

Commissioners' Journal
January 4, 2024

The Geauga County Board of Commissioners met in session on January 4, 2024 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 9:43 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

**Commissioner Dvorak was absent from today's meeting.*

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on December 28, 2023 for a Liquor License that concurred with the Newbury Township Trustees in not requesting a hearing on the Liquor License being requested by Pizzeria Management III LLC d.b.a. Zeppes Tavern and Pizzeria of Newbury located at 11110 Kinsman Road, Unit 3 and Patio, Newbury, Ohio (C STCK 6951786); as authorized by Resolution #24-011 under the direction and supervision of the County Commissioners that was approved January 8, 2024 pursuant to O.R.C. 305.30.

COMMISSIONERS OFFICE – FINANCIAL ENCUMBRANCES FOR 2024

Budget and Finance Manager Adrian Gorton asked the Board to consider the financial encumbrances for 2024 to be effective January 1st. Mr. Gorton noted that there are 3 items for Department of Emergency Services that were pulled, however we will need to do a similar action when the issue is resolved.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve the encumbrances to be considered by the Board of Commissioners to be effective January 1, 2024.

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

APPROVE FINANCIALS

Mr. Gorton explained the financials for today as including Appropriations transfers from the Common Pleas Court to prepare for Cash Transfers to their new Community Corrections Fund, Supplemental appropriations in the Building Improvement, Commissioners Capital Reserve (2019) and Commissioners Capital Reserve Phase II (2021) and a Supplemental De-appropriations from the Common Pleas court in the Automated Outbound Text Message fund as it was over appropriated, contracts, blankets and purchase orders from various departments for the new year including Travel Requests from the Clerk of Courts to attend the monthly Ohio Clerk of Courts Association meetings and from the Commissioners to attend the 2024 Ohio Fair Managers Convention, and Revenue Certifications from the Commissioners in the Capital Reserve Fund Phase II (2021) for additional Intergovernmental Revenue that we are expecting to receive this year from Chardon for the Courthouse Expansion Project.

There was a brief discussion about the funding coming from Chardon for the Courthouse project.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-001 itemizing the financials for the meeting of January 4, 2024.

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

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COMMISSIONERS' OFFICE – IRS MILEAGE RATE FOR 2024

There was a brief discussion about this being an increase of 1.5 cents.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to establish the gas mileage reimbursement at the current Internal Revenue Service (IRS) rate of \$0.67, to be effective January 1, 2024 for the departments under the direction of the Geauga County Board of Commissioners.

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

AIRPORT AUTHORITY – GRANT PERMISSION TO RE-ADVERTISE (RE-BID) THE AIRPORT HANGAR 1 IMPROVEMENTS PROJECT

Airport Manager Ric Blamer asked the Board to grant permission to re-advertise for bids for the Hangar 1 Improvement Project. This is the Med Evac hangar that will redo the roof, insulation and a new door.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to grant permission to advertise for Bids (Re-Bid) for the Geauga County Airport Hangar 1 Improvements to be held on Wednesday, February 7, 2024 at 2:00 p.m. Notice of this Bid Opening will be advertised on January 11, 2024, January 18, 2024 and on the County website.

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

DEPARTMENT ON AGING – AGREEMENT FOR SERVICES – VILLAGE OF MIDDLEFIELD - USE OF THE MIDDLEFIELD VILLAGE COMMUNITY CENTER – SENIOR PROGRAMS – JANUARY 2024 – DECEMBER 2024

Director Jessica Boalt asked the Board to approve a new one-year lease for the Middlefield Senior Center with the Middlefield Village Community Center., adding that there is no increase in the cost.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the Agreement for Services between the Geauga County Board of Commissioners, the Geauga County Department on Aging and the Village of Middlefield for the use of the Middlefield Village Community Center to provide senior programs and services for the period January 1, 2024 through December 31, 2024 at an annual amount of \$13,000.00 (paid quarterly).

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

DEPARTMENT ON AGING – LEASE – BAINBRIDGE COMMUNITY UNITED CHURCH OF CHRIST – SENIOR PROGRAMS AND SERVICES – JANUARY 2024 – DECEMBER 2024

Ms. Boalt asked the Board to approve a new one-year lease with the Bainbridge Community United Church of Christ for the Bainbridge Senior Center that did see a slight increase of \$91.50 per month.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the Lease with Bainbridge Community United Church of Christ to provide senior programs and services for the period January 1, 2024 through December 31, 2024 in the amount of \$12,120.00 (payable in monthly installments of \$1,010.00).

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

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DEPARTMENT ON AGING – LEGAL SERVICES AGREEMENT – PATRICIA J. SCHRAFF, ESQ – SCHRAFF THOMAS LLC – LEGAL SERVICES TO GEAUGA RESIDENTS AGE 60 AND OVER – JANUARY 2024 – DECEMBER 2025

Ms. Boalt asked the Board to approve a new two-year agreement with Patricia Schraff, Esq of Schraff Thomas LLC for legal services for elder care for seniors of Geauga County.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Legal Services Agreement with Patricia J. Schraff, Esq of Schraff Thomas LLC for legal services that include counsel, advise and representation of clients that are Geauga County residents age 60 and over for the period January 1, 2024 through December 31, 2025 in the amount of \$160.00 per hour (\$101.03 paid by the Department on Aging and \$58.97 per hour paid by the Western Reserve Area Agency on Aging) for up to seven hundred and ninety-eight (798) hours per year.

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

DEPARTMENT OF DEVELOPMENT (BUILDING) – UNPAID PERSONAL LEAVE OF ABSENCE – MICHAEL DAVET, MULTI-CERTIFIED INSPECTOR IV

Director / Chief Building Official Dan Spada asked the Board to approve unpaid leave for Inspector Michael Davet.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve an unpaid personal leave of absence for Michael Davet, Multi-Certified Inspector IV for up to thirty-two hours, during the period January 2, 2024 through January 5, 2024. This will extend his probationary period by the number of hours used, up to thirty-two.

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

DEPARTMENT OF DEVELOPMENT (BUILDING) – ADVERTISE FOR STATEMENT OF QUALIFICATIONS – MASTER PLAN EXAMINER SERVICES

Mr. Spada asked the Board to grant permission to advertise for Statement of Qualifications for Master Plans Examiner Services. Mr. Spada explained that these are the vendors that handle our commercial plans, review them and do examinations. The past two years we had five vendors under contract and hope to get the same amount this round.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to grant permission to advertise for Statement of Qualifications for Master Plan Examiner Services with Responses due on Friday, January 26, 2024 at 4:00 p.m. Notice of this request for Statement of Qualifications will be advertised on January 11, 2024, January 18, 2024 and on the county website.

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

MAINTENANCE – GRANT WAIVER OF POLICY – ALLOW FOR PAYMENT OF LATE FEES, FINANCE CHARGES – DOMINION EAST OHIO GAS, VISTRA/DYNEGY ELECTRIC SUPPLIER AND ILLUMINATING COMPANY

Director Glen Vernick asked the Board to approve a waiver of policy and allow for any payment of late fees that may be incurred due to financial processing.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to grant a waiver of the policy prohibiting the payment of late fees and finance charges and allow payment to Dominion East Ohio Gas, Vistra/Dynegy Electric Supplier and the Illuminating Company as invoices were received after the final financial session in 2023 and are due prior to the first financials in January 2024, in an amount not to exceed \$1,000.00.

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

MAINTENANCE – ACCEPT RESIGNATION – LAUREN PETIT, CONTRACT COORDINATOR (#1924)

Mr. Vernick asked the Board to accept the resignation of Ms. Petit, Contract Coordinator due to some unforeseen circumstances.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to accept the resignation of Lauren Petit, Contract Coordinator (#1924) to be effective December 25, 2023.

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

MAINTENANCE – SERVICE CONTRACT AGREEMENT – GEAUGA MECHANICAL COMPANY – HANGING HEATERS AT MAINTENANCE BARN

Contract Coordinator Matt Sieracki asked the Board to approve a service contract with Geauga Mechanical for installation of hanging heaters at the maintenance barn.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the service Contract Agreement with Geauga Mechanical Company to install two (2) hanging heaters in the Geauga County Maintenance Barn for a period of one-year, effective January 4, 2024 in an amount not to exceed \$20,000.00.

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

MAINTENANCE – SERVICE CONTRACT AGREEMENT – GEAUGA MECHANICAL COMPANY – INSTALL MINI-SPLIT AIR CONDITIONING SYSTEM – SERVER ROOM AT COURTHOUSE ANNEX BUILDING

Mr. Sieracki asked the Board to approve a service contract with Geauga Mechanical for installation of a mini-split air conditioning system in the server room at the annex building. This is on the second floor to replace a current window unit that is freezing up.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the service Contract Agreement with Geauga Mechanical Company to install a mini-split air conditioning system in the server room at the Geauga County Courthouse Annex Building for a period of one-year, effective January 4, 2024 in an amount not to exceed \$15,000.00.

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

DEPARTMENT OF WATER RESOURCES – SERVICE CONTRACT AGREEMENT – BUCKEYE POWER SALES

Fiscal and Personnel Specialist Kathleen Miller asked the Board to approve the service contract with Buckeye Power Sales for generator services and repairs as needed.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute the service Contract Agreement with Buckeye Power Sales to perform Generator services and repairs as needed in the wastewater section within the Department for a period of one-year, effective January 4, 2024 in an amount not to exceed \$15,000.00.

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

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COMMISSIONERS' OFFICE – ACKNOWLEDGE RECEIPT OF PETITION FOR ANNEXATION WITH CONSENT OF ALL PARTIES – JAMIE R. MINOR, ESQ. ATTORNEY FOR PETITIONER – ANNEXATION OF TERRITORY OWNED BY SHERPA DEVELOPMENT COMPANY, LLC TO THE VILLAGE OF MIDDLEFIELD

Gary Sommers from Sherpa Development Company explained that they were asking the Board to approve the petition for annexation into the Village of Middlefield. Mr. Morgan quickly swore in Mr. Sommers for any testimony today regarding the petition. Mr. Sommers explained that Sherpa Development is an operating company within HRM Enterprises based in Stark County, a few years back they acquired a hardware from Centerra Coop in Middlefield. Mr. Sommers explained that they are looking at 160,000 square feet of a new retail hardware store and lumber yard under roof, so a drive through lumber yard. The new location is next to Geauga Self Storage, across from the old Shade Tree building. There are 2 parcels just over twenty-five acres and assist with necessary utilities that are required. Commissioner Lennon asked about everyone being in cooperation with each other. Commissioner Spidalieri inquired about the Village being contiguous or on its own or a chunked piece out of it, to which Mr. Sommers explained that one parcel behind the Self Storage is in the Village and butts up to their parcel and will be contiguous as well an access off Tare Creek that is in the Village. Mr. Spidalieri asked about utilities, to which Mr. Sommers noted that they want to get sewer and water to the new facility. Mr. Spidalieri stated that it is good to have growth and bring jobs to Middlefield, but asked about residents in the area and if they would benefit from this to which Mr. Sommers stated that his understanding is that you have to be annexed to receive the utilities. Mr. Sommers noted that they wish to break ground in the spring.

Mr. Lennon noted that some previous annexations that have taken place have affected the residents in the surrounding area, but not in a good way, but in looking at the parcels they wish to annex have a resident near them that they have been in contact and are working with. Mr. Sommers explained that they have a working site plan, but they will have some excavation that will need to take place.

Mr. Spidalieri explained that annexation that Mr. Lennon was mentioning is the marijuana plant that was put in, that was stated to be put all the way to the back of the property, however it was built up front and have received numerous calls and complaints about the factory and the odor that it emits.

Mr. Sommers expressed that they hope this will be a facility that Middlefield can be proud of. Mr. Morgan asked for clarification on when Mr. Sommers executed the petition, to which it was noted December 19, 2023. Clerk, Christine Blair noted that we did receive the certification from the Village of Middlefield, it is not an original, statutorily it is a minor defect that the Board can overlook, adding that it is an expedited annexation so there is no required hearing, as all parties are in agreement.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to formally acknowledge receipt of a Petition for Annexation with Consent of all Parties pursuant to O.R.C. 709.21, 709.022 filed by Jamie R. Minor, Esq, Attorney for the Petitioner on December 29, 2023 for the annexation of territory owned by Sherpa Development Company LLC to the Village of Middlefield, Parcel Numbers 18-084600 and 18-084900 and enter the petition upon the Journal of the Board.

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

COMMISSIONERS' OFFICE – RESOLUTION TO GRANT PETITION OF SHERPA DEVELOPMENT COMPANY, LLC – ANNEXATION OF PARCELS IN TOWNSHIP TO THE VILLAGE OF MIDDLEFIELD

Ms. Blair asked the Board to approve the resolution to grant the petition for annexation.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-002 to Grant the Petition of Sherpa Development Company, LLC for the Annexation of Permanent Parcel Nos. 18-084600 and 18-084900 currently located in Middlefield Township to the Village of Middlefield, pursuant to O.R.C 709.021 and 709.022.

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Board of County Commissioners, Geauga County, Ohio

Date: January 4, 2024

Resolution: #24-002

**RESOLUTION TO GRANT THE PETITION OF SHERPA DEVELOPMENT COMPANY, LLC
FOR THE ANNEXATION OF PERMANENT PARCEL NOS. 18-084600 AND 18-084900
CURRENTLY LOCATED IN MIDDDDLEFIELD TOWNSHIP TO THE VILLAGE OF
MIDDLEFIELD, GEAUGA COUNTY, OHIO,
PURSUANT TO O.R.C. 709.021 AND O.R.C. 709.022**

WHEREAS, on December 29, 2023, Sherpa Development Company LLC ("Petitioner") petitioned the Geauga County Board of Commissioners ("Commissioners" or "Board") to grant the annexation of Permanent Parcel Nos. 18-084600 (1.25 acres) and 18-084900 (24.090 acres) located in Middlefield Township ("Territory") to the Village of Middlefield, Geauga County, Ohio; and

WHEREAS, the Territory sought to be annexed is owned solely by Petitioner and is located entirely within Middlefield Township, Geauga County, Ohio, and is contiguous to the boundary of the Village of Middlefield; and

WHEREAS, the petition signed, dated and filed by Petitioner contains an accurate legal description of the perimeter of the Territory, is accompanied by an accurate map/plat of the Territory proposed for annexation, contains the notice provision required by O.R.C. 709.022(B) and the name of the person designated to act as agent for Petitioner;

WHEREAS, at the time of filing the petition for annexation, the agent for Petitioner also filed with the clerk of the Board a list of all tracts, lots, or parcels in the territory proosed for annexation, and all tracts, lots, or parcels located adjacent to that territory or directly across the road from it when the road is adjacent to it, including the name and mailing address of the owner of each tract, lot, or parcel, and the permanent parcel number; and

WHEREAS, a certified copy of the Annexation Agreement between Petitioner, Middlefield Township and the Village of Middlefield was provided by Petitioner and accompanies the petition; and

NOW, THEREFORE, BE IT RESOLVED by the Geauga County Board of Commissioners that the Petition for Annexation be granted in accordance with the provisions of Ohio Revised Code Sections 709.021 and 709.022.

BE IT FURTHER RESOLVED that the Territory annexed shall be part of the Village of Middlefield, and the inhabitants residing in the Territory shall have all the rights and privileges of the inhabitants residing within the original limits of the Village.

BE IT FURTHER RESOLVED that the Clerk of the Geauga County Board of Commissioners is hereby instructed, pursuant to R.C. 709.022(C), to transmit a certified copy of the entire record of the annexation proceedings, including all resolutions of the Board, signed by a majority of the members of the Board, the petition, map, and all other papers on file, and the recording of the proceedings, if a copy is available, to the Auditor or Clerk of the Village of Middlefield to which the Territory is annexed. The Clerk shall also provide a certified copy of this Resolution to the Geauga County Auditor, the Geauga County Recorder, and the Geauga County Engineer.

BE IT FURTHER RESOLVED that this Resolution becomes a part of the permanent record of the Board of County Commissioners, Geauga County, Ohio.

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

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**COMMISSIONERS' OFFICE – LETTER OF ENGAGEMENT – SQUIRE PATTON BOGGS –
OUTSIDE COUNSEL RELATING TO CONTINUING DISCLOSURE AND ECONOMIC
DEVELOPMENT MATTERS – YEAR 2024**

Mr. Morgan asked the Board to authorize the President to execute the engagement letter for legal counsel for the annual reporting on the bonds for the new office building.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Letter of Engagement with Squire Patton Boggs for Outside Counsel relating to Continuing Disclosure and Economic Development Matters for the Year 2024 in the amount of \$8,500.00.

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

**COMMISSIONERS' OFFICE – RESOLUTION TO PROVIDE A PORTION OF EXPENSE TO
THE AIRPORT AUTHORITY FOR YEAR 2024**

Mr. Spidalieri explained that the Commissioners are agreeing to provide a support payment for expenses to assist the Airport. Mr. Spidalieri and Mr. Lennon both expressed their appreciation to the Airport Board in attendance and Mr. Blamer for the things they are accomplishing and the improvements that have been made. Mr. Blamer inquired if this will be an ongoing thing, to which Mr. Spidalieri stated that they have done it for this year and will have to look at going forward.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-003 to Provide a Portion of the Expense to the Airport Authority in accordance with O.R.C. 308.17 for the Year 2024, in the amount of \$20,000.00.

Board of County Commissioners, Geauga County, Ohio

Date: January 4, 2024

Resolution: #24-003

**RESOLUTION TO PROVIDE A PORTION OF THE EXPENSE TO THE AIRPORT
AUTHORITY IN ACCORDANCE WITH
O.R.C. 308.17 FOR THE YEAR 2024**

WHEREAS, The Geauga County Board of Commissioners formed the Geauga County Airport Authority (the Authority) in Resolution #92-105 in accordance with Ohio Revised Code (ORC) Section 308.03; and

WHEREAS, O.R.C. Section 308.17 permits a Board of County Commissioners of a county included within a regional airport authority to appropriate moneys from the general fund of the county, if permitted in the resolution creating the airport authority; and

WHEREAS, Resolution #92-105 provided in part, that the Board of County Commissioners may, in their discretion, provide financial support to the Geauga County Airport Authority; and

WHEREAS, The Geauga County Board of Commissioners wishes to provide an appropriation to the Authority for a portion of the expense of the Authority to be paid by the Board of County Commissioners as provided in the Resolution; and

NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Commissioners will appropriate the sum of \$20,000.00 to the Authority representing that portion of the expense of the Authority to be paid by the Board of County Commissioners as provided in Resolution # 92-105 for the Year 2024 through a supplemental appropriation from the General Fund; and

BE IT FURTHER RESOLVED, that this Resolution becomes part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

COMMISSIONERS' OFFICE – RESOLUTION APPROVING AMERICAN RESCUE PLAN ACT OF 2021 EXPENDITURE – WATER RESOURCES MCFARLAND WASTEWATER TREATMENT PLANT UPGRADES

Mr. Morgan explained this resolution for approving ARPA funds for the McFarland Wastewater Treatment Plant upgrades in the amount of \$5 million.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-004 Approving American Rescue Plan Act of 2021 Expenditure – Water Resources McFarland Wastewater Treatment Plant Upgrades, in the amount of \$5,000,000.00.

Board of County Commissioners, Geauga County, Ohio

Date: January 4, 2024
Resolution: #24-004

RESOLUTION APPROVING AMERICAN RESCUE PLAN ACT OF 2021 EXPENDITURE – WATER RESOURCES MCFARLAND WASTEWATER TREATMENT PLANT UPGRADES

WHEREAS, The President of the United States signed into law the American Rescue Plan Act of 2021 (ARPA) on March 11, 2021; and

WHEREAS, ARPA provides money to States, Counties and Municipalities to address the continuing impact of COVID-19 on the economy, public health, state and local governments, individuals and businesses; and

WHEREAS, the County has received a distribution of monies from the ARPA; and

WHEREAS, Title VI section 603(c)(1)(D) of the Federal Register provides for ARPA funds to make necessary investments in water, sewer or broadband infrastructure; and

WHEREAS, the County's McFarland Wastewater Treatment Plant (McFarland WWTP) was constructed as an extended aeration plant in 1976 and upgraded to a membrane plant in 2005 and services portions of Bainbridge Township, Auburn Township, Russell Township and South Russell Village; and

WHEREAS, the County's McFarland WWTP is the county's largest wastewater treatment plant at 1.8 MGD and provides sewer services to almost 4,100 residential and commercial properties; and

WHEREAS, the McFarland WWTP is under a consent decree with the National EPA (USEPA); and

WHEREAS, the County's McFarland Wastewater Treatment Plant is in need of replacements and upgrades to convert the membrane style treatment system to achieve compliance with the USEPA consent decree; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the use of the above referenced distributed ARPA funds for the upgrade of the McFarland WWTP.

BE IT FURTHER RESOLVED, that the Board of County Commissioners requests the County Auditor to utilize \$5,000,000.00 from the ARPA fund for payment of construction costs on the Water Resources McFarland WWTP.

BE IT FURTHER RESOLVED, that this Resolution becomes part of the permanent record of the Board of Commissioners of Geauga County, Ohio.

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

COMMISSIONERS' OFFICE – RESOLUTION AUTHORIZING THE ALLOCATION OF \$100,000.00 IN 2024 FOR ECONOMIC DEVELOPMENT TO SUPPORT THE ESTABLISHMENT OF A COMMUNITY SCHOOL -SPONSORED AND SITED WITHIN THE CARDINAL SCHOOL DISTRICT TO TRAIN STUDENTS IN AGRICULTURAL ARTS AND AVIATION STUDIES

Jack Cunninham, Superintendent from Cardinal Local Schools and Keith Marsh, Executive Director from Apex or A Plus Education. Mr. Cunningham explained that they were partnering to form a community school in Geauga County that deals with Agricultural / Aviation Technology. This was approved in early December and signed the contract to operate the school in the fall of 2024 and asked the Board for funding to get started, enrolling kids and infrastructure. Mr. Spidalieri stated that he had spoken with Mr. Cunningham a few months ago at some length about the school and it seemed like there was no negative, but asked them to explain what the plan is for everyone in attendance. Mr. Marsh stated that it is designed to be a career pathway program, specifically to get them introduced to different industry in the county and then get them working towards credentials to graduate from school in Ohio and then in the Junior /Senior year of school partner with business to work in the industry, obtain training, and either do the 2-year college technical school or starting in the workforce with the high skilled certifications. Mr. Marsh stated that they are working with the Airport Authority to develop an Aviation Flight School at the local airport. The goal is to model the aviation charter/community school in Michigan, the idea is to keep the kids in the county and get them employed in a high paying job. It fits into the Governors 4 force development plan, adding that the application that was submitted was ranked first on their books out of all the new schools coming in, because of the idea of the career pathway program. Mr. Cunninham added that it's a unique partnership with the local district and Cardinal Schools, offering the kids a great opportunity in the county for those in agriculture or an ag business, and that they get a high-quality education, skills and that the businesses can get to know the kids and want to employ them. Mr. Spidalieri added that it's a complete circle, that OSU and the involvement with 4H, and there is a lot of homeschooling going on in the county and adds another level of learning for them.

Mr. Cunningham stated that the school will be starting an FFA Chapter and the Ace Academy, and can only speak to Cardinal but there is a huge interest in Agriculture. Mr. Marsh stated that the FFA will be a big part of it and that he has worked with a lot of homeschool programs and this program fits in well with what they do, and agriculture itself can lead into many types of fields and careers, not just farming, Aviation is a big part of developing the drone program. It makes for a great situation with the partnership to work together and not fight each other to help the kids. Mr. Lennon added that he likes the idea of this, not just as an investment in education but also, economic development. Mr. Marsh stated that ACE Academy stands for Agriculture Career Education, and the school has been approved and are working towards enrolling, hopefully in March and open after Labor Day. The academy will be open to any student in the County or the State, but they have to come here to attend.

Director Gina Hofstetter added that Mr. Lennon touched on it, and it is a great tie in today. Ms. Hofstetter stated that a Board has been formed to create ACE Academy and Cardinal is the hub, and am very excited to be a part of this, the ultimate impact of what this does to our community, the youth and the greatest resource we have which is agriculture. Ms. Hofstetter explained that she learned a lot about forestry and the local ties and businesses that are here in the county and the huge impact that can have. Ms. Hofstetter added that the Economic Development part is to try and get some seed funding for the school, and ask the Board to allocate the \$100,000.00 towards getting the school going. Mr. Lennon asked where the rest of the funding comes from, to which Mr. Marsh explained that it will come from the State, however you have to have kids in order to get the funding, so once they have kids enrolled, they will start to see that funding. Mr. Lennon inquired about how the funding will work through the grant, to which Ms. Hofstetter stated that under the ORC they are able to provide funding from the General Fund via Economic Development. Ms. Hofstetter stated that the goal for students to be enrolled is 75 and ultimately the goal is 275, which she feels is very obtainable. Mr. Spidalieri agreed, based on the interest he has heard and the reactions. Mr. Lennon noted that Linda Smallwood from Cardinal Schools was present and asked her about the impression on the new school. Ms. Smallwood noted that she is excited about it and add more to the career tech for the county kids, noting the large farms that include horses and the growth of 4H. Mr. Spidalieri asked if it would be extended to adult

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education and not just students. Mr. Cunningham and Mr. Marsh agreed that as they build the school it's something they can build on down the road. Mr. Lennon asked about the district, to which it was noted that ACE Academy is its own Board and Fiscal responsibility, that Cardinal is just partnering with them to get it started. The Ohio Department of Education is in control over the school, and everything goes through them. Mr. Lennon added that its unique and it fits Geauga County.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-005 Authorizing the Allocation of \$100,000.00 in 2024 for Economic Development to support the establishment of a Community School sponsored by and sited within the Cardinal Local School District, located in Geauga County, which will train Ohio Students in Agricultural Arts and Aviation Studies.

Board of County Commissioners, Geauga County Ohio

Date: January 4, 2024
Resolution: #24-005

A RESOLUTION AUTHORIZING THE ALLOCATION OF \$100,000.00 IN 2024 FOR ECONOMIC DEVELOPMENT TO SUPPORT THE ESTABLISHMENT OF A COMMUNITY SCHOOL SPONSORED BY AND SITED WITHIN THE CARDINAL LOCAL SCHOOL DISTRICT, LOCATED IN GEAUGA COUNTY, WHICH WILL TRAIN OHIO STUDENTS IN AGRICULTURAL ARTS AND AVIATION STUDIES

WHEREAS, the economic development of Geauga County is essential for the well-being and prosperity of its residents; and

WHEREAS, a well-educated workforce is a key driver of economic development, contributing to the growth and sustainability of local communities; and

WHEREAS, the establishment of a community school in a unique partnership with the Cardinal Local School District within Geauga County has been identified as a strategic initiative to enhance educational opportunities for any Ohio student wishing to pursue agricultural or aviation studies in order to contribute to the overall economic development of the county; and

WHEREAS, the Department of Development (Community and Economic) of Geauga County has demonstrated expertise in implementing programs that stimulate economic growth and enhance the quality of life for residents; and

NOW, THEREFORE, BE IT RESOLVED by the Geauga County Board of County Commissioners that:

The Geauga County Board of County Commissioners hereby authorizes the allocation of \$100,000.00 from the General Fund to the Department of Development (Community and Economic) for the purpose of supporting the establishment of a community school under the sponsorship of the Cardinal Local School District to train students in agricultural arts and aviation studies within Geauga County.

The funds allocated under this resolution shall be utilized by the Director of Economic Development, pursuant to R.C. Section 307.07(B)(5), to provide financial assistance for the purposes of the establishment of the community school including staffing, curriculum development, and extracurricular activities that align with the purpose of the school and that will support and encourage the economic development goals of Geauga County.

BE IT FURTHER RESOLVED, that this Resolution becomes part of the permanent record of the Board of Commissioners, Geauga County, Ohio

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

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COMMISSIONERS' OFFICE – RESOLUTION BY COMMISSIONERS TO REQUIRE COUNTY AUTOMATIC DATA PROCESSING BOARD COORDINATE THE MANAGEMENT OF INFORMATION RESOURCES OF THE COUNTY, RECORDS AND INFORMATION MANAGEMENT OPERATIONS OF ALL COUNTY OFFICES AND RESCIND RESOLUTION #23-213 FROM DECEMBER 28, 2023

Assistant County Administrator Linda Burhenne explained that last week the Board approved a resolution that moved the Archives and Records Center from under the Board of Commissioners to ADP Board and the Prosecutor feels that there are things that should have been included in the resolution, and are asking you to approve the resolution presented by the Prosecutor that will address the concerns on the timeline for payroll and budgetary concerns. Ms. Burhenne stated that the ADP Board met yesterday and approved hiring the employees at the Archives and Records Center effective January 1st.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-006 by the Geauga County Board of Commissioners to require the County Automatic Data Processing Board to coordinate the management of information resources of the county, the records and information management operations of all county offices, and the various records and information technologies acquired and operated by the county offices, pursuant to O.R.C. 307.847 and to rescind Resolution #23-213 passed by the Board on December 28, 2023.

Board of County Commissioners, Geauga County, Ohio

Date: January 4, 2024

Resolution: #24-006

Resolution by the Geauga County Board of Commissioners to require the County Automatic Data Processing Board to coordinate the management of information resources of the county, the records and information management operations of all county offices, and the various records and information technologies acquired and operated by county offices pursuant to O. R.C. 307.847 and to rescind Resolution #23-213 passed by the Board on December 28, 2023

WHEREAS, a joint effort by the Geauga County Board of Commissioners ("Commissioners"), the Geauga County Microfilm Board ("Microfilm Board"), and the Geauga County Records Commission ("Records Commission") in 1990 created the Geauga County Archives, and in 1996 established the Geauga County Archives and Records Center to house and manage the records of the county; and

WHEREAS, an agreement was executed on November 18, 2008 ("the 2008 Agreement") purporting to authorize the Commissioners to perform duties statutorily vested in Microfilm Board and Records Commission; and

WHEREAS, following the issuance of Ohio Attorney General Opinion 2023-009, the Microfilm Board and Records Commission took action to declare the 2008 Agreement null and void; and

WHEREAS, O.R.C. 307.847 authorizes the Commissioners to, in lieu of having a Records Commission and Microfilming Board, require the County Automatic Data Processing Board ("ADP Board") established under section 307.84 of the Revised Code to coordinate the management of information resources of the county, the records and information management operations of all county offices, and the various records and information technologies acquired and operated by county offices; and

WHEREAS, on December 28, 2023, the Commissioners passed Resolution #23-213, but now intend to rescind Resolution #23-213; and

THEREFORE, BE IT RESOLVED, pursuant to O. R.C. 307.847 the Commissioners resolve to, in lieu of having a Records Commission and Microfilming Board, require the ADP Board established under section 307.84 of the Revised Code to coordinate the management of information resources of the county, the records and information management operations of all county offices, and the various records and information technologies acquired and operated by county offices; and

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BE IT FURTHER RESOLVED, that as of January 1, 2024, the Records Commission and Microfilming Board shall cease to exist; and

BE IT FURTHER RESOLVED, that as of January 1, 2024, all equipment, records, files, effects, and other personal property; contractual obligations, and assets and liabilities of the Records Commission and Microfilming Board shall be transferred to the ADP Board; and

BE IT FURTHER RESOLVED, that as of January 1, 2024, all equipment, records, files, effects, and other personal property; contractual obligations, and assets and liabilities of the Commissioners pertaining to its operation of the Archives and Records Center shall be transferred to the ADP Board; and

BE IT FURTHER RESOLVED that the Commissioners hereby rescind Resolution #23-213; and

BE IT FURTHER RESOLVED that the Commissioners direct the County Budget and Finance Manager to transfer all funds from the Microfilm Board Funds (Fund 1001-003-59-501 through 910) to the corresponding ADP funds (Fund 1001-015-00-501 through 910); and

BE IT FURTHER RESOLVED that this Resolution becomes a part of the permanent record of the Board of County Commissioners, Geauga County, Ohio.

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

COMMISSIONERS' OFFICE – RESOLUTION TO RATIFY AN AMENDMENT TO ARTICLE IV, SECTION 4.2 – CODE OF REGULATIONS – NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA)

Ms. Blair explained that this resolution was discussed last week regarding the amendment to Article IV, Section 4.2 for the Code of Regulations making the City of Cleveland seat back to the Mayor.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and execute Resolution #24-007 to Ratify an Amendment to Article IV, Section 4.2 to the Code of Regulations of the Northeast Ohio Areawide Coordinating Agency (NOACA).

Board of County Commissioners, Geauga County, Ohio

Date: January 4, 2024
Resolution: #24-007

RESOLUTION TO RATIFY AN AMENDMENT TO ARTICLE IV, SECTION 4.2 TO THE CODE OF REGULATIONS, OF THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA)

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization for the counties of Cuyahoga, Geauga, Lake, Lorain, Medina and the City of Cleveland, and the areawide water quality management agency for the same region, as part of their responsibilities for carrying out their transportation and environmental planning in the five-county region, under local directions and in accordance with federal and state mandates, pursuant to O.R.C. 307.14, establishing NOACA; and

WHEREAS, board membership is determined by the Code of Regulations, Article IV, Section 4.2 Composition, Alternates, Term and Process for Appointing Board Seats; and

WHEREAS, The City of Cleveland requests a modification to its designated seats, specifically the seat reserved for the Mayor; and

WHEREAS, by Resolution #2023-039, adopted September 2, 2023, by the Board of Directors of NOACA, amended the Code of Regulations of the organization to accommodate the request of the City of Cleveland to designate its seat to be specifically reserved to the Mayor; and

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WHEREAS, in accordance with Article IX of the NOACA Code of Regulations, said amendment requires the approval of the five county members of NOACA; and

NOW, THEREFORE, BE IT RESOLVED that the Geauga County Board of Commissioners approve the amendment, to restore the designation of the City of Cleveland's Board position to the Mayor of the City of Cleveland, per the revision in the NOACA Board of Directors Resolution #2023-039, effective upon concurrence of the five-county region, including Cuyahoga, Geauga, Lake, Lorain and Medina; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution will be transmitted to NOACA indicating such approval and adoption of the amendment to the Code of Regulations by the Board; and

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>Absent*</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COMMISSIONERS' OFFICE – REQUEST PROSECUTOR'S OFFICE TO REVIEW CONTRACT AND LETTER OF ENGAGEMENT

Mr. Morgan asked the Board to approve the request to the Prosecutor to review the contract and letter of engagement. Mr. Lennon asked if we have to request them to approve contracts and things for the Commissioner's office. Mr. Morgan stated that this is the new requirement of the Prosecutor's Office to review every item we need them to.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to request the Prosecutor's Office to review a contract with Cable Communications and the Letter of Engagement for Myers Roman Friedberg and Lewis.

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

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to move into Executive Session for the purpose of discussing the employment and compensation of a public employee.

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

The Board moved into Executive Session at 10:37 a.m. with Mr. Morgan, Human Resources Administrator Kathy Hostutler, and Director Jessica Boalt. The Board returned at 11:08 a.m. and as a result the following action was taken:

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to remove Karen Fueger from Paid Administrative Leave to be effective January 4, 2024 and place her on unpaid leave for hours not covered by accrued sick and vacation leave.

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

LIQUOR LICENSE – BASIL PLACE – MUNSON TOWNSHIP

Ms. Blair explained that several weeks ago Munson Township had requested a hearing on a liquor license for Basil Place and the Board concurred. We were contacted by the Prosecutor's Office that they are no longer requesting the hearing and am asking the Board whether they concur in pulling the request for the hearing.

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Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to concur with the Munson Township Trustees and withdraw the request for a Hearing on the liquor license for Basil Place.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Dvorak</i>	<i>Absent*</i>
	<i>Commissioner Spidalieri</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 December 20, 2023 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

MEETINGS

Mon., 1/8 The Commissioners will hold session at 9:30 a.m. and it will include the Annual Organizational Meeting

Mon., 1/8 Board of Revision, Organizational meeting, 11:00 a.m. Auditor's Appraisal Conference Room

Mon., 1/8 ADP Organizational meeting, 1:00 p.m. Auditor's Appraisal Conference Room

Tue., 1/9 Planning Commission, 7:30 am. 12611 Ravenwood Drive, Room A333-334, Chardon

*Mon., 1/15 **County Offices will be closed in honor of Martin Luther King Jr. Day. Twenty-four-hour operations will continue to operate as normal.***

Thu., 1/18 The Commissioners will hold session at 9:30 a.m.

Mon., 1/22 Family First Council, 1:30 p.m. Carlton Room, B168 12611 Ravenwood Drive, Chardon

Tue., 1/23 The Commissioners will hold session at 9:30 a.m.

Tue., 1/30 The Commissioners will hold session at 9:30 a.m.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to adjourn the meeting at 11:10 a.m.

Geauga County Board of Commissioners

Ralph Spidalieri

James W. Dvorak

Timothy C. Lennon

Christine Blair, Commissioners' Clerk

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