

Commissioners' Journal
November 22, 2022

The Geauga County Board of Commissioners met in session on November 22, 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 9:36 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

Thanksgiving

Let's remember others

Oh God, when I have food, help me to remember the hungry

When I have work, help me to remember the jobless

When I have a home, help me to remember those who have no home at all

When I am without pain, help me to remember those who suffer

And remember, help me destroy my complacency; be stir my compassion

And be concerned enough to help; by word and deed, those who cry out for what we take for granted.

Amen

FINANCIALS

County Administrator Gerard Morgan reported on financials from November 17, 2022, Resolution #22-187 that included Supplemental Appropriations for the Juvenile Court in the Care and Custody Fund payroll accounts to true them up to year end, Revenue Certifications from the Auditor in Property Tax, Property Transfer Tax and Casino Tax, from the Commissioners in Sales Tax, the Treasurer in Interest, the Public Defender in the Defense of Indigents and the County Engineer in their Property Tax and State Reimbursement revenue accounts for additional revenue received in 2022 that was not budgeted; 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 November 17, 2022 for the Department of Water Resources included Accepting the resignation of John Omerza, Wastewater Operator I (#2326) to be effective November 25, 2022, Granted permission to advertise for the position of Wastewater Operator I (#2326) internally for a period of five days, with applications accepted November 21, 2022 through 4:30 p.m. on November 28, 2022 and externally, concurrently, until the position is filled and on November 21, 2022 for the Department of Water Resources approved hiring Paul Turoksy to the position of Full-time Wastewater Operator II (#2313) at the rate of \$25.20 per hour to be effective November 28, 2022 with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions; 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.

MEETING MINUTES

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

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APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including Supplemental Appropriations for the Auditor's office in their REAF Fund payroll accounts to true them up to year end, Cash transfer from the General Fund to the Victim/Witness Assistance fund to provide resources needed due to cuts in State funding, Cash transfer to the Computer Equipment Improvement Fund to provide resources needed for server upgrade purchases, 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 \$67,745.00, a payment for the County Engineer's office to Kalida Truck Equipment Incorporated for two Swenson Stainless Steel dump bodies in the amount of \$226,400.00, a payment for Water Resources to HDR Engineering, Incorporated for engineering work in relation to the McFarland Wastewater Treatment Plant upgrade and renovation project in the amount of \$173,999.68, and a Revenue Certification for Water Resources in their Sewer and Water Operations Funds for additional penalties revenue received in 2022.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-188 itemizing the financials for the meeting of November 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 – RESOLUTION IN SUPPORT AND RECOGNITION OF THE “BE A SANTA TO A SENIOR” PROGRAM FOR YEAR 2022

President, Home Instead, Qual Care, LLC Theresa Zdesar thanked the Board for the resolution today and that over the last nineteen years this program has provided gifts to 5,000 seniors. There are multiple locations throughout the county that have trees or wreaths with seniors names on them and ideas for a gift for them. Once the gifts are collected the volunteers wrap them and deliver them to the seniors along with companionship. The most treasured and often overlooked residents, the seniors of Geauga County, are our War Heroes, our Teachers, the leaders that formed our communities today, who are often alone at the holidays. Ms. Zdesar expressed that we will reach 150 seniors this year and know that there are more that will be alone this year, and ask that you consider giving of your time and towards this program to help a senior not be alone.

Commissioner Dvorak expressed that its not the gift or the meal being delivered, but rather the human contact that is given during the visit. Ms. Zdesar briefly told a story about a humbling experience that her and her daughter had in the very beginning of the program.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Resolution #22-189 in Support and Recognition of the “Be A Santa to a Senior” program for Year 2022.

Board of County Commissioners, Geauga County, Ohio

Resolution: #22-189

Date: November 22, 2022

*IN SUPPORT AND RECOGNITION OF THE “BE A SANTA TO A SENIOR”
PROGRAM FOR 2022*

WHEREAS, Geauga County seniors are valued members of society and it is our collective responsibility to ensure they are remembered during the holiday season. The well-being of all seniors is in the interest of all and further adds to the well-being of Geauga County communities; and

WHEREAS, the “Be a Santa to a Senior” program is sponsored by Home Instead Senior Care and has been providing a heartfelt gift at the holidays for hundreds of older adults in Geauga County for nineteen years. The “Be a Santa to a Senior” program brings a little holiday cheer with gifts to those who otherwise might not be remembered during the holiday season. This program is designed to help stimulate human contact and social interaction for seniors in Geauga County who may not have companionship during the holidays; and

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WHEREAS, the "Be a Santa to a Senior" program is a way to give back to the community, by providing gifts to some of our most treasured residents and give them a feeling of value by being remembered during the holiday season; and

WHEREAS, local non-profit organizations identify seniors and provide names to Home Instead Senior Care, who then places Christmas trees and wreaths with ornaments that have the first name of seniors and their gift request at retail locations, UH Geauga hospital and several offices throughout Geauga County; and

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners hereby proclaim support for the "Be A Santa To A Senior" program that runs from Thanksgiving through Christmas and encourage all our citizens to recognize and celebrate the 2022 holiday season of Geauga County seniors through the "Be A Santa To A Senior" program.

NOW, THEREFORE, BE IT RESOLVED, that this Resolution become part of the permanent record of the Board of County 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>

COUNTY ENGINEER'S OFFICE – AWARD BID – RONYAK PAVING, INCORPORATED – ASPHALT RESURFACING MESSENGER ROAD (SECTION A) AUBURN TOWNSHIP

Deputy Engineer Shane Hajjar asked the Board to award the Bid to Ronyak Paving for the Asphalt Resurfacing of Messenger Road as they represented the lowest and best bid for the project. Commissioner Lennon inquired about the project being done next year to which Mr. Hajjar explained it will get going as soon as the weather breaks, however they are trying to use 2022 funding for the project and hopes to have the contract signed before the cutoff for this year.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to award the Bid to Ronyak Paving, Incorporated for the Asphalt Resurfacing of Messenger Road (CH-0031, Section A) in Auburn Township in the amount of \$475,775.00 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>

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 AND FINAL – DECREASE CONTRACT WITH RONYAK PAVING, INCORPORATED – ASPHALT RESURFACING MUNN ROAD (SECTIONS A-C) AUBURN TOWNSHIP

Mr. Hajjar asked the Board to approve the change order #1 and final which is a decrease in the contract with Ronyak Paving for the Asphalt Resurfacing of Munn Road.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Change Order #1 and Final, decreasing the Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Munn Road (CH-0032, Sections A-C) in Auburn Township in the amount of \$40,871.25.

<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 – CHANGE ORDER #1 AND FINAL – INCREASE CONTRACT WITH ECLIPSE COMPANY, LLC – FARMINGTON ROAD BRIDGE REPLACEMENT

Mr. Hajjar asked the Board to approve the change order #1 and final which is an increase with Eclipse Company, LLC for the Farmington Road Bridge Replacement in Parkman Township.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and execute Change Order #1 and Final, increasing the Contract with Eclipse Company, LLC for the Farmington Road Bridge Replacement in Parkman Township in the amount of \$5,120.69.

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

COUNTY ENGINEER'S OFFICE – AUTHORIZE TIMOTHY C. LENNON, CHIEF EXECUTIVE OFFICER TO EXECUTE OHIO PUBLIC WORKS COMMISSION APPENDIX E - DISBURSEMENT REQUEST FORM #1 – FARMINGTON ROAD BRIDGE REPLACEMENT

Mr. Hajjar asked the Board to authorize Commissioner Lennon to execute the Ohio Public Works Commission Disbursement request for the Farmington Road Bridge.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize Timothy C. Lennon, Chief Executive Officer and Board member to execute the Ohio Public Works Commission Appendix E – Disbursement Request Form and Certification No. 1 in order to release funds from the state portion of our OPWC grant for the Farmington Road Bridge Replacement in Parkman Township in the amount of \$100,000.00.

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

PROBATE / JUVENILE COURT – AUTHORIZE PRESIDENT TO EXECUTE – AMENDMENT FORM / FISCAL ACCOUNTABILITY FORM #1 – FY2023 OHIO DEPARTMENT OF YOUTH SERVICES (DYS) GRANT

Clerk Christine Blair asked the Board to authorize the President of the Board to execute the Amendment to the FY2023 DYS Grant for an adjustment of funds. Ms. Blair added that an employee left and the work that he was performing is now going to be done by an outside contractor and this is reflecting that change.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Amendment Form / Fiscal Accountability Form #1 Attachment A, Page 1 of the FY2023 Ohio Department of Youth Services (DYS) Grant for an adjustment of funds from personnel to an outside contractor.

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

GEAUGA TRUMBULL SOLID WASTE MANAGEMENT DISTRICT – AGREEMENT FOR RIGHT OF ENTRY AND USE OF PROPERTY – DROP-OFF RECYCLING CONTAINERS – 470 CENTER STREET, CHARDON

Ms. Blair explained that this agreement is for the 470 Center Street location for right of entry for the use of the property to house the drop off recycling containers. It has an initial one year agreement with automatic renewal, however it does have a cancellation clause for in the future if the property is sold.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Agreement for right of Entry and Use of Property for Drop-Off Recycling Containers located at 470 Center Street, Chardon, Ohio for a one-year period, up to and including December 31, 2023.

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

DEPARTMENT OF EMERGENCY SERVICES – OHIO EMERGENCY MANAGEMENT AGENCY GRANT AGREEMENT – FY2021 EMPG-ARPA

Director Roger Peterson explained that they receive a 50% grant that covers about 75% of the payroll, this is a supplemental grant for an additional amount of just under \$30,000.00 and while it says there is a local match, they have met that with payroll.

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Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize Director, Roger Peterson to execute and submit the Ohio Emergency Management Agency Grant Agreement for FY2021 EMPG-ARPA (Supplemental Grant Award) for the period October 1, 2022 through December 31, 2022 in the amount of \$29,435.00.

Roll Call Vote:

Commissioner Spidalieri	Aye
Commissioner Lennon	Aye
Commissioner Dvorak	Aye

DEPARTMENT OF WATER RESOURCES – OHIO WATER DEVELOPMENT AUTHORITY
FUND PAYMENT REQUEST #12 – MCFARLAND WASTEWATER TREATMENT PLANT
RENOVATION PROJECT – HDR ENGINEERING INCORPORATED

Director Steven Oluic explained this is the Ohio Water Development Authority pay request #12 for HDR Engineering who is working on the McFarland treatment plant renovation project.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve and authorize the President of the Board to execute the Ohio Water Development Authority Fund Payment Request #12 for the McFarland Wastewater Treatment Plant Renovation Project for technical services by HDR Engineering, Incorporated in the amount of \$173,999.68.

Roll Call Vote:

Commissioner Spidalieri	Aye
Commissioner Lennon	Aye
Commissioner Dvorak	Aye

DEPARTMENT OF WATER RESOURCES – APPROVE THE SUBMISSION OF LIST OF
DELINQUENT SEWER USER FEES, WATER FEES, TAP-IN INSTALLMENTS AND
SUBSEQUENT CERTIFICATION TO AUDITOR

Dr. Oluic asked the Board approve the list of delinquent sewer user fees, water fees, tap-in installments and certify that list to the County Auditor in accordance with the O.R.C.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to approve the submission of the list of delinquent sewer user fees, water fees, tap-in installments and subsequent certification to the Geauga County Auditor, in accordance with O.R.C. 6117.02 and the Geauga County Department of Water Resources Rules and Regulations (Section F.501) in the total amount of \$447,561.60 (\$422,227.75 arrearage and \$25,333.85 penalty).

Roll Call Vote:

Commissioner Spidalieri	Aye
Commissioner Lennon	Aye
Commissioner Dvorak	Aye

DEPARTMENT OF WATER RESOURCES – EXECUTIVE SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to move into Executive Session for the purpose of discussing union negotiations with Local 4340 Communications Workers of America, AFL-CIO/CLC.

Roll Call Vote:

Commissioner Spidalieri	Aye
Commissioner Lennon	Aye
Commissioner Dvorak	Aye

The Board moved into Executive Session at 9:53 a.m. with Mr. Morgan and Dr. Oluic. The Board returned at 10:29 a.m. and no action was taken.

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to move into Executive Session for the purpose of discussing the discipline of a public employee at the Department on Aging.

Roll Call Vote:

Commissioner Spidalieri	Aye
Commissioner Lennon	Aye
Commissioner Dvorak	Aye

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The Board moved into Executive Session at 10:30 a.m. with Mr. Morgan, Director Jessica Boalt, Human Resources Administrator Kathy Hostutler, Assistant Prosecutor Laura LaChapelle and Director Roger Peterson (Hearing Officer). The Board returned at 11:23 a.m. noting that no decision at this time, however action would be coming.

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 11:24 a.m. with Mr. Morgan and Attorney Funk. The Board returned at 11:59 a.m. and no action was taken.

COMMISSIONERS' OFFICE / DEPARTMENT ON AGING – ACTIONS FOLLOWING EXECUTIVE SESSION

The following actions were taken as a result of the Executive Session for the Department on Aging regarding discipline of a public employee:

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to adopt the recommendation of the Hearing Officer to demote the employee, Natalie Dolezal, from her position as Recreation and Education Coordinator, effective Monday, November 28, 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 demote Natalie Dolezal to the position of Full-time, Non-exempt, Recreation and Education Assistant (#1005), Pay Grade 6, Step 2, \$16.13 per hour to be effective Monday, November 28, 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 remove Natalie Dolezal from Paid Administrative Leave, to be effective Monday, November 28, 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 complete, execute and file the R.C. 124.34 form and any other required documentation.

<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 week ending November 9, 2022 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

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MEETINGS

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.

Tue., 12/6 The Commissioners will hold regular session at 9:30 a.m.

12/7 - 12/9 CCAO Winter Conference, Columbus, Ohio

Fri., 12/9 NOACA Board of Directors meeting, 9:00 a.m., Cleveland

Tue., 12/13 The Commissioners will hold regular session at 9:30 a.m.

Thu., 12/15 Portage Geauga Juvenile Detention Center, Board of Directors meeting, 10:00 a.m. Portage County Offices

Mon., 12/19 Family First Council, 1:30 p.m. Mental Health Offices

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to adjourn the meeting at 12:02 p.m.

Geauga County Board of Commissioners

James W. Dvorak

Timothy C. Lennon

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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