

Commissioners' Journal
January 23, 2024

The Geauga County Board of Commissioners met in session on January 23, 2024 at 9:30 a.m. in the Commissioners' Offices located at 12611 Ravenwood Drive, in 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 9:39 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

A Morning Prayer

Psalm 32:8

Your work, O Lord,

Is a lamp to my feet and a light for my path

Dear Jesus, keep me safely in your loving arms.

Bless me with your peace that passes all understanding.

In Jesus name, I pray.

Amen

COMMISSIONERS OFFICE - COUNTY ADMINISTRATOR'S REPORT

County Administrator Gerard Morgan reported on the items approved by the County Administrator on January 22, 2024 for the Department of Water Resources approved and executed the service Contract Agreement with Go Green Heating Air Conditioning d.b.a. Auburn Heating, Plumbing and Air Conditioning to perform the HVAC and Plumbing Maintenance Services at various water district locations within the department for a period of one year, to be effective January 22, 2024 in an amount not to exceed \$400.00 and approved and executed the service Contract Agreement with Go Green Heating Air Conditioning d.b.a. Auburn Heating, Plumbing and Air Conditioning to perform the HVAC and Plumbing Maintenance Services at various wastewater facilities within in the department for a period of one year, to be effective January 22, 2024 in an amount not to exceed \$400.00; 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.

APPROVE FINANCIALS

Mr. Gorton explained the financials for today as including Supplemental appropriation for the Commissioners' Office in the Capital Reserve Phase 2 fund to provide for upcoming encumbrances, Cash transfer from the General Fund to Court Technology for a portion of 2024 funding, Travel requests for the County Engineer's Office and Geauga Trumbull Solid Waste, a Purchase Order for Water Resources to Valley Ford Truck for a 2024 Ford F-250 4x4 regular cab replacement truck, 2008 F-350 will be put on the county auction site and sold, a payment for the Auditor's Office to Integrity Appraisal Services for a partial payment on the 2023 re-valuation and new construction valuation project in the amount of \$72,284.00, a payment for Maintenance to Integrated Precision Systems, Incorporated for upgrade and maintenance costs on the safety center security system in the amount of \$54,103.41 and a Revenue Certification for the Commissioners' Office in the Transit Administration Fund for additional reimbursement money received from the state in 2024.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-015 itemizing the financials for the meeting of January 23, 2024.

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

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AUDITOR – TREASURER'S OFFICE – MONTHLY STATEMENT OF COUNTY FINANCES – MARCH 2023 – DECEMBER 2023

Mr. Gorton asked the Board to approve and execute the monthly statement of county finances for March 2023 through December 2023. Commissioner Lennon asked if these were supposed to be turned in on a monthly basis? Mr. Gorton stated that is the way the ORC reads, however, there are discrepancies between the two reports and typically we get the Treasurer's monthly and it's the Auditor that takes a little longer. Mr. Lennon was surprised at how far behind we were on these. Mr. Gorton noted that there a NewWorld issue in September that took a while to get resolved.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept, execute and file the monthly Statement of County Finances filed by the County Auditor for the months of March 2023 through December 2023, pursuant to O.R.C. 319.35.

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

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept, execute and file the monthly Statement of County Finances filed by the County Treasurer for the months of March 2023 through December 2023, pursuant to O.R.C. 319.35.

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE THE EMBANKMENT OF BUNDYSBURG ROAD BRIDGE – PARKMAN TOWNSHIP AND THE EMBANKMENT OF THE GEM ROAD BRIDGE – CHESTER TOWNSHIP

Deputy Engineer Jacob Scotese asked the Board to approve and execute the resolution to improve the embankments of the Bundysburg Road Bridge in Parkman and the Gem Road Bridge in Chester Township.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-014 to Improve the Embankment of the Bundysburg Road Bridge (Structure #BR-0038-03.080) in Parkman Township and the Embankment of the Gem Road Bridge (Structure #BR-0264-00.290) in Chester Township.

Board of County Commissioners, Geauga County, Ohio

Date: January 23, 2024
Resolution: #24-014

**RESOLUTION TO IMPROVE
THE EMBANKMENT OF THE BUNDYSBURG ROAD BRIDGE,
STRUCTURE #BR-0038-03.080 IN PARKMAN TOWNSHIP &
THE EMBANKMENT OF THE GEM ROAD BRIDGE, STRUCTURE #BR-0264-00.290 IN
CHESTER TOWNSHIP**

WHEREAS, the Board of County Commissioners of Geauga County (Board) has determined the public convenience and welfare requires the improvements to the embankment of the bridge over Swine Creek on Bundysburg Road (CH-0038), at mile marker 3.08, and the bridge over the East Branch of the Chagrin River on Gem Road (TR-0264), at mile marker 0.29 and the improvement of the embankment in the immediate vicinity of the bridges in accordance with Section 5555.022 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Board that the public convenience and welfare requires the improvements by grading, reinforcement, and stabilization of the embankment at and in the vicinity of the bridges, and related improvements, as necessary.

BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to complete necessary surveys, plans, profiles, cross sections, estimates of cost and specifications

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as required for the improvement and to transmit copies of the same to this Board at the time such plans are completed.

BE IT FURTHER RESOLVED that no special assessments to real estate will be assessed to cover the damages, costs, and expenses of constructing this improvement and that the compensation, damages, costs, and expenses of constructing said improvement shall be appointed as follows:

The engineering and right of way costs shall be paid from local roadway improvement funding sources. The construction costs shall be paid from local roadway improvement funds and any federal and/or state grants and/or loans that may be secured for the project.

BE IT FURTHER RESOLVED that if preliminary designs show that the project cannot be built within the current right of way, pursuant to Section 5555.09 of the Ohio Revised Code, the Geauga County Engineer is granted permission to negotiate with owners to secure the lands, right-of-way, easements, or work agreements required for the improvement.

BE IT FURTHER RESOLVED that the Board Clerk is hereby directed, upon the filing of the plans, specifications, estimates, etc., for the improvement by the County Engineer, to schedule a time at a regular meeting of the Board of Commissioners for the Board to review the copies of the surveys, plans, profiles, cross sections, estimates and specifications for the improvement.

BE IT FURTHER RESOLVED that the Board Clerk is hereby instructed to transmit a certified copy of this resolution to the Parkman Township Board of Trustees, the Chester Township Board of trustees, and the Geauga County Engineer.

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

COUNTY ENGINEER'S OFFICE – APPROVE, ACCEPT AND EXECUTE MORTGAGE DEED FOR MAINTENANCE GUARANTY (BOND) FOR IMPROVEMENTS TO CANYON LAKES COLONY SUBDIVISION, PHASE 15 – BAINBRIDGE TOWNSHIP

Deputy Engineer Andy Haupt explained that we are asking the Board to accept the mortgage deed for subplot #364 as the guaranty for improvements to Canyon Lakes Colony subdivision phase 15 in Bainbridge Township.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve, accept and execute the Mortgage Deed for Sublot #364, Permanent Parcel No. 02-421455 in Canyon Lakes Colony, Phase #14B Subdivision, to be held as the ten percent (10%) Maintenance Guaranty (Bond) for Improvements to Canyon Lakes Colony Subdivision, Phase 15 in Bainbridge Township.

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

COMMISSIONERS' OFFICE – ADVERTISE FOR STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL DESIGN SERVICES RELATED TO DESIGN AND CONSTRUCTION ADMINISTRATION OF COUNTY BUILDINGS

Assistant County Administrator Linda Burhenne explained that this request in relation to the purchase of the Dollar General building, but in order to hire an architect to do the work in that space we have to advertise for statement of qualifications. This request is to advertise for them, as the purchase and sale agreement is moving along.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to grant permission to advertise for Statements of Interest and Qualifications for Professional Design Services Related to the Design and Construction Administration of County Buildings with Responses due on Friday, February 16, 2024 at 4:00 p.m. Notice of this request for Statements of Interest and Qualifications for Professional Design Services will be advertised on January 25, 2024, February 1, 2024 and on the county website.

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

JOB AND FAMILY SERVICES – EXECUTIVE SESSION

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to move into Executive Session for the purpose of discussing the discipline of a public employee.*

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

The Board moved into Executive Session at 9:50 a.m. with Mr. Morgan and Director Craig Swenson. The Board returned at 10:06 a.m. and as a result the following action was taken:

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to accept the disciplinary recommendation of the Director of Job and Family Services to suspend Jasmin Burns, Social Services Worker II for sixteen (16) hours, two working days without pay for violation of Section 3 of the Geauga County Job and Family Services Personnel Policy and Procedure Manual, and further approve and authorize the Board to execute the Order of Removal, Reduction, Suspension, Involuntary Disciplinary Separation Form, per O.R.C. 124.34 for sixteen (16) hours (two working days).*

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

DISCUSSION

Mr. Morgan briefly a request of the Prosecutor of an Attorney General's opinion on the Health Department, a recent article in the paper states that the Prosecutor wasn't going to only submit their opinion and not one from the Attorney General. Mr. Dvorak expressed that if you zone in on Chardon becoming a city in 2001, there are probably other locations that became a city and don't have their own health department, the question needs to be answered if they are required to have their own. The Board of Commissioners asked for an AG opinion, but the Board chose to wait to see what the response is from the Prosecutor and go from there.

Mr. Dvorak expressed that the expansion of the Courthouse as a schedule and the Probation Department and Law Library needs to be moved from the basement of the Courthouse and asked the Board to have Ms. Burhenne look into moving them into the third floor of the Opera House, we have worked hard on buildings and leases but haven't gotten anywhere. Mr. Spidalieri asked what the holdup was, the agreement has been being worked on since November and why we aren't getting this back, even on the lease. Mr. Lennon brought up reaching out to the Judges and see where we are on this. Mr. Spidalieri asked for an update on the lease. Ms. Burhenne stated that we started working on the lease in the beginning of December, it took a while to get a draft to the sellers, we got it sent to them last week and they were taken back on the changes that were requested. We then took the lease to our outside counsel that has a real estate attorney in the office and rewrote the lease that still protects the county but not as ominous to the sellers, and we hope to be able to put something before you by the 30th. Mr. Spidalieri stated that we are putting a lot of time and effort into a lease that if we can get the purchase agreement done we would be the key holder and it has become a huge deal over something that is a holdover, we need to get some answers, adding that Mr. Dvorak was to reach out to the Prosecutor and they haven't been able to connect. Mr. Dvorak stated that on the construction side we are on a time frame and want to keep the scheduling going if we can. Mr. Spidalieri expressed concern on moving people around over and over, putting IT in place and then having to move it for a temporary fix. Mr. Lennon asked if there was some issue with the Board trying to buy the Chase Building, along with the amount of money spent on outside counsel to get things done. Mr. Spidalieri stated that they need to things right, and we shouldn't put a band aid on something that is a direction they don't want to go. Mr. Dvorak continued by saying that a letter was received by the owners of the Chase Building about another obstacle that is taking longer than anticipated, due to some damage that they were not aware of. Ms. Burhenne stated that a room had some water damage that was going to be prepared and they opened it up and found more

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damage that needed to be repaired and would push back the time for the lease to start. Mr. Spidalieri asked for discussion about the options and see where we sit, and if the project gets moved back it happens, but we need to be responsible with the taxpayers' money. Mr. Lennon agreed that we need to get the lease finished if we can, and where are we on getting them out of the Courthouse, which was Feb. 1st but has a little wiggle room to about Feb. 6th. Mr. Dvorak stated that we need to get the lease done and move the departments to keep the courthouse moving forward and on schedule.

QUESTIONS/COMMENTS

Local resident Nancy McArthur asked about the Board's plan, to purchase the property but lease space as well, to which it was noted that they had hoped to lease space while finalizing the sale.

ACKNOWLEDGEMENTS

- a) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending January 10, 2024 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

MEETINGS

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

Tue., 2/13 Planning Commission, 7:30 a.m. 12611 Ravenwood Drive, Room A333-334, Chardon

Tue., 2/13 The Commissioners will hold session at 9:30 a.m.

*Mon., 2/19 **County offices will be closed for general business due to the President's Day holiday. Twenty-four-hour operations will continue to operate as usual.***

Thu., 2/22 The Commissioners will hold session at 9:30 a.m.

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to adjourn the meeting at 10:27 a.m.

Geauga County Board of Commissioners

Ralph Spidalieri

James W. Dvorak

Timothy C. Lennon

Christine Blair, Commissioners' Clerk

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