

Commissioners' Journal
October 4, 2022

The Geauga County Board of Commissioners met in session on October 4, 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 9:40 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

*Commissioner Dvorak read the following prayer:
A prayer for strength, our thoughts and prayers are with those in Florida.*

*Our father,
Sometimes the cares of the day seem to multiply, while the blessings fade so quickly
Our bodies grow tired and our minds even more tired
Jesus, help us
Give us strength you've promised in your word
Give us the power to take the next step
Give us your grace...for we know that in our weaknesses
Your strength is revealed
May we receive it today
Amen*

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on September 30, 2022 concurred with the Hambden Township Trustees in not requesting a hearing on the Liquor License being requested by WEBEGOOD, LLC d.b.a. Hambden Country Inn 1st Floor, Basement and Patio located at 13960 Rock Creek Road, Hambden, Ohio (C TRFO 94511396) and for Aging had approved hiring Mark Kimborowicz to the position of Part-time Recreation and Education Assistant, however he declined the offer of employment; 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 a Cash transfer from the General Fund to Court Technology for a portion of their 2022 funding; a Travel request for the Engineer's Office and the Recorder's Office, a payment for the Auditor's Office to Jim Barto, LLC out of the American Rescue Plan Fund for a Berkshire Heights connection contract in the amount of \$8,000.00, a payment for the Commissioners' Office to NV5 for owner representative services related to the construction of the new office building and phase 2 projects in the amount of \$23,355.75, and a payment for Water Resources to HDR Engineering, Incorporated for the Aquilla Wastewater Treatment Plant upgrade project (\$35,250.00) and the McFarland Wastewater Treatment Plant upgrade and renovation project (\$65,838.25) in the amount of \$101,088.25.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-170 itemizing the financials for the meeting of October 4, 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>

COUNTY ENGINEER'S OFFICE – UNIT PRICE CONTRACT – GRADE LINE, INCORPORATED – DRAINAGE IMPROVEMENTS TO WASHINGTON STREET

Deputy Engineer Shane Hajjar asked the Board to execute the contract with Grade Line, Incorporated for the drainage improvements on Washington Street, in Auburn and Bainbridge Townships. Mr. Hajjar noted that near the library is a culvert that is an old stone structure that will be replaced, and from that culvert to Snyder will be filled to eliminate the erosion and at Auburn Lakes there is another steep ditch up to the roadway and those will be enclosed.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Unit Price Contract with Grade Line, Incorporated for the Drainage Improvements to Washington Street (CH-0606, Sections C-E) in Auburn and Bainbridge Townships in the amount of \$458,187.50.

<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>

SOIL AND WATER CONSERVATION DISTRICT – ACKNOWLEDGE 1ST NOTICE OF VIOLATION ISSUED – PAUL HUMMER – CONSTRUCTION AT 14969 CHILLICOTHE ROAD – RUSSELL TOWNSHIP

Director Carmella Shale and Conservation Technician Lisa Kalas asked the board to acknowledge two notice of violations against Paul Hummer for construction occurring at a property in Russell Township for failure to comply with the regulations. A site visit was done with Russell Township Zoning and it was discovered that construction being done included clearing and damage done to an active stream along with encroachment to a riparian setback. Ms. Kalas noted that Mr. Hummer stated that they cleared brush. The homeowner received letters from the Ohio EPA and U.S. Army Corps of Engineers requesting compliance and are asking the Board to issue a Finding of Violation and forward to the Prosecutor to enforce compliance. There was a brief discussion about Mr. Hummer having multiple properties and there is a third property previously discussed that is different from this violation.

Commissioner Spidalieri inquired about the stream, to which Ms. Kalas explained that it is flowing however it has sediment. Ms. Shale stated that Mr. Hummer needs to install silt fence up, the plans he has submitted do not reflect what he has done, so he needs to submit updated plans, but we haven't received them. Ms. Shale stated that the Army Corps visited the site we are waiting on directives from them and the Ohio EPA. Ms. Shale stated that the Prosecutor will send a letter giving them 30 days to comply and if no response is received, a second letter is sent, given another 14 days, if no response an injunction is filed.

Mr. Dvorak asked about the riparian setback, which it has two on this parcel. There was additional discussion about the property owner and the issues on the other parcel and the same issues of compliance there was well.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to acknowledge the 1st Notice of Violation issued against Paul Hummer regarding construction occurring at 14969 Chillicothe Road located in Russell Township (Parcel #26-707050) for failure to comply with Geauga County Water Management and Sediment Control Regulations as outlined in the Notice of First Violation (dated July 22, 2022) as 2020 – Section 3.01 General Applicability Criteria for Storm Water Management and Sediment Control and Notice of Second Violation (dated August 22, 2022) as 2020 – Section 7.16 Compliance and Other Requirements and request the Board issue a Finding of Violation and forward the “Finding of Violation” to the Geauga County Prosecutor for further actions as necessary to secure required compliance.

<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) – CONTRACT AGREEMENT – WOMENSAFE, INCORPORATED – GEAUGA HIGHWAY COMPANY – WOMENSAFE PAVING PROJECT – CDBG #B-F-21-1AZ-1

Program Coordinator Elaine Malkamki asked the Board to execute the contract with Geauga Highway for the paving project for the WomenSafe project. The Bid Bond submitted will be used as the Performance Bond on the project. Mr. Lennon inquired about what the board moved on last week, to which Ms. Malkamki noted they had awarded the project, this is the contract to move forward on the project.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute the Contract Agreement between the County of Geauga, WomenSafe, Incorporated and Geauga Highway Company for the WomenSafe Paving Project under the Community Development Block Grant #B-F-21-1AZ-1 in the amount of \$46,920.00 (\$35,100.00 CDBG, \$11,190.00 WomenSafe). 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>

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – AWARD BID – A.J. GOULDER ELECTRIC, INCORPORATED – DDC CLINIC GENERATOR PROJECT – CDBG #B-F-21-1AZ-1

Ms. Malkamaki asked the Board award the bid to A.J. Goulder for the DDC Clinic Generator project. There was a brief discussion on time for the generator, which Ms. Malkamaki noted that it has a one year wait so they are hoping they can get it ordered and installed by October of next year. Ms. Malkamaki noted that depending on timing the Board may have to request an extension on the grant.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to award the Bid to A. J. Goulder Electric, Incorporated for the DDC Clinic Generator Project under Community Development Block Grant #B-F-21-1AZ-1 in the amount of \$65,165.00 (\$55,100.00 CDBG, \$10,065.00 DDC Clinic) as they represented the lowest and best bid.

<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 – CONTRACT MAINTENANCE FORM #5 – EXTEND COMPLETION DATE OF PROJECT – COUNTY OFFICE BUILDING

Mr. Morgan asked the Board to approve the extension of the date of completion on the project with NV5 on the county office building.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Contract Maintenance Form #5 with NV5 to extend the completion date of the project from September 30, 2022 through January 31, 2023 for the Geauga County Office Building.

<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 – EXECUTIVE SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to move into Executive Session for the purpose of discussing pending litigation.

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

The Board moved into Executive Session at 9:54 a.m. with Mr. Morgan and Attorney Stephen Funk. The Board returned at 10:43 and no action was taken.

The Board Recessed at 10:44 a.m. and moved downstairs for the Playground Dedication located on the ground floor.

The Board Reconvened at 10:51 a.m. at the playground located outside the Job and Family Services offices at the new building.

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Mr. Dvorak recognized the owner of Playground World, Tony Adamic for their donation of the playground equipment and thanked him so much for giving. The Board posed for several pictures with the playground equipment and dedication sign that will be installed.

The Board talked to several in attendance about the project and the equipment.

ACKNOWLEDGEMENTS

- a) *Geauga County Board of Developmental Disabilities Board Minutes for July 20, 2022.*
- b) *The Monthly Inventory Report, Consolidated Investment Portfolio and Obligations and Securities monthly reports filed by the Treasurer's Office for Geauga County for the Month of August, 2022 pursuant to ORC 135.35(L).*

OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 10/4 Budget Hearings, 12:00 p.m. until 4:30 p.m.

Thu., 10/6 Budget Hearings, 8:30 a.m. until 4:30 p.m.

*Mon., 10/10 **County offices will be closed for general business due to Columbus Day. Twenty-four hour operations will continue to operate as usual.***

Tue., 10/11 Ribbon Cutting Ceremony at Shepherd of the Valley in Howland for the Geauga Trumbull Solid Waste Management District, 11:00 a.m.

Thu., 10/13 Planning Commission, 7:30 a.m. 12611 Ravenwood Drive, Room A334

Thu., 10/13 The Commissioners will hold regular session at 9:30 a.m. that will include a Public Hearing at 10:00 a.m. for the proposed employment of Re-Employed Retirant

Mon., 10/17 Family First Council, 1:30 p.m. Mental Health Offices

Tue., 10/18 The Commissioners will hold regular session at 9:30 a.m.

Tue., 10/25 The Commissioners will hold regular session at 9:30 a.m.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, 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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