asphalt Resurfacing of Messenger Road (CH-0031, Section A) in Auburn Township.*

*This resolution also requests the Board approve and execute the Cover Sheet of the Specifications for the same.*

*Further, this Resolution sets a Bid Opening on Wednesday, November 16, 2022 at 2:10 p.m. Notice of this Bid Opening will be advertised on October 27, 2022 and on the County website.*

*Board of County Commissioners, Geauga County, Ohio*

*Date:                October 25, 2022*

*Resolution:        #22-174*

**RESOLUTION TO ORDER THE ASPHALT RESURFACING OF SECTION A OF MESSENGER ROAD, CH-0031 IN AUBURN TOWNSHIP**

*WHEREAS, the Geauga County Board of Commissioners has determined by Resolution 22-137 that the public convenience and welfare requires the improvement of messenger Road (CH-0031), from Washington Street (CH-0606) to Stafford Road (TR-0187) by constructing and reconstructing culverts, performing drainage improvements, subgrade stabilization, asphalt resurfacing and improving shoulders and related improvements as necessary in accordance with Section 5555.06 of the Ohio Revised Code; and*

*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.*

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*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 2:10 PM on Wednesday, November 16, 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 Auburn Township Board of Trustees, and 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> |

*COUNTY ENGINEER'S OFFICE – RESOLUTION APPOINTING BOARD MEMBER, JAMES W. DVORAK AS CHIEF EXECUTIVE OFFICER – CERTIFYING REPRESENTATIVE – PROPOSED ASPHALT RESURFACING OF BRAKEMAN ROAD (CH-0022, SECTION A) HAMB DEN TOWNSHIP*

*Mr. Hajjar asked the Board to approve and execute Resolution to appoint Mr. Dvorak as the CEO and certifying member for the proposed asphalt resurfacing of Brakeman Road and further authorize the execution of the application for financial assistance to the Ohio Public Works Commission. Mr. Hajjar noted that this is the entire section of this road.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-175 appointing Board Member, James W. Dvorak, as the Chief Executive Officer and Certifying Representative for the proposed Asphalt Resurfacing of Brakeman Road (CH-0022, Section A) in Hambden Township and further approve and authorize the Chief Executive Officer to execute the State of Ohio Public Works Commission application for financial assistance.*

*Board of Commissioners, Geauga County, Ohio*

*Date: October 25, 2022*

*Resolution: #22-175*

**AUTHORIZING LEGISLATION**

***RESOLUTION AUTHORIZING JAMES W. DVORAK, MEMBER OF THE BOARD, TO SERVE AS THE CHIEF EXECUTIVE OFFICER AND CERTIFYING REPRESENTATIVE TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND /OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (S) AND TO EXECUTE CONTRACTS AS REQUIRED.***

*Whereas, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and*

*Whereas, Geauga County is planning to make improvements to Resurface Brakeman Road, CH-0022, Section A, in Hambden Township; and*

*Whereas, the infrastructure improvement herein above described is considered to be a need for the community and is a qualified project under the OPWC programs;*

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

Section 1: That James W. Dvorak, Board Member is hereby appointed to serve as the Chief Executive Officer and is authorized to apply to the OPWC for funds as described above

Section 2: That James W. Dvorak, Board Member is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

COUNTY ENGINEER'S OFFICE - RESOLUTION APPOINTING BOARD MEMBER, JAMES W. DVORAK AS CHIEF EXECUTIVE OFFICER – CERTIFYING REPRESENTATIVE – PROPOSED ASPHALT RESURFACING OF CLARIDON-TROY ROAD (CH-0003, SECTIONS D-E) CLARIDON TOWNSHIP

Mr. Hajjar asked the Board to approve and execute Resolution to appoint Mr. Dvorak as the CEO and certifying member for the proposed asphalt resurfacing of Claridon Troy Road and further authorize the execution of the application for financial assistance to the Ohio Public Works Commission.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-176 appointing Board Member, James W. Dvorak, as the Chief Executive Officer and Certifying Representative for the proposed Asphalt Resurfacing of Claridon-Troy Road (CH-0003, Sections D-E) in Claridon Township and further approve and authorize the Chief Executive Officer to execute the State of Ohio Public Works Commission application for financial assistance.

Board of Commissioners, Geauga County, Ohio

Date: October 25, 2022

Resolution: #22-176

**AUTHORIZING LEGISLATION**

**RESOLUTION AUTHORIZING JAMES W. DVORAK, MEMBER OF THE BOARD, TO SERVE AS THE CHIEF EXECUTIVE OFFICER AND CERTIFYING REPRESENTATIVE TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND /OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

Whereas, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

Whereas, Geauga County is planning to make improvements to Resurface Claridon-Troy Road, CH-0003, Sections D-E, in Claridon Township; and

Whereas, the infrastructure improvement herein above described is considered to be a need for the community and is a qualified project under the OPWC programs;

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

Section 1: That James W. Dvorak, Board Member is hereby appointed to serve as the Chief Executive Officer and is authorized to apply to the OPWC for funds as described above

Section 2: That James W. Dvorak, Board Member is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

COUNTY ENGINEER'S OFFICE - RESOLUTION APPOINTING BOARD MEMBER, JAMES W. DVORAK AS CHIEF EXECUTIVE OFFICER – CERTIFYING REPRESENTATIVE – PROPOSED ASPHALT RESURFACING OF MUMFORD ROAD (CH-0024, SECTIONS A-D) TROY TOWNSHIP

Mr. Hajjar asked the Board to approve and execute Resolution to appoint Mr. Dvorak as the CEO and certifying member for the proposed asphalt resurfacing of Mumford Road and further authorize the execution of the application for financial assistance to the Ohio Public Works Commission.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-177 appointing Board Member, James W. Dvorak, as the Chief Executive Officer and Certifying Representative for the proposed Asphalt Resurfacing of Mumford Road (CH-0024, Sections A-D) in Troy Township and further approve and authorize the Chief Executive Officer to execute the State of Ohio Public Works Commission application for financial assistance.

Board of Commissioners, Geauga County, Ohio

Date: October 25, 2022

Resolution: #22-177

**AUTHORIZING LEGISLATION**

**RESOLUTION AUTHORIZING JAMES W. DVORAK MEMBER OF THE BOARD, TO SERVE AS THE CHIEF EXECUTIVE OFFICER AND CERTIFYING REPRESENTATIVE TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND /OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

Whereas, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

Whereas, Geauga County is planning to make improvements to Resurface Mumford Road, CH-0024, Section A-D, in Troy Township; and

Whereas, the infrastructure improvement herein above described is considered to be a need for the community and is a qualified project under the OPWC programs;

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

Section 1: That James W. Dvorak, Board Member is hereby appointed to serve as the Chief Executive Officer and is authorized to apply to the OPWC for funds as described above

Section 2: That James W. Dvorak, Board Member is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

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

Victim Witness Cindi Haycox-Wellman explained that in June she requested the Board to submit the application for her grant and today is asking the Board to execute the grant agreement for the funds that were requested.

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*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Victim of Crime Act (VOCA) and State Victim Advocacy Act (SVAA) Grant Award and Acceptance Forms in the amount of \$50,951.00 from Grant #2023-VOCA-135107150 (\$29,938.00 from Federal VOCA funds and \$16,552.0 local match from the County General Fund) and \$4,461.00 from Grant #2023-SVAA-135107154 with no local match. This grant is for the period October 1, 2022 through September 30, 2023.

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

PROSECUTOR'S OFFICE/ VICTIM WITNESS – APPROVE TRANSFER OF FUNDS FROM GENERAL FUND TO VICTIM/WITNESS ASSISTANCE FUND – ADDITIONAL FUNDING FOR THE GRANT PERIOD

*Ms. Haycox-Wellman explained that over the last four years her grant has continued to be cut by the state and are asking the Board to approve a transfer from the General Fund to cover the additional funding needed for the grant program period.*

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve a transfer of funds from the General Fund into the Victim/Witness Assistance Fund for additional funding for the Victim Witness Program for the grant period October 1, 2022 through September 30, 2023 in the amount of \$34,360.00.

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

DEPARTMENT ON AGING – APPROVE PLACEMENT OF NATALIE DOLEZAL – PAID ADMINISTRATIVE LEAVE

*Mr. Morgan explained that an employee at the Department on Aging needed to be put on Paid Administrative leave as of yesterday due to a discipline process that is being followed.*

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the placement of Natalie Dolezal, Recreation and Education Coordinator on paid administrative leave effective October 24, 2022 until further notice.

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

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – RE-ADVERTISE BIDS – CAMP HO MITA KODA CABIN WINTERIZATION PROJECT

*Program Coordinator Elaine Malkamaki asked the Board to grant permission to Re-Advertise for bids for the Camp Ho Mita Koda Cabin Winterization project.*

*Motion:* by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to Re-Advertise for Bids for the Camp Ho Mita Koda Cabin Winterization Project (under Grant #B-F-21-1AZ-1) to be held on Wednesday, November 16, 2022 at 2:00 p.m. Notice of this Bid Opening will be advertised on October 27, 2022 and on the County website.

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

DEPARTMENT OF WATER RESOURCES – RESOLUTION APPROVING AMERICAN RESCUE PLAN ACT OF 2021 – BERKSHIRE HEIGHTS SEWER CONNECTION INCREASE – CERTAIN PROPERTIES ON HELMET DRIVE

*Sanitary Engineer Nicholas Gorris asked the Board to approve and execute Resolution approving American Rescue Plan Act funds to increase funds for three houses on Helmet Drive for unforeseen conditions to do the connections in the Berkshire Heights subdivision.*

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*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-178 Approving American Rescue Plan Act of 2021 Berkshire Heights Sewer Connection Increase for Certain Properties, located on Helmet Drive.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 25, 2022*

*Resolution: #22-178*

**RESOLUTION APPROVING AMERICAN RESCUE PLAN ACT OF 2021 BERKSHIRE HEIGHTS SEWER CONNECTION INCREASE FOR CERTAIN PROPERTIES**

*WHEREAS, The President of the United States signed into law the American Rescue Plan Act of 2021 (ARPA) on March 11, 2021; and*

*WHEREAS, ARPA provides money to States, Counties and Municipalities to address the continuing impact of COVID-19 on the economy, public health, state and local governments, individuals and businesses; and*

*WHEREAS, the County has received a distribution of monies from the ARPA; and*

*WHEREAS, Title VI section 603(c)(1)(D) of the Federal Register provides for ARPA funds to make necessary investments in water, sewer or broadband infrastructure; and*

*WHEREAS, the Board of Commissioners (BOCC) through the Department of Water Resources has constructed a public sanitary sewer and wastewater treatment plant in Chardon Township; and*

*WHEREAS, the BOCC approved the use of ARPA funds to pay for sewer service connections within the Berkshire Heights subdivision in an amount up to \$8,000 per connection on (June 28, 2022 in Resolution #22-121- rescinded) revised and replaced on August 23, 2022 in Resolution #22-156; and*

*WHEREAS, a few connections have required additional construction at no fault of the property owner increasing the cost of constructing the service line above the \$8,000 maximum previously set; and*

*WHEREAS, the BOCC wishes to not require these property owners an added expense.*

*NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves an additional expenditure above the \$8,000 grant for the following properties at the following additional expenditure:*

| <i>Parcel #</i>  | <i>Increased cost</i> | <i>Total Service Line Cost</i> |
|------------------|-----------------------|--------------------------------|
| <i>06-064400</i> | <i>\$4,050</i>        | <i>\$12,050</i>                |
| <i>06-086800</i> | <i>\$4,000</i>        | <i>\$12,000</i>                |
| <i>06-058500</i> | <i>\$2,650</i>        | <i>\$10,650</i>                |

*BE IT FURTHER RESOLVED, 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> |

**COMMISSIONERS' OFFICE – REQUEST FOR PARTIAL PAYMENT #23 – DONLEY'S INDEPENDENCE, LLC – OFFICE BUILDING GMP PHASE #1 AND #2**

*Mr. Morgan asked the Board to approve the Request for Partial Payment #23 for Donley's Independence, LLC for the new office building, GMP Phase 1 and 2.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Request for Partial Payment #23 for Donley's Independence, LLC for the Geauga County Office Building, GMP Phase #1 and Phase #2 in the amount of \$254,166.83.*



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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 – APPROVE INCREASE – RETENTION AGREEMENT – REPRESENTATION - ROETZEL AND ANDRESS – MEDIATION AND POTENTIAL LITIGATION AUDITOR / ADP BOARD*

*Mr. Morgan asked the Board to approve an increase of \$10,000.00 for the legal representation of Roetzel and Andress, noting that this is still in the allowable amount under the O.R.C.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve an increase in the amount of \$10,000.00 for the Retention Agreement re: Representation of Geauga County Commissioners in Mediation and Potential Litigation Filed by Charles Walder, Geauga County Auditor, and / or the Geauga County ADP Board with Roetzel and Andress in a new not to exceed amount of \$30,000.00, unless prior approval by the Board.*

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <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 MICHAEL MURPHY – NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM (NEOCAP) FACILITY GOVERNING BOARD*

*Ms. Blair that Mr. Murphy has requested to be re-appointed and remain on the Board.*

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to re-appoint Michael Murphy to the Northeast Ohio Community Alternative Program (NEOCAP) Facility Governing Board. (Resolution #22-179)*

*Board of County Commissioners, Geauga County, Ohio*

*Resolution: 22-179*  
*Date: October 25, 2022*

**RESOLUTION RE-APPOINTING MICHAEL MURPHY TO THE NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM (NEOCAP) FACILITY GOVERNING BOARD**

*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, Michael Murphy was appointed to fill the unexpired term of Ms. Drum and has expressed an interest in being re-appointed to the board for a new term ending on November 9, 2025; 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 a new term ending November 9, 2025; 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.*

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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> |

**ACKNOWLEDGEMENTS**

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the weeks ending October 5, 2022 and October 12, 2022 as required by O.R.C. 955.12.*

**OTHER**

*The Board reviewed upcoming events. Ms. Blair noted that Superintendent Jae Leeworthy has requested to hold a Portage Geauga Joint Detention Center meeting in December.*

**MEETINGS**

- Tue., 10/25 ADP Special Meeting, 10:00 a.m. Auditor's Office*
- Fri., 10/28 Board of Revision, Abstract Approval 9:00 a.m., Auditor's Office*
- Tue., 11/1 The Commissioners will hold regular session at 9:30 a.m.*
- Fri., 11/4 NOACA Finance & Audit at 8:30 a.m., Governance 10:00 a.m. and Executive 11:30 a.m., Cleveland*
- Tue., 11/8 The Commissioners will hold regular session at 9:30 a.m.*
- Wed., 11/9 Geauga County Township Association Dinner, 6:30 p.m. Mary Yoder's Amish Kitchen*
- Fri., 11/11 **County Offices will be closed in observance of Veteran's Day. Twenty-four operations will continue to operate.***
- Tue., 11/15 The Commissioners will hold regular session at 9:30 a.m.*
- Tue., 11/15 Geauga Trumbull Solid Waste Management District meeting, 1:00 p.m. District Office, Warren*
- Mon., 11/21 Family First Council, 1:30 p.m. Mental Health Offices*
- Tue., 11/22 The Commissioners will hold regular session at 9:30 a.m.*
- Thu., 11/24 **County Offices will be closed for general business in observance of Thanksgiving Day. Twenty-four hour operations will continue to operate as normal.***
- Fri., 11/25 **County offices under the hiring authority of the Board of Commissioners will be closed for general business. Twenty-four hour operations will continue to operate as usual.***
- Tue., 11/29 The Commissioners will hold regular session at 9:30 a.m.*

**PUBLIC COMMENT**

*Gail Roussey from the League of Woman Voters asked for clarification on the last item, to which Ms. Blair explained that it was for the re-appointment of Mr. Murphy to the NEOCAP Board. Ms. Blair noted that Mr. Murphy had been appointed in April to fill the unexpired term of Ms. Drum who retired and this was a new term appointment.*

*Mr. Dvorak briefly mentioned the successful Jeep Invasion that had been held over the weekend to raise funds for the Geauga County DARE program.*

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

*Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adjourn the meeting at 10:07 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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