

**Commissioners' Journal**  
**November 21, 2023**

*The Geauga County Board of Commissioners met in session on November 21, 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 9:41 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 16, 2023 Resolution #23-192 that included Supplemental Appropriation for the Juvenile Court in their Care and Custody fund to increase the Salaries and Hospitalization accounts to 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.*

**COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT**

*County Administrator Gerard Morgan reported on the items approved by the County Administrator on November 13, 2023 that included to Concur with the Auburn Township Trustees in not requesting a hearing on the Liquor License being requested by J & E & 3 LLC d.b.a. Pond Ice Rink located at 9999 E. Washington Street, Chagrin Falls, Ohio (C NEW 4182954), on November 15, 2023 for the Department on Aging accepted the resignation of Betty Conti, Part-time Recreation and Education Assistant to be effective November 9, 2023 and on November 17, 2023 for the Department on Aging approved an unpaid leave of absence for Holly Petrinec, Full-time Recreation and Education Assistant for time not covered by sick leave during the period October 30, 2023 through November 3, 2023 for up to forty hours due to an ill child and unpaid personal leave during the period November 13, 2023 through November 24, 2023 for up to eighty hours for pre-arranged time off prior to employment. This will extend her probationary period by the number of hours used (120 hour) or up to three weeks; 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 October 24, 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 Appropriation transfers in the American Rescue Plan Fund to match the distribution the Commissioners revised resolution from October 24<sup>th</sup>, Supplemental Appropriation in the REAF Fund for Salaries and Payroll,*

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*Cash transfer from the General Fund to Community Development for their third quarter payroll funding reimbursement and fourth quarter operational funding commitment for 2023, Travel request for the Engineer's Office, a payment for the Commissioners to Ohio State University for the County's 4<sup>th</sup> quarter 2023 program support payment in the amount of \$51,909.92, a payment for the Engineer's Office to Tim Lally Chevrolet Incorporated for 2023 Chevrolet Tahoe in the amount of \$44,144.00 and a payment to Junction Buick GMC for a 2023 GMC Sierra 1500 4WD in the amount of \$47,388.00, noting that both are replacement vehicles, a payment for the Sheriff's Office to Upstate Wholesale Supply, Incorporated for 18 body cameras for the jail in the amount of \$24,468.00 and a payment to Junction Auto Sales for a 2024 GMC Terrain AWD replacement vehicle in the amount of \$33,590.00 and Revenue Certifications from the Commissioners in the Health Aging Grant fund and Water Resources in the Water District Fund for additional unbudgeted revenue received in 2023.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-193 itemizing the financials for the meeting of November 21, 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>

*AIRPORT AUTHORITY – GRANT CONTRACT – FY2024 OHIO AIRPORT IMPROVEMENT PROGRAM MATCHING GRANTS FOR GENERAL AVIATION – OHIO DEPARTMENT OF TRANSPORTATION FOR FAA PROJECT – PARALLEL TAXIWAY A PHASE ½ DESIGN*  
*Airport Manager Ric Blamer asked the Board to authorize the President to execute the grant contract with ODOT for the match portion of the FAA grant project for the parallel taxiway design phase 1/2.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Grant Contract under the FY2024 Ohio Airport Improvement Program Matching Grants for General Aviation Airports between the Geauga County Airport Authority, Geauga County Commissioners and the Ohio Department of Transportation Office of Aviation for ODOT Project #M24-06 for FAA Project #3-39-0054-027-2023 for the Parallel Taxiway A Phase ½ Design in the amount of \$9,075.00.*

<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>

*BOARD OF ELECTIONS – ELECTRONIC POLLBOOK MEMORANDUM OF UNDERSTANDING – OHIO SECRETARY OF STATE – BOARD OF ELECTIONS AND GEAUGA COUNTY COMMISSIONERS – ADDENDUM TO CONTRACT – KNOWINK – THIRTY-FIVE ADDITIONAL POLLBOOKS – THROUGH DAS COOPERATIVE PURCHASE PROGRAM STATE TERM CONTRACT*

*Director Michelle Lane asked the Board to authorize the President of the Board to execute the Electronic Pollbook Memorandum of Understanding for thirty-five additional pollbooks through the DAS Cooperative Purchase Program. There was a brief discussion about using the pollbooks and the voter turnout numbers in the last elections.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Electronic Pollbook Memorandum of Understanding between the Ohio Secretary of State, the Geauga County Board of Elections and the Geauga County Commissioners regarding an Addendum to Contract between KnowInk and the Geauga County Board of Elections for purchase of thirty-five (35) additional pollbooks (KnowInk Poll Pads) through the DAS Cooperative Purchase Program State Term Contract in the amount of \$29,925.00.*

<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>

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DEPARTMENT ON AGING – WAIVE 200 HOUR MAXIMUM VACATION ACCRUAL – SANDY MCLEOD, SENIOR CENTER SITE SUPERVISOR

Operations Manager Karen Stone asked the Board to approve waving the 200 hour maximum vacation accrual for Ms. McLeod as they are short staff and she is unable to get her vacation time used.

*Motion:* by Commissioner Lennon, seconded by Commissioner Dvorak to waive the 200 Hour Maximum Vacation Accrual for Sandy McLeod, Senior Center Site Supervisor beginning November 12, 2023 (Payroll #24) through May 11, 2024 (Payroll #10) due to staffing shortages.

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

DEPARTMENT ON AGING – RESOLUTION TO LEASE PARATRANSIT VEHICLE FROM BOARD OF DEVELOPMENTAL DISABILITIES – EXECUTE LEASE AGREEMENT

Ms. Stone asked the Board to approve and execute a resolution giving authorization to execute the lease agreement with the Board of Developmental Disabilities for occasional use of a paratransit vehicle. Ms. Stone then asked the Board to execute the lease agreement.

*Motion:* by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #23-194 to Lease Paratransit Vehicle from the Geauga County Board of Developmental Disabilities for Occasional Use by the Geauga County Department on Aging, Pursuant to O.R.C. 307.41.

Board of County Commissioners, Geauga County, Ohio

*Date:* November 21, 2023  
*Resolution:* #23-194

**RESOLUTION TO LEASE PARATRANSIT VEHICLE FROM THE GEAUGA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES FOR OCCASIONAL USE BY THE GEAUGA COUNTY DEPARTMENT ON AGING, PURSUANT TO O.R.C. 307.41**

*WHEREAS, the Geauga County Board of Commissioners desires to lease a paratransit vehicle or other suitable vehicle from the Geauga County Board of Developmental Disabilities for occasional use by the Geauga County Department on Aging; and*

*WHEREAS, the use of the vehicle is necessary to enable the Geauga County Department on Aging to transport Geauga County seniors to medical appointments and trips; and*

*WHEREAS, the Geauga County Board of Commissioners, through the Department on Aging, shall pay \$ 1.25 per mile for the use of the vehicle and the total amount of the lease shall not exceed Twenty Thousand Dollars (\$ 20,000.00), for the period September 1, 2023 through December 31, 2024; and*

*NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners will enter into a lease agreement with the Geauga County Board of Developmental Disabilities for the lease of a paratransit vehicle for occasional use by the Geauga County Department on Aging upon the terms set forth herein and upon such additional terms as may be agreed upon by the parties.*

*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>	Commissioner Lennon	Aye
	Commissioner Dvorak	Aye
	Commissioner Spidalieri	Aye

*Motion:* by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Lease Agreement between the Geauga County Board of Developmental Disabilities and the Geauga County Department on Aging for the Occasional Use of a Paratransit Vehicle by the Department on Aging, pursuant to

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*O.R.C. 307.41 during the period September 1, 2023 through December 31, 2024 in the amount of \$1.25 per mile in an amount not to exceed \$20,000.00.*

<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 -AGREEMENT FORM (CM AT RISK PROJECT) STATE OF OHIO STANDARD REQUIREMENTS FOR PUBLIC FACILITY CONSTRUCTION – INFINITY CONSTRUCTION COMPANY, INCORPORATED – CONSTRUCTION MANAGER AT RISK – COURTHOUSE EXPANSION PROJECT – ACCEPT PERFORMANCE AND PAYMENT BONDS*

*Mr. Morgan explained that these two items are related to the Courthouse Expansion project and they are to execute the agreement with Infinity Construction for the Construction Manager at Risk and then to accept the Performance and Payment bonds.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Agreement Form (CM at Risk Project), State of Ohio Standard Requirements for Public Facility Construction with Infinity Construction Company, Incorporated as the Construction Manager at Risk for the Geauga County Courthouse Expansion project, for preconstruction in the amount of \$91,000.00.*

<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>

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept the Performance and Payment Bond from Infinity Construction Company, Incorporated for the Geauga County Courthouse Expansion project.*

<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 – SCHEDULE REGULAR MEETING – JANUARY 8, 2024 – INCLUDE ANNUAL ORGANIZATIONAL MEETING*

*Clerk Christine Blair explained that Mr. Dvorak had informed her he would be out of town the end of the year and will not return until after the 1<sup>st</sup> meeting in January, and in order to meet the ORC requirements we need to schedule a meeting on Monday, January 8<sup>th</sup> and will be the regular meeting for that week.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve scheduling a meeting on Monday, January 8, 2024 at 9:30 a.m. to hold a regular session that will include the annual organizational meeting.*

<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 – REQUEST PROSECUTOR'S OFFICE TO REVIEW CONTRACT, RESOLUTION AND AGREEMENTS*

*Mr. Morgan noted that this was to request the Prosecutor's Office to review contracts, resolutions and agreements for Professional Building Inspection, ARPA funds, MultiVista for the photography on the courthouse and the department of development Brownfield Subrecipient agreement.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to request the Prosecutor's Office to review Contracts for Professional Building Inspection Services, a Resolution for American Rescue Plan Act (ARPA) funds, the Agreement with MVC Limited d.b.a. MultiVista for photography on the Courthouse Expansion and the for the Ohio Department of Development, Brownfield Subrecipient Agreement.*

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<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 ASSISTANT COUNTY ADMINISTRATOR TO DISCUSS WITH PROSECUTOR'S OFFICE – PARAMETERS FOR HUMAN RESOURCES AND STATUTORY PROCESS FOR REAL ESTATE PURCHASES

*Mr. Blair asked the Board to request from the Prosecutor's Office to assist the Assistant County Administrator to discuss the parameters for Human Resources and the Statutory Process for Real Estate purchases.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to authorize Assistant County Administrator to discuss with the Prosecutor's Office parameters for Human Resources and the Statutory Process for Real Estate Purchases.*

<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>

PUBLIC COMMENT

*Local resident Newell Howard asked the Board about the recent changes in the law regarding marijuana and what their feelings were on the subject, expressing his concern over what it may mean, to which the Commissioners expressed their views and that they were unsure at this time, but no changes in policy are being made at this time.*

*Local resident Vicki List, read a statement to the Board, explaining that she has been attending for some time the Health District Board meetings, and during those meetings it was noted that the Board of Health would move to the new building, and that once they moved a rental payment of some sort would be implemented. Ms. List noted that earlier this year they were notified of the rental amount and that they would be losing some of their square footage. Ms. List expressed that she was glad the Health District did some investigating and according to some Ohio Attorney General opinions from the 1980's that state the County needs to provide space, utilities and janitorial services at no charge. Ms. List expressed that she felt Mr. Morgan knew about these opinions and disregarded them and why they continued to pursue the request for the Health District to pay rent.*

*Mr. Dvorak expressed that he believes in the Ohio Revised Code and asked for the Health District to identify the terminology that they fall under. Mr. Morgan explained that the Attorney Generals opinions only cover a Health District that only cover Townships and Villages within the County, the assumption was that because they cover the City they were a combined Health District and could go through that process, however there seems to be some confusion over how they are not a combined district since they do cover the City. Mr. Morgan noted that the previous Director for the Department of Health and County Administrator had some agreement that they were not going to charge the Townships.*

*Commissioner Lennon inquired about Ms. List being on the Board of Health, to which she stated she is not, just attended the meetings and expressed her concern over the expenses being put on to the residents. Mr. Morgan attempted to explain that the Health District covered the Village of Chardon, as a General Health District and when Chardon became a City the Health District continued to cover them and at that time became a Combined Health District. Ms. List expressed that she feels it a play on words and hopes it doesn't happen again, that she will be watching.*

*League of Women Voters observer inquired about why the rent would be starting now, to which it was noted that it had to do with moving into the new facility and the offices and agencies actual cost of operations. Mr. Lennon inquired about the number of employees in the Health District and if they are subcontracting with Lake County. Ms. List added that when the Lake County employees are in Geauga working, they are 'considered' Geauga employees. Mr. Lennon expressed that he feels there needs to be some sort of agreement with the Health District regarding expenses and the employees, using other departments paying through cost allocation. Ms. List provided the numbers from the Attorney General opinions, including 85-003, 96-016 and 2007-045.*

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OTHER

The Board reviewed upcoming events.

MEETINGS

Thu., 11/23 County Offices will be closed for general business in observance of Thanksgiving Day. Twenty-four hour operations will continue to operate as normal.

Fri., 11/24 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., 11/28 The Commissioners will hold regular session at 9:30 a.m.

Thu., 11/30 Board of Revision, Abstract and General Business, 9:00 a.m. Auditor's Appraisal Room

Tue., 12/5 The Commissioners will hold regular session at 9:30 a.m.

12/6 – 12/8 CCAO Winter Conference, Columbus, Ohio

Tue., 12/12 Planning Commission, 7:30 a.m. 12611 Ravenwood, Room A333-334, Chardon

Tue., 12/12 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 10:12 a.m.

Geauga County Board of Commissioners

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Ralph Spidalieri

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James W. Dvorak

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Timothy C. Lennon

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Christine Blair, Commissioners' Clerk

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