

Commissioners' Journal
October 12, 2023

The Geauga County Board of Commissioners met in session on October 12, 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 9:36 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

Hear us oh Lord

We lift our prayer to you.

Lord, we raise Israel and Gaza to you, and pray for their suffering.

We ask that you provide peace in this crisis, and protection and comfort for all those who have been impacted.

Amen

FINANCIALS

County Administrator Gerard Morgan reported on financials from October 4, 2023

Resolution #23-168 that included Supplemental Appropriation in the Treasurer Delinquent Tax Fee Fund salaries account so that the Auditor could finish processing payroll; as approved by the County Administrator pursuant to Resolution #23-003 approved January 5, 2023 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 2023, as authorized by 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 September 12, 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>

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

APPROVE FINANCIALS

Mr. Gorton explained the financials for today as including Supplemental Appropriations in the Building Department in their equipment line item for the purchase of a replacement vehicle, Supplemental Appropriations in the Commissioners Capital Reserve Fund Phase II in the land purchase expense line, Supplemental Appropriations in the Commissioners travel account and in the Sheriff's Equipment expense lines for additional items approved during the Sheriff's budget hearing including body cameras, flock cameras, mats, floor scrubber and network routers for the cruisers, Cash transfer from the General Fund to Public Assistance for our October – December 2023 mandated share, Travel requests for the Auditor's Office and Recorder's Office, a payment for ADP to Pharos Systems International, Incorporated for cloud print management software in the amount of \$35,436.00, a payment for Maintenance to Integrated Precision Systems, Incorporated for the Safety Center Camera upgrade and maintenance project, noting that this is the first pay request, in the amount of \$31,165.89, a payment for the Sheriff's Office to Upstate Wholesale Supply, Incorporated for eight in car and body worn cameras paid for by the Law Enforcement Block Grant in the amount of \$56,565.12.

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Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-169 itemizing the financials for the meeting of October 12, 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>

FIRST ENERGY, ENERGY HARBOR AND VISTRA

Emergency Response – Offsite Liaison Michael Vuyancih along with Senior Communications Representative Mandy Nagle from the Perry Nuclear Power Plant to discuss the integration of Vistra with Energy Harbor and the transfer of licenses. Ms. Nagle stated that they need the approval of four government agencies and so far, have approval from two. The transfer of the four licenses have been approved for transfer to Vistra, the FCC has approved the radios, we are waiting on approval from the Department of Justice and the Federal Energy Regulatory Commission. Vistra has requested the middle of October for those and we are waiting to get the 4th quarter of 2023 integration transition. Ms. Nagle stated that the license for Perry will expire at midnight on November 7, 2026 and are in the process of renewing the license for an additional twenty years, the application has been accepted and are reviewing the 2000 page application.

DEPARTMENT OF DEVELOPMENT (COMMUNITY & ECONOMIC) – NOTICE OF INTENT – OHIO DEPARTMENT OF DEVELOPMENT FOR DEMOLITION AND SITE REVITALIZATION AND BROWNFIELD REMEDIATION PROGRAMS – DESIGNATING COMMUNITY DEVELOPMENT AS LEAD ENTITY

Director Gina Hofstetter asked the Board to acknowledge a notice of intent that was submitted by the County Administrator designating Community and Economic Development as the Lead Entity for the Demolition and Site Revitalization and Brownfield Remediation Programs. Ms. Hofstetter stated we are engaging with the state and learning about what is available in regard to Brownfields. Mr. Morgan briefly explained that they provided a very short window of time to submit the notice of intent and submitting that did not commit the County to anything further other than to submit interest in the program. Ms. Hofstetter stated that they just released the program guidelines last night and will be attending a webinar on Monday. There are still a lot of unknowns about the program right now, but applications will be accepted through Community Development and request approval by the Board and then from the State on any projects. Mr. Morgan added that this first round may be publicly owned properties and not private, but once all the requirements come out we will know. Ms. Hofstetter stated that Townships and Communities will be notified and depending on guidelines we hope to get some good applications.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to acknowledge a Notice of Intent submitted by County Administrator, Gerard Morgan to the Ohio Department of Development designating Community and Economic Development as the Lead Entity for the Demolition and Site Revitalization and Brownfield Remediation programs and further approve moving forward with the application process for grant funding, as specific program guidelines have not been disclosed at this time.

<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>

JOB AND FAMILY SERVICES – AGREEMENT FOR SALE/PURCHASE – K9, RETIRING, KOTA BEAR – BY HANDLER SCOTT CHRISTOPHER

Executive Director Craig Swenson introduced Investigator and Handler Scott Christopher and Kota Bear. Mr. Swenson explained that Mr. Christopher in an Investigator that works in conjunction with the Prosecutors Office and Job and Family Services that handles the more serious cases of child neglect and abuse. Mr. Swenson stated that it was about five years ago that we decided to create the Child Advocacy Center and we do about seventy interviews a year and Kota Bear assists with those by providing comfort to children and families during the interview process. Mr. Swenson stated that over the course of the last few months, there has been some behaviors that have caused some concern and at the recommendation of the Prosecutor's office we feel it necessary to retire Kota Bear and discontinue having in the

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interviews. Kota is a wonderful family dog and feel its best. Mr. Christopher explained that he does a fantastic job with the kids but doesn't get along well with other dogs. Mr. Swenson stated that Kota was purchased with VOCA funds and are following the correct process. Mr. Swenson stated that he has served the community well and down the road we may consider another puppy but with being short staffed, we will revisit down the road.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-170 of Agreement for Sale / Purchase of Geauga County Job and Family Services K-9, Retiring, Kota Bear for purchase of \$1.00 by handler, Investigator Scott Christopher.

Board of County Commissioners, Geauga County, Ohio

Date: October 12, 2023

Resolution: #23-170

**RESOLUTION OF AGREEMENT FOR SALE / PURCHASE OF
GEAUGA COUNTY JOB AND FAMILY SERVICES K-9 – RETIRING**

WHEREAS, Pursuant to Section 9.62(C) of the Ohio Revised Code, the Geauga County Job and Family Services ("GCJFS") hereby agrees to sell for the consideration of One Dollar (\$1.00), and Investigator Scott Christopher ("Purchaser") agrees to purchase the K-9, KOTA BEAR, ("Dog"). Purchaser has been the handler for Dog who is no longer fit for duty. Collectively, GCJFS and Purchaser shall be referred to as the "Parties."

WHEREAS, Purchaser hereby releases and forever discharges GCJFS, its agents, employees, heirs and assigns from any and all claims for injury, disability, loss or property destruction that may occur to anyone as a result of contact with or behavior by the Dog.

WHEREAS, Purchaser accepts full responsibility and agrees to indemnify and hold harmless GCJFS and its agents, employees, heirs and assigns for any alleged injury or damage to any person or property that may occur or be caused by the Dog after the transfer of ownership, which is effective as of the date listed below, including the reasonable cost of defending such claims.

WHEREAS, Purchaser is fully aware of the nature of the training Dog received and the nature of the work that the Dog performed during the period of ownership by GCJFS. Purchaser understands the need to provide the Dog with suitable shelter and reasonable surroundings in keeping with its training and work experience.

NOW THEREFORE, BE IT RESOLVED, that the Parties agree that the laws of the state of Ohio shall govern this Agreement. Any disputes arising hereunder shall be presented in a court of competent jurisdiction of Geauga County

THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners of Geauga County, Ohio agree to the sale of K-9 KOTA BEAR to Investigator Scott Christopher for One Dollar (\$1.00) to be effective October 13, 2023.

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>

MAINTENANCE – APPROVE HIRING SHAUN STRAND – FULL-TIME SENIOR TRADES MECHANIC (#1905)

Director Glen Vernick asked the Board to approve hiring Shaun Strand as Senior Trades Mechanic.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve hiring Shaun Strand to the position of Senior Trades Mechanic (#1905) at the rate of \$19.04 per hour (Grade 7, Step 3) to be effective November 6, 2023 with a one year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions.

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – GEAUGA COATINGS

Fiscal and Personnel Specialist Kathleen Miller asked the Board to approve a service Contract Agreement with Geauga Coatings adding that since it's so late in the year we are asking for the contract to run through the end of 2024.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the service Contract Agreement with Geauga Coatings to perform concrete leveling and coating services, as needed at various locations within the Department, effective October 12, 2023 through the remainder of 2023 and the year 2024, in an amount not to exceed \$40,000.00.

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

COMMISSIONERS' OFFICE – APPOINT NICHOLAS GORRIS – DIRECTOR – DEPARTMENT OF WATER RESOURCES (#2321) – REMAIN SANITARY ENGINEER

Mr. Morgan asked the Board to appoint Nicholas Gorris as the Director of the Department of Water Resources. Mr. Morgan explained that they had four applicants, two didn't have the qualifications and between the other two, Mr. Gorris is the best person for the position. Mr. Lennon and Mr. Dvorak both agreed.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to appoint Nicholas Gorris to the position of Director for the Department of Water Resources (#2321) to be effective October 15, 2023 at the rate of \$51.28 per hour (Grade WR15, Step 3), and further remain appointed as the Sanitary Engineer.

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

COMMISSIONERS' OFFICE – REQUEST FOR PARTIAL PAYMENT #31 – DONLEY'S INDEPENDENCE, LLC – COUNTY OFFICE BUILDING GMP PHASE #1 AND PHASE #2

Mr. Morgan asked the Board to approve the pay request #31 for Donley's on the county building.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Request for Partial Payment #31 for Donley's Independence, LLC for the Geauga County Office Building, GMP Phase #1 and Phase #2 in the amount of \$99,397.00.

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

COMMISSIONERS' OFFICE – RESOLUTION AUTHORIZING SUBMISSION OF HEALTHY AGING GRANT – OHIO DEPARTMENT OF AGING – BENEFIT GEAUGA COUNTY RESIDENTS

Director Jessica Boalt explained that House Bill 33 of the 135th General Assembly established a Healthy Aging Grant and the Ohio Department on Aging is making that grant available to each county, however, Commissioners must apply for it. Ms. Boalt stated that the purpose of the grant is for older Ohioans to keep them at home, connect to their community and promote a healthy active lifestyle. Ms. Boalt stated that Geauga County has been allocated \$201,575.86. Ms. Boalt stated that the grant can be used in the community as 20% Food Assistance, 20% Housing assistance, 10% Internet access and the rest towards the State's Plan on Aging goals. Ms. Boalt stated that should the Board submit for the grant, community partners would be able to apply for the food and housing portion of the grant. Ms. Boalt stated that notification of this grant came out on October 2nd and the deadline to apply is midnight on October 13th.

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Ms. Boalt explained that she went onto the portal and in total it takes about ten minutes to apply and offered to assist in submitting that application. While \$200,000 doesn't sound like a lot, it's a lot that can help our seniors. The grant period is October 1, 2023 through September 30, 2024. There is a reporting process as well as an RFP process for agencies to apply for the funds. Ms. Boalt briefly explained who might be looking to apply for the food assistance like a pantry. Assistant County Administrator Linda Burhenne added that even applying for the funds doesn't commit the County. Ms. Boalt stated that any unused funds do get returned to the state.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-171 Authorizing the submission of a Healthy Aging Grant to the Ohio Department of Aging to Benefit Geauga County Residents.

Board of County Commissioners, Geauga County, Ohio

Date: October 12, 2023

Resolution: #23-171

RESOLUTION AUTHORIZING THE SUBMISSION OF A HEALTHY AGING GRANT TO THE OHIO DEPARTMENT OF AGING TO BENEFIT GEAUGA COUNTY RESIDENTS.

WHEREAS, the Ohio Department of Aging (ODA) has created the Healthy Aging Grants program to empower older Ohioans to maintain their health and independence; and

WHEREAS, the Healthy Aging Grants provide funding at the county level to support the creation of new programs or bolster existing programs that focus on delivering the vital services and supports necessary to keep at-risk aging Ohioans in their homes and communities for as long as possible; and

WHEREAS, the Geauga County service area has been allocated \$201,575.86 in Healthy Aging Grant funds. Geauga County is required to apply for funding; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Geauga County, Ohio, does hereby authorize the submission of a Healthy Aging Grant application to the State of Ohio Department of Aging and further authorizes the Assistant County Administrator to electronically submit the application, for the benefit of Geauga County residents.

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>

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 10:01 a.m. with Mr. Morgan and Assistant County Administrator Linda Burhenne. The Board returned at 10:48 a.m. and no action was taken.

ELIZA JENNINGS ACQUISITION OF THE WIELS

Attorney Gene Killeen explained that they were asking the Board to assist with tax exempt revenue bonds for the acquisition of The Wiels by Eliza Jennings from Montefiore Housing. Clerk Christine Blair explained that Mr. Killeen was here last week while Mr. Spidalieri was out to explain the conduit financing they are requesting. Ms. Blair stated that as part of the process a Hearing is required by the IRS and a resolution would need to be approved and documents that would need to be signed. Mr. Spidalieri asked for a brief explanation, to which Mr. Killeen

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explained that tax exempt, 501C3 organizations are allowed to borrow at tax exempt rates and involves the local political subdivision to allow them to take advantage on the financing. Mr. Killeen stated that it is a single buyer of the bonds, a bank that already owns other Eliza Jennings debt, the federal tax rates and tax exempt rates are a difference of about 1% of the total which is about twenty million dollars. Mr. Spidalieri stated that the advantage for them is the savings, but what is the advantage for the County. Mr. Spidalieri asked the question of if the Board doesn't do this will they close, to which Mr. Killeen explained he wasn't sure. Mr. Killeen explained that it is beneficial to the area to maintain high quality care. Mr. Killeen stated that tax exempt organizations take advantage of tax-exempt financing and is an ordinary request, which is a benefit the IRS gives to tax exempt organizations. Mr. Spidalieri expressed that he would not be in support of it, organizations like this are profitable and owners need to make decisions on whether it makes sense to buy it. Mr. Killeen stated that there is very limited involvement, as it's really a transaction between a bank and a borrower and taking advantage of a tax benefit of being a 501C3. There is an issuer fee that goes to the County for the process. Mr. Lennon stated that they are tax exempt as a 501C3, and there was already tax exempt financing when the initial construction took place, the project has benefitted and understand this a purchase and new owner, however, agree with Mr. Spidalieri and lean towards no. I was told that there would be no impact on the county's rating but could have impact on our borrowing ability. Mr. Morgan stated in talking to Bond Counsel, that if there is a default the county is not obligated on the debt, however, there could be some impact on the county's rating. Mr. Killeen expressed that it could be with a public offering, however this is a private transaction. Mr. Lennon expressed that he could look at more of a new construction situation but not in an acquisition. Mr. Spidalieri thanked him for being there today. Mr. Killeen offered that Bond Counsel is available to answer any questions, however at this point is unsure in the process if they could move forward with the sale of The Wiels.

Mr. Morgan asked the Board to make a decision, suggesting making a positive motion to hold the public hearing as that would be the next step in the process and from the sounds of it would not move forward.

Motion: by Commissioner Spidalieri, seconded by Commissioner Lennon to grant permission to hold a Public Hearing regarding the Eliza Jennings Acquisition of The Wiels to be held on Tuesday, October 24, 2023 at 9:45 a.m.

<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>

Ms. Blair stated that no hearing will be held and let Ms. Romanchek know that the Board has not chosen to go forward.

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending September 27, 2023 as required by O.R.C. 955.12.*
- b) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the Inmate meals for the month ending September 2023.*
- c) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the Prisoner Transport for the month ending September 2023 as required by O.R.C. 325.07.*

OTHER

The Board reviewed upcoming events.

MEETINGS

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

Fri., 10/13 NOACA External Affairs at 8:30 a.m., Policy and Programming at 10:00 a.m., and Planning at 11:30 a.m.

Mon., 10/16 Family First Council, 1:30 p.m. Mental Health & Recovery Offices

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Tue., 10/17 The Commissioners will hold regular session at 9:30 a.m.

Mon., 10/23 Board of Revision, 9:00 a.m. Auditor's Office

Tue., 10/24 The Commissioners will hold regular session at 9:30 a.m.

Tue., 10/31 The Commissioners will hold regular session at 9:30 a.m.

Tue., 11/7 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 11:02 a.m.

Geauga County Board of Commissioners

Ralph Spidalieri

James W. Dvorak

Timothy C. Lennon

Christine Blair, Commissioners' Clerk

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