

Commissioners' Journal
September 19, 2023

The Geauga County Board of Commissioners met in session on September 19, 2023 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, Ralph Spidalieri opened the meeting at 9:34 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

*Thank you God
For your Grace
For your Mercy
For your Forgiveness
For your Protection
For your Guidance
For your Peace
For your unfailing Love
For being my savior
Amen*

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on September 13, 2023 Concurred with the Chester Township Trustees in not requesting a hearing on the Liquor License being requested by Victoria's Craft Bakery LLC located at 12725 Woodside Drive, Chesterland, Ohio (C NEW 9267351) and on September 18, 2023 for Maintenance approved an unpaid medical leave of absence for Joan Staley, Part-time General Communications Clerk / Switchboard Operator (#1912) for hours not covered by accrued sick and vacation leave beginning September 12, 2023 through and up to October 30, 2023; as authorized by Resolution #23-003 under the direction and supervision of the County Commissioners that was approved January 5, 2023 pursuant to O.R.C. 305.30.

MEETING MINUTES

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the minutes for the meeting of August 8, 2023.

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

APPROVE FINANCIALS

Mr. Gorton explained the financials for today as including Supplemental Appropriations from the Sheriff in the Rotary, Concealed Handgun Licenses and 9-1-1 fund to cover 5% raises granted this year in the Sheriff's labor agreement (General Fund increases coming next week); Supplemental appropriation in the General Fund for the Sheriff's Equipment and Vehicles accounts to cover items that had been budgeted for 2024 including Taser batteries and cartridges, Lockers and bunk beds as well as six new replacement vehicles; Cash transfer out of the General Fund to Community Development for their second quarter payroll funding reimbursement and third quarter operational funding commitment for 2023, Cash transfers to Court Technology for funding of a 2024 project to purchase the Jworks case management software package, 800 Communications – Permanent Improvements fund to provide for a 2024 project to add a channel to the 800 MHz radio system and to the Computer Equipment Improvements fund for ADP 2024 projects including the purchase of a Meraki Gateway, Server Cabinets, Annex Cabling upgrades, BMC Helix, Cloud Storage, Water Leak Detection Sensors, Equipment Transport Vehicle, etc.; Travel requests for Common Pleas Court and Job and Family Services; a payment for the Commissioners' Office to the Geauga County Agricultural Society for a CORSA settlement check made out to the County that was deposited into the General Fund in the amount of \$37,727.13, a payment for the Commissioners' Office to the Sheriff to reimburse for asset forfeiture funds that were direct deposited into the County's General Fund in the amount of \$92,724.13 and a

Commissioners' Journal
September 19, 2023

Revenue de-Certification from Transit in various revenue accounts that will no longer be receiving this money in 2023.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-155 itemizing the financials for the meeting of September 19, 2023.

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

COMMISSIONERS' OFFICE – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS NECESSARY TO PETITION COURT FOR TRANSFER OF UNEXPENDED FUNDS FROM TRANSPORTATION ADMINISTRATION FUND AND TRANSPORTATION CAPITAL FUND TO THE GENERAL FUND

Mr. Gorton asked the Board to approve the County Administrator to execute documents necessary to petition the court to transfer the funds from the Transit Transportation Administration and Transportation Capital funds to the General Fund under ORC 5705.14B. Mr. Gorton explained that it could not be determined as to what the Transportation Capital fund was set up for and it was determined that we would need to petition the court to transfer the funds.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize County Administrator, Gerard Morgan to execute any and all documents necessary to petition the Court for a transfer of the unexpended balance of funds from the Transportation Administration Fund (#2035) and /or the Transportation Capital Fund (#4027) to the Geauga County General Fund.

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

AIRPORT AUTHORITY – RESOLUTION AUTHORIZING PRESIDENT OF AIRPORT AUTHORITY BOARD TO EXECUTE – SUBMIT APPLICATION TO OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR FY24 OHIO AIRPORT GRANT PROGRAM MATCH FUNDS – FAA PROGRAM GRANT CONSTRUCT PARALLEL TAXIWAY A PAVEMENT AND LED LIGHTING PHASE ½ DESIGN

Airport Manager Ric Blamer mentioned the event that was recently held the airport. Mr. Blamer asked the Board to approve and authorize the President of the Airport Board to execute and submit the application to ODOT for the match on the FAA grant that was recently accepted.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-156 Authorizing the President of the Geauga County Airport Authority Board to execute and submit the Application to the Ohio Department of Transportation, Office of Aviation for the FY24 Ohio Airport Grant Program, requesting funds for the five percent (5%) match of the FAA Airport Improvement Program Grant #3-39-0054-027-2023, Construct Parallel Taxiway A Pavement and LED Lighting Phase ½ Design in the amount of \$9,075.00.

Board of County Commissioners, Geauga County, Ohio

Date: September 19, 2023

Resolution: #23-156

RESOLUTION AUTHORIZING THE PRESIDENT OF THE GEAUGA COUNTY AIRPORT AUTHORITY BOARD TO EXECUTE AND SUBMIT THE APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION FOR THE FY24 OHIO AIRPORT GRANT PROGRAM

WHEREAS, the Geauga County Airport Authority ("Airport Authority") and the Geauga County Board of Commissioners ("Board of Commissioners") (hereinafter collectively "Sponsors"),

Commissioners' Journal
September 19, 2023

desire to make application to the Ohio Department of Transportation, Office of Aviation ("ODOT") for FY24 Ohio Airport Grant Program funding for the Airport Authority's proposed Construct Parallel Taxiway A Pavement and LED Lighting (3,040' x 25', between Taxiway A2 and Runway 29) - Phase 1/2 Design Project ("Project"); and

WHEREAS, the Board of Commissioners desire to authorize the President of the Airport Authority to execute and submit a grant Application to ODOT requesting funds in the amount of \$9,075.00, which sum would cover 5% of the total eligible Project costs associated with FAA Airport Improvement Program Grant 3-39-0054-027-2023; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners authorizes the President of the Airport Authority to execute and submit a Grant Application to ODOT for the necessary State funding for the Project.

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 Lennon</i>	<i>Aye</i>
	<i>Commissioner Dvorak</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COMMON PLEAS COURT / ADULT PROBATION – ADDENDUM TO COMMUNITY-BASED CORRECTIONS SUBSIDY GRANT AGREEMENT

Common Pleas Court Administrative Assistant and Financial Specialist Debbi Dudek asked the Board to execute the Addendum to the Community Based Corrections Subsidy Grant for an additional \$11,274.00 with no local match. Ms. Dudek noted that this was the first time in twenty years that state grants have seen an increase.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Addendum to Community-Based Corrections Subsidy Grant Agreement for the Ohio Department of Rehabilitation and Correction Subsidy Grants for an increase of funds to the Community-Based Corrections Programs, Non-Residential Felony Programs for FY24/25 for the period July 1, 2023 through June 30, 2025 in the amount of \$11,274.00 with no local match, for a revised total award amount of \$246,204.00.

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

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1, FINAL – DECREASE CONTRACT – RESURFACING FAIRMOUNT ROAD – KARVO COMPANIES, INCORPORATED

Deputy Engineer Shane Hajjar asked the Board to approve Change Order #1 and Final which is a decrease to the contract with Karvo Paving Companies for the resurfacing of Fairmount Road.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Change Order #1 and Final decreasing the Contract with Karvo Companies, Incorporated for the Asphalt Resurfacing of Fairmount Road (CH-0016, Sections A-B) in Russell Township in the amount of \$37,192.20.

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

DEPARTMENT OF WATER RESOURCES – CONTRACT MAINTENANCE FORM #1 – INCREASE SERVICE CONTRACT – BUCKEYE POWER SALES

Fiscal and Personnel Specialist Kathleen Miller asked the Board to approve the Contract Maintenance Form #1 for an increase on the service Contract with Buckeye Power Sales as they have some work that needs completed.

Commissioners' Journal
September 19, 2023

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Contract Maintenance Form #1 increasing the service Contract Agreement with Buckeye Power Sales for General Services and Repairs at various locations within the department in the amount of \$10,000.00 for a new not to exceed amount of \$40,000.00.

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

COMMISSIONERS' OFFICE – CHANGE ORDER #20 – INCREASE CONTRACT – DONLEY'S INDEPENDENCE, LLC – GMP PHASE #1 AND PHASE #2 – COUNTY OFFICE BUILDING

Mr. Morgan asked the Board to approve Change Order #20 increasing the contract with Donley's Independence on the county office building for additional work in the Job and Family Services visitation rooms for speakers and cameras, along with phones. There was a brief discussion about the items being covered by their budget and it was noted that there was cameras but without sound and the phones were missed in the plan.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute Change Order #20 increasing the Contract with Donley's Independence, LLC for the Guaranteed Maximum Price, Phase #1 and Phase #2 for additional installations in the Job and Family Services visitation rooms not covered in the original contract in the amount of \$25,928.00.

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

COMMISSIONERS' OFFICE – APPROVE CEBCO MEMBER 2023-2024 WELLNESS PROGRAM – CEBCO REWARDS

Human Resources Specialist Kelly Bidlack asked the Board to approve the new CEBCO member wellness program for 2023-2024, noting that CEBCO is no longer using Healthworks that they have partnered with Anthem this year which can allow the employees to earn up to \$200 in rewards.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept and approve the CEBCO Member 2023-2024 Wellness Program, CEBCO Rewards 200, partnered with Anthem, for Geauga County Employee Health and Wellness for the period August 15, 2023 through August 14, 2024.

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

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to move into Executive Session for the purpose of considering the purchase of property for public purposes and the sale of property at competitive bidding, pursuant to O.R.C. 121.22 (G)(2).

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

The Board moved into Executive Session at 9:48 a.m. with Mr. Morgan and Assistant County Administrator Linda Burhenne. The Board returned at 10:48 a.m. and no action was taken, just to continue to allow the County Administrator to negotiate with properties.

COMMISSIONERS' OFFICE – RESOLUTION APPROVING A COOPERATIVE AGREEMENT – BLANCHARD VALLEY PORT AUTHORITY

Mr. Morgan explained that the resolution was sent to us from Vision Development, this is the first step, this resolution directs the Board to execute the Cooperative Agreement, if you wish to move forward. It was noted that this was in connection to the presentation last week by Vision

Commissioners' Journal
September 19, 2023

Development.

Motion: by Commissioner Dvorak, seconded by Commissioner Spidalieri to approve and execute Resolution #23-157 Approving a Cooperative Agreement with Blanchard Valley Port Authority Pursuant to Ohio Revised Code Sections 9.482 and 4582.431.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>No</i>
	<i>Commissioner Dvorak</i>	<i>No</i>
	<i>Commissioner Spidalieri</i>	<i>No</i>

**The following Resolution Failed with a unanimous NO vote. Due to the action failing – the Cooperative Agreement designated as Exhibit A will not be executed.*

Board of County Commissioners, Geauga County, Ohio

Date: September 19, 2023

Resolution: #23-157

**APPROVING A COOPERATIVE AGREEMENT WITH
BLANCHARD VALLEY PORT AUTHORITY PURSUANT TO
OHIO REVISED CODE SECTIONS 9.482 AND 4582.431**

WHEREAS, the Board of County Commissioners of Geauga County ("Board") have received a request from Vision Development, Inc. and its affiliate Aurora Apartments I, LLC, an Ohio limited liability company, and the Blanchard Valley Port Authority, a body corporate and politic and a political subdivision of the State of Ohio (the "Port Authority"), for the Board to enter into a certain Cooperative Agreement which is on file with the Board, and

WHEREAS, pursuant to R.C. 715.72 and a Joint Economic Development District Agreement by and between Bainbridge Township, a township within Geauga County (the "Township"), and the City of Aurora, a city located in Portage County (the "City"), a Joint Economic Development District (the "JEDD District") has been created within the County, specifically, within Bainbridge Township, and the JEDD District includes the particular land referred to within the proposed Cooperative Agreement; and

WHEREAS, the JEDD District was created to facilitate economic development to create or preserve jobs and employment opportunities, to improve the economic welfare of the people in the JEDD District and the State of Ohio; and

WHEREAS, the purposes of an Ohio port authority include activities that enhance, foster, aid, provide, or promote transportation, economic development, housing, recreation, education, governmental operations, culture, or research within the jurisdiction of the port authority; and

WHEREAS, no port authority exists within Geauga County, however in lieu of creating a port authority, pursuant to Ohio Revised Code Sections 9.482 and 4582.431, the County is possessed of the power to enter into an agreement with an existing port authority, thereby authorizing the port authority to exercise any power, perform any function, or render any service on behalf of the County, which the County is authorized to exercise, perform, or render;

WHEREAS, pursuant to Ohio Revised Code Section 4582.43 and 4582.431, the Port Authority is possessed of the power to enter into an agreement with the County, to authorize the Port Authority to exercise any power, perform any function, or render any service on behalf of the County, which the County is authorized to exercise, perform, or render, including the Port Authority's issuance of bonds, as may be set forth in a cooperative agreement; and

WHEREAS, Aurora Apartments I, LLC has proposed a plan for the development of housing within the JEDD District which is acceptable to the Bainbridge Township Trustees (the "Project"); and

WHEREAS, to facilitate economic development and housing in Geauga County, the Board wishes to collaborate with the Port Authority by entering into the Cooperative Agreement; and WHEREAS, the Cooperative Agreement attached hereto as Exhibit A has been presented to the Board of Commissioners for approval, to facilitate the Project

Commissioners' Journal
September 19, 2023

NOW, THEREFORE, BE IT RESOLVED this Board of County Commissioners hereby approves the Cooperative Agreement between the Board and the Port Authority for immediate execution.

OTHER

The Board reviewed upcoming events.

MEETINGS

Thu., 9/21 Portage Geauga Juvenile Detention Center Board of Directors Meeting, 11:15 a.m., Portage County Offices – **Meeting has been cancelled and will be rescheduled at a later date.**

Tue., 9/26 The Commissioners will hold regular session at 9:30 a.m.

Tue., 9/26 Budget Hearings, 12:00 p.m. – 4:30 p.m.

Wed., 9/27 ADP Special Meeting, 10:00 a.m., Auditor's Appraisal Conference Room

Thu., 9/28 Budget Hearings, 8:15 a.m. – 4:30 p.m.

Tue., 10/3 Budget Hearing – Treasurer 8:45 a.m.

Tue., 10/3 Investment Advisory Committee, 9:15 a.m.

Tue., 10/3 The Commissioners will hold regular session at 9:30 a.m.

Tue., 10/3 Budget Hearings, 12:00 p.m. – 4:30 p.m.

Thu., 10/5 Airport Authority Board meeting, 6:00 p.m., Building 3, Middlefield

Mon., 10/9 **County offices will be closed for general business due to Columbus Day. Twenty-four hour operations will continue to operate as usual.**

Thu., 10/12 Planning Commission, 7:30 a.m. 12611 Ravenwood Drive, Room B333-334

Thu., 10/12 The Commissioners will hold regular session at 9:30 a.m.

COMMISSIONERS' OFFICE – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE LETTER OF ENGAGEMENT- ROETZEL AND ANDRESS – ALLOWING ATTORNEY, STEPHEN FUNK TO REPRESENT JUDGE GRENDALL AS OUTSIDE COUNSEL

Mr. Morgan stated that last Thursday the Board and himself received an email from Judge Grendell that requested outside counsel for a case before the Supreme Court, State ex. rel Walder v. Grendell and is requesting outside counsel be appointed for him on a case that stems from a Probate Case that involved the transfer of property and there is some issue with getting the deeds recorded and charging a fee. The heirs through their Attorney on the property filed a case to order the transfer and not charge a fee and the Auditor's Office obtained outside counsel through the Court and the Prosecutor never notified the Commissioner's office of a potential joint application. Mr. Lennon asked when that was approved, to which Mr. Morgan stated September 1st, and we just found out about it last Thursday when the Probate Court contacted our office asking if the Board approved outside counsel for the Auditor's office. Mr. Morgan sent an email to Prosecutor Flaiz asking if he was going to do a Joint Application for Judge Grendell and got no response. Mr. Morgan searched the court docket and found the order for the Auditor's Office and that at the end of the day an order was filed for the Judge, but as of this am had not been ordered. This morning we did receive an engagement letter from Stephen Funk from Roetzel and Andress for Judge Grendell with an hourly rate of \$300.00 per hour instead of the normal \$475.00 per hour, and the request was made to the Court, not jointly per the ORC, if the Board is ok, requesting the Board authorize Mr. Morgan to execute the engagement letter once the original is received and certified, which is what is required to do.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the County Administrator, Gerard Morgan to execute a Letter of Engagement with Roetzel and Andress for Stephen Funk to represent the Probate Court and Judge Grendell, upon receipt of a Court Order appointing the Outside

Commissioners' Journal
September 19, 2023

Counsel in the case State ex. rel Walder v. Grendell, Case No. 2023-1154 and receipt of the Original Letter of Engagement and Certification.

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

Mr. Lennon added that it appears there was an attempt by the Judge to do this properly by contacting this office, as the Board can set the rate. Mr. Morgan added that you are doing it in a public session. Mr. Lennon inquired about the invoices for Raskin for the Auditor if there was not application through this office, are going to be taken care of. Mr. Morgan stated he wasn't sure, as we don't know the rate and it wasn't done through this office. Mr. Lennon added that there is enough stress with losing a loved one, but now the family has to have attorneys involved and at this time the property has not been transferred. Mr. Dvorak asked if the Judge filed a writ of mandamus against the Auditor, to which Mr. Morgan stated that when the heirs filed the case to order the property transferred with no fee, the Probate Court subpoenaed Kate Jacobs to present at the hearing because they weren't following through on the process and that's the case was filed.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to adjourn the meeting at 11:00 a.m.

Geauga County Board of Commissioners

Ralph Spidalieri

James W. Dvorak

Timothy C. Lennon

Christine Blair, Commissioners' Clerk

Commissioners' Journal
September 19, 2023

THIS PAGE INTENTIONALLY LEFT BLANK