

**Commissioners' Journal**  
**October 8, 2024**

*The Geauga County Board of Commissioners met in session on October 8, 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 9:36 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.*

*Commissioner Dvorak read the following prayer:*

*Dear God,*

*Thank you for always being there for me*

*You hug me when I hurt*

*You guide me when I'm lost*

*You are with me when I'm alone*

*I need you every day!*

*Amen*

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

*County Administrator Gerard Morgan reported on what he approved on October 3, 2024 that included for the Department of Water Resources to Grant permission to advertise for the position of Full-time Maintenance Worker (#2330). This position will remain posted until filled; 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.*

**MEETING MINUTES**

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the minutes for the meeting of September 5, 2024.*

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

**APPROVE FINANCIALS**

*Budget and Finance Manager Adrian Gorton explained the financials for today as including Appropriations transfer to the Sheriff for miscellaneous refunds, reimbursements and web checks that were deposited into the General Fund, Appropriation transfer from the Sheriff to provide for a cash transfer to move the initial funding into their Traffic Safety fund, Supplemental funding for the Commissioners to Maintenance for additional cleaning, building maintenance, postage and operating transfers out expenses, Cash transfer from the General Fund to Public Assistance for our October – December 2024 mandated share, Cash transfers from the General Fund to Community Development for their third quarter 2024 payroll funding reimbursement and fourth quarter operational commitment for 2024, Cash transfer from the General Fund to Family First Council for the October – December 2024 commitment, Travel requests for the Auditor's Office, Clerk of Courts, Common Pleas Court and Job and Family Services, a payment for the Auditor's Office ARPA fund to Agri-Sludge Incorporated for the Aquilla Wastewater Treatment Plant Improvements project in the amount of \$306,175.00, a payment for the Commissioners' Office to Infinity Construction Company for pay request #12 of the Courthouse Expansion Project in the amount of \$499,468.57, a payment for the County Engineer's Office to Ronyak Paving, Incorporated for the asphalt resurfacing of Wilson Mills Road, Sections D-F in the amount of \$125,011.00 and a payment for the County Engineer's Office to CMG Contracting, LLC for the embankment stabilization of Gem Road Bridge and the Bundysburg Road Bridge in the amount of \$125,886.00.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-175 itemizing the financials for the meeting of October 8, 2024.*

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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>

DISCUSSION – ARPA FUNDS - PAYROLL

*Mr. Gorton explained that he was reviewing payroll accounts going into year end and noticed that in addition to the payroll funds that have been transferred to ARPA, the Auditor's Office is allowing the departments included in the resolution that have payroll accounts outside of the General Fund from the ARPA funds which will likely cut us short in the ARPA funds for the \$10 million transfers from the General Fund for the Capital Reserve for the Courthouse project. Mr. Gorton expressed that he believed that the intention of the Board that the transfer of the payroll obligation was for the General Fund, and it was listed in the resolution, however there are other funds outside of the General Fund that are transferring their payroll liability to the ARPA fund. Mr. Gorton stated that he reached out to Ron Leyde at the Auditor's Office last Thursday, however, has not heard anything back yet.*

*Mr. Gorton clarified that we will likely go through the ARPA funds faster than anticipated with funds from outside the General Fund using those ARPA funds for payroll and thus the resources within the General Fund will not be as great because of that, we are likely going to get through the ARPA funds faster, then the obligation that would have to be transferred back won't be as great and would then have to identify funds from elsewhere to get to that full \$10 Million dollar. Mr. Gorton stated that all communication has been about the General Fund payroll accounts and nothing outside that, and he wants to figure out what is going on, and get it resolved.*

*Mr. Spidalieri asked for the departments that were doing that, which Mr. Gorton stated that it were departments that have funds outside the General Fund but are also in the General Fund, like the Auditor's Office, Engineer's Office, and Clerk of Courts, interestingly the Sheriff's Office has some outside the General Fund but does not appear to be doing it, the Prosecutor's Office is also doing it. Mr. Spidalieri stated that we budgeted for a dollar amount of salaries, so at the end of the year, what will the number look like, if we are pulling funds from ARPA to which Mr. Gorton stated that he has not run the numbers, but it could have a more dramatic affect. None of those appropriations have been allowed to be transferred and if we are even allowed to do that at the end of the year or if we must wait till the beginning of next year. Mr. Lennon explained that he wanted to follow up on this and get more information because we may need to make some adjustments. Mr. Gorton expressed that if the resolution is not being used in the manner it was intended then those funds may need to be put back in order to make the ARPA funds whole.*

COUNTY ENGINEER'S OFFICE – HIGHWAY EASEMENT – FMGC, LLC – ROADWAY IMPROVEMENTS TO BUTTERNUT ROAD, MUNSON TOWNSHIP

*Deputy Engineer Shane Hajjar asked the Board to accept the highway easement between FMGC, LLC for roadway improvements to Butternut Road.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept and execute the Highway Easement between the Geauga County Board of Commissioners and FMGC, LLC (Parcel #21-158000) for roadway improvements to Butternut Road (CH-21) in Munson Township in the amount of \$17,712.00.*

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

COUNTY ENGINEER'S OFFICE – HIGHWAY EASEMENT – LADI STIMPFEL, TRUSTEE OF STIMFEL FAMILY IRREVOCABLE TRUST – ROADWAY IMPROVEMENTS TO CLAY STREET – MONTVILLE TOWNSHIP

*Mr. Hajjar asked the Board to accept the highway easement between Ladi Stimpfel, Trustee for the roadway improvements to Clay Street.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept and execute the Highway Easement between the Geauga County Board of Commissioners and Ladi Stimpfel, Trustee of the Stimpfel Family Irrevocable*

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*Trust (Parcel #20-041500) for roadway improvements to Clay Street (CH-37) in Montville Township in the amount of \$200.00.*

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

*COUNTY ENGINEER'S OFFICE – RESOLUTION TO IMPROVE CLAY STREET AND LEGGETT ROAD, HUNTSBURG AND MONTVILLE TOWNSHIPS*

*Mr. Hajjar asked the Board to approve and execute the resolution to improve Clay Street and Leggett Roads in Huntsburg and Montville Townships.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-176 to Improve Clay Street (CH-0037, Sections E-F) and Leggett Road (CH-0033, Section A) in Huntsburg and Montville Townships.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 8, 2024*

*Resolution: #24-176*

***RESOLUTION TO IMPROVE CLAY STREET (CH 0037), SECTIONS E-F  
LEGGETT ROAD (CH 0033), SECTION A, IN HUNTSBURG & MONTVILLE TOWNSHIPS***

*WHEREAS, the Board of County Commissioners of Geauga County (Board) has determined the public convenience and welfare requires the improvements of Clay Street (CH 0037), Sections E-F, Chardon-Windsor Road (CH 0013) to GAR Highway (US 6), and Leggett Road (CH 0033), Section A, from Clay Street (CH 0037) to Plank Road (SR 0086) 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 constructing and reconstructing culverts, performing drainage improvements, subgrade stabilization, asphalt resurfacing, shoulder, 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 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 Huntsburg and Montville Townships Board of Trustees and the Geauga County Engineer.*

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

COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER ASPHALT RESURFACING OF VARIOUS ROADS, INCLUDING CLAY STREET AND LEGGETT ROAD – HUNTSBURG AND MONTVILLE TOWNSHIPS

*Mr. Hajjar asked the Board to execute resolution to order the asphalt resurfacing of various roads, including Clay Street and Leggett Road, to execute the title sheet of the specifications and set a bid opening using bid express on November 1, 2024.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-177 to Order the Asphalt Resurfacing of Various Roads, including Clay Street (CH-0037, Sections E-F) and Leggett Road (CH-0033, Section A) in Huntsburg and Montville Townships.*

*This resolution also requests the Board approve and execute the Title Sheet of the Specifications for the same.*

*Further, this resolution sets a Bid Opening on Friday, November 1, 2024 at 10:00 a.m. using Bid Express. Notice of this Bid Opening will be advertised on October 17, 2024 and on the County website.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 8, 2024*

*Resolution: #24-177*

**RESOLUTION TO ORDER**  
**THE ASPHALT RESURFACING OF VARIOUS ROADS**  
**INCLUDING CLAY STREET CH-0037, SECTIONS E-F**  
**AND LEGGETT ROAD CH-0033, SECTION A**  
**IN HUNTSBURG AND MONTVILLE TOWNSHIPS**

*WHEREAS, the Geauga County Board of Commissioners (Board) has determined by Resolution #24-176 that the public convenience and welfare requires the improvement of Clay Street (CH-0037) and Leggett Road (CH-0033) by constructing and reconstructing culverts, performing drainage improvements, subgrade stabilization, asphalt resurfacing and improving shoulders and related improvements as necessary in accordance with Ohio Revised Code (R.C.) 5555.06; and*

*WHEREAS, lands will not be taken relative to the improvements; and*

*WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and*

*WHEREAS, the Board, after reviewing the plans with the County Engineer in public session, is satisfied that the public convenience and welfare require that said improvement be made.*

*NOW THEREFORE, BE IT RESOLVED that the Board in accordance with R.C. 5555.13 hereby orders that such improvement proceed.*

*BE IT FURTHER RESOLVED that the Board in accordance with R.C. 5555.022 hereby approves the surveys, plans, profiles, cross sections, estimates, and specifications for such improvement, the costs of which shall be paid from local and/or state funding sources in accordance with R.C. 5555.43.*

*BE IT FURTHER RESOLVED that the Clerk of the Board is hereby ordered to let this project for bids in accordance with R.C. 5555.61. The bids shall be let upon a unit price basis. Bids shall be received until 10:00 AM on November 1, 2024 and read publicly at 10:05 AM.*

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

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

*COUNTY ENGINEER'S OFFICE – APPROVE FUNDING FROM GENERAL FUND TOWARDS CONSTRUCTION OF SALT STORAGE STRUCTURE – RESOLUTION TO ORDER CONSTRUCTION OF SALT STORAGE STRUCTURE – SET BID OPENING, BID EXPRESS*

*Engineer Joe Cattell explained that the Engineer's Office is looking to build another salt structure about half the size of the current structure. Mr. Cattell noted that when they built the first one they partnered with the Commissioners, and back then the price of salt was \$125.00 a ton and buying it in the \$46-48 per ton range to right now we are under contract at \$44.27 a ton. Mr. Cattell expressed that it is a healthy operation and obviously with two buildings they can shuffle material around and have room to fill up at the end of the contract. Mr. Cattell noted that the Townships have requested assistance for storage and purchasing salt at time. Mr. Cattell explained that back in 2015 the Commissioners put in 22.2% of the cost of the structure and are asking the Board to do that same. With an estimate of \$775,000.00 it would be about \$172,000.00 towards the project. The rest of the funds would come out of the Engineer's funds. Mr. Cattell noted that they were also asking to go out to bid for the project.*

*Mr. Dvorak added that this is important all around, asking how many townships they help out with salt, to which Mr. Cattell stated it is mainly five, however at one point it has been all of them. Mr. Lennon noted that it has helped them with bulk pricing and stockpile, and over the last few years we haven't had to use as much. Mr. Cattell stated that the cost of dealing with weather is not related to the amount of snow we get. Last year they used about 8,000 tons, and part of having the additional structure will allow them to buy more at a lower rate. Mr. Lennon asked where they planned to put this, to which Mr. Cattell stated next to the existing one, but turned at a 90 degree angle. Mr. Lennon asked if this would be like last time, with a loan, to which Mr. Cattell stated that they just were asking for the 22.2% of the total project and no loan, the rest they would be paying for. Mr. Cattell briefly talked about future plans over there, that includes moving the brine station and a wash station, updates to the garage. Mr. Cattell stated that gas tax funds have been solid and the license tag fees have been helping. Mr. Cattell noted that the funding would be needed before the end of the year.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve \$172,000.00 of funding from the General Fund towards the Construction of a Salt Storage Structure, not exceeding 22.2% of the total cost of the 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>

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-178 to Order the Construction of Salt Storage Building at 12665 Merritt Road, Claridon Township.*

*This resolution also sets a Bid Opening on Friday, November 1, 2024 at 10:05 a.m. using Bid Express. Notice of this Bid Opening will be advertised on October 17, 2024 and on the County website.*

*Board of County Commissioners, Geauga County, Ohio*

*Date: October 8, 2024*  
*Resolution: #24-178*

**RESOLUTION TO ORDER THE CONSTRUCTION OF A  
SALT STORAGE BUILDING, BG-GEA-V-2024  
12665 MERRITT ROAD, CLARIDON TOWNSHIP**

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WHEREAS, the Geauga County Board of Commissioners (Board) has determined the public convenience and welfare requires the construction of a salt storage building located at 12665 Merritt Road in Claridon Township in accordance with Section 5555.06 of the Ohio Revised Code (R.C.); and

WHEREAS, lands will not be taken relative to the improvements; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof and no special assessments shall be collected to fund this improvement; and

WHEREAS, the Board, after reviewing the plans with the County Engineer in public session, is satisfied that the public convenience and welfare require that said improvement be made.

NOW THEREFORE, BE IT RESOLVED that the Board in accordance with Section 5555.13 of the R.C. hereby orders that such improvement proceed.

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby ordered to let this project for bids in accordance with Section 5555.61 of the R.C. The bids shall be let upon a unit price basis. Bids shall be received until 10:00 AM on November 1, 2024 and read publicly at 10:05 AM.

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

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

DEPARTMENT ON AGING – APPROVE CREATION, TITLE AND JOB DESCRIPTION - FULL-TIME (#1041) AND PART-TIME (#1041-) ADULT DAY SERVICE ASSISTANT POSITIONS, REVISE JOB DESCRIPTIONS FOR FULL-TIME (#1005) AND PART-TIME (#1005-1) RECREATION AND EDUCATION ASSISTANT POSITIONS, APPROVE REVISED ORGANIZATIONAL CHART – INCLUDE NEW POSITION AND ADJUST RECREATION AND EDUCATION POSITIONS, RECLASSIFY BONNIE TAYEK FROM FULL-TIME RECREATION AND EDUCATION ASSISTANT TO FULL-TIME ADULT DAY SERVICE ASSISTANT, ADVERTISE FOR PART-TIME ADULT DAY SERVICE ASSISTANT AND CLOSE CURRENT POSTING FOR PART-TIME RECREATION AND EDUCATION ASSISTANT

Director Jessica Boalt explained that they have had some difficulty hiring at the senior centers with the recreation and education staff, adding that it is a critical position because they handle so much, including programming, education and meals on wheels program, and after discussing it with Mr. Morgan, Ms. Burhenne, and Ms. Hostutler they wanted to look at the job description and split out the job descriptions and see if that can attract some more candidates. Ms. Boalt stated that we are not adding positions, just job description changes and revising the organization chart. Ms. Boalt asked the Board to reclassify Ms. Tayek as she works in the adult day program to the new position, then advertise for the part-time adult position and close the current recreation and education assistant position. Ms. Boalt added that this is a customer service, working face to face with people.

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve the creation, title and job descriptions for the positions of Full-time Adult Day Service Assistant (#1041) and Part-time Adult Day Service Assistant (#1041-1), to be effective October 8, 2024.

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

Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve the revised job descriptions for the positions of Full-time Recreation and Education Assistant (#1005) and Part-time Recreation and Education Assistant (#1005-1) to be effective October 8, 2024.

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

*Motion:*            *by Commissioner Lennon, seconded by Commissioner Spidalieri to approve the revised Organization Chart to include the new positions of one (1) Full-time Adult Day Service Assistant (#1041) and one (1) Part-time Adult Day Service Assistant (#1041-1) and reduce the number of Full-time Recreation and Education Assistant (#1005) positions from six (6) to five (5) and Part-time Recreation and Education Assistant (#1005-1) from three (3) to two (2), to be effective October 8, 2024.*

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

*Motion:*            *by Commissioner Lennon, seconded by Commissioner Spidalieri to approve the reclassification of Bonnie Tayek from Full-time Recreation and Education Assistant (#1005) to Full-time Adult Day Service Assistant (#1041) to be effective October 8, 2024.*

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

*Motion:*            *by Commissioner Lennon, seconded by Commissioner Spidalieri to grant permission to advertise for the position of Part-time Adult Day Service Assistant (#1041-1). This position will remain posted until filled.*

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

*Motion:*            *by Commissioner Lennon, seconded by Commissioner Spidalieri to close the current posting for the position of Part-time Recreation and Education Assistant (#1005-1).*

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

**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT – OHIO DEPARTMENT OF DEVELOPMENT, BROWNFIELD REMEDIATION PROGRAM GRANT AGREEMENT**

*Director Gina Hofstetter asked the Board to execute the Brownfield Remediation Program Grant Agreement with the State to be able to move forward. Ms. Hofstetter noted that this project is with 7745 Pine Street, Snavelly and are looking forward to getting moving on this project.*

*Motion:*            *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Ohio Department of Development, Brownfield Remediation Program Grant Agreement for the period July 4, 2023 through June 30, 2025 in the amount of \$2,917,012.00.*

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

**MAINTENANCE – CONTRACT AGREEMENT – BYRON D. MYERS, ARCHITECT, LLC – PROFESSIONAL DESIGN AND CONTRACT ADMINISTRATION SERVICES FOR DEMO OF REAR WING SECTION OF COUNTY HOME NEXT STEP BUILDING, ENCLOSE REAR FAÇADE AND BASEMENT WALL AREAS AND REGRADE OF SITE AREA**

*Project Manager Charles Tkach asked the Board to approve a contract agreement with Byron Myers, Architect for the professional design and contract administration services for the rear wing section of the County Home Next Step Building. Mr. Tkach explained that this will include*

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*demo of the rear wing section and enclose the facade and basement wall areas, along with backfill and regrade. Mr. Tkach noted that it is the porch and breezeway area that will be removed but includes moving gas and sewer lines. Mr. Dvorak asked if there was asbestos in the building, to which Mr. Tkach stated that there was, it was identified in 2000 and are working to remove that before work gets started. The specs will include removing the concrete and stonewall, but we are keeping the stones.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Contract Agreement with Byron D. Myers, Architect, LLC to provide professional design and contract administration services to demolish the rear wing section of the County Home Next Step Building, enclose the rear façade and basement wall areas of the remaining Upright section, and backfill and regrade the demolished building site area located at 13211 Aquilla Road, Chardon for the period October 8, 2024 through October 31, 2025 in the amount of \$23,400.00 in an amount not to exceed \$25,000.00.*

<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>

**MAINTENANCE – CONTRACT AGREEMENT – DELTA INDUSTRIAL SERVICES, INCORPORATED – WINDOW AND GLASS CLEANING SERVICES – ACCEPT PERFORMANCE BOND – RELEASE BID BOND**

*Contract Coordinator Matt Sieracki asked the Board to execute the agreement with Delta Industrial Services for the window and glass cleaning services. This includes all the county buildings, but may include an amendment on the courthouse addition once completed.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve, initial and execute the Contract Agreement with Delta Industrial Services, Incorporated for the Geauga County Window and Glass Cleaning Services for 2024-2027 in the amount of \$123,084.00, effective October 8, 2024.*

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

*Mr. Sieracki asked the Board to accept the Performance and Payment Bonds and release the bid bond.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to accept the Performance and Payment Bonds from Delta Industrial Services, Incorporated for the Geauga County Window and Glass Cleaning Services and further release the Bid Bond.*

<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 – AWARD BID – MCCASKEY LANDSCAPE AND DESIGN, LLC – 2024-2026 SNOWPLOWING SERVICES, SALT AND SPRING CLEANUP**

*Mr. Sieracki asked the Board to award the bid to McCaskey Landscape and Design for snowplowing services. This includes salt and spring cleanup if necessary.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to award the Bid to McCaskey Landscape and Design, LLC for the 2024-2026 Snowplowing Services, Salt and Spring Cleanup for the 2024-2025 season in the amount of \$92,153.00, Salt at \$196.00 per half ton and any Spring Cleanup and for the 2025-2026 season in the amount of \$95,375.00, Salt at \$196.00 per half ton and any Spring Cleanup with a total not to exceed amount of \$267,528.00, as they represented the lowest and best bid.*

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

DEPARTMENT OF WATER RESOURCES – CONTRACT MAINTENANCE FORM #1 – INCREASE CONTRACT WITH AUBURN FENCE CORPORATION – REPAIRS AT AUBURN LAKES PUMP STATION

Director Nicholas Gorris asked the Board to approve the contract maintenance form #1 increasing the contract with Auburn Fence Corporation for repairs needed at the Auburn Lakes Pump Station.

Motion:           by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Contract Maintenance Form #1, increasing the Contract with Auburn Fence Corporation for needed repairs at the Auburn Lakes Pump Station in the amount of \$7,440.00, for a revised contract total amount of \$12,440.00.

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

DEPARTMENT OF WATER RESOURCES – CHANGE ORDER #2 – INCREASE CONTRACT – AGRI-SLUDGE, INCORPORATED – AQUILLA WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT – SLUDGE HAULING AND STORM ABANDONMENT

Mr. Gorris explained that this change order #2 is an increase in the contract with Agri-Sludge for the Aquilla Wastewater Treatment Plant is for sludge hauling, pumping and storm abandonment. Mr. Gorris stated that there are two lagoons, an east and west, and based specs on quantity however during construction and how it has been operating, the quantity majority is in the west, and once we finalize on the rest, it will reduce back down. The storm relief that was discovered is no longer allowed and is included to be removed. There will be a reduction change order in the end. The funding for this project comes from department funds, grant funds and ARPA funds.

Motion:           by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Change Order #2, increasing the Contract with Agri-Sludge, Incorporated for the Aquilla Wastewater Treatment Plant Improvement Project for Sludge Hauling, Pumping, and Storm Abandonment required to properly track project quantities due to actual plant operation in the amount of \$438,719.00.

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

GEAUGA TRANSIT – LEASE AGREEMENT ADDENDUM – INCLUDE HAZARDOUS MATERIAL PROVISION

Mr. Morgan explained that this lease agreement addendum is on the original lease agreement with LakeTran to operate Geauga Transit and is to add a Hazardous Material provision which allows them to add propane into the fueling station.

Motion:           by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Lease Agreement Addendum to include a Hazardous Materials provision, and that except and to the extent expressly modified by this Addendum, the Lease shall remain in full force and effect.

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

COMMISSIONERS' OFFICE – REQUEST FOR PARTIAL PAYMENT #34 AND FINAL – DONLEY'S INDEPENDENCE, LLC – COUNTY OFFICE BUILDING, GMP PHASE #1 AND PHASE #2

Mr. Morgan asked the Board to approve the final pay request on the County Office Building to Donley's Independence.

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*Motion:* by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Request for Partial Payment #34 and Final, for Donley's Independence, LLC for the Geauga County Office Building, GMP Phase #1 and Phase #2 in the amount of \$93,502.65.

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

COMMISSIONERS' OFFICE – CHANGE ORDER #3 – INCREASE CONTRACT – THENDESIGN ARCHITECTURE – RENOVATION OF EXISTING COUNTY BUILDINGS CONSTRUCTION OF NEW BUILDINGS, PHASE 2

Mr. Morgan explained that this is Change Order #3 for ThenDesign Architecture for an increase to the contract, to cover associated costs related to the changes in the preliminary design, change of the building size and footprint. The Board asked why they were just finding out now that there is a change to the cost of the contract, if this work was performed in the beginning, expressing concern over the costs of the project continuing to increase, and what is driving the decisions on the changes, with the original cost of the project to be around \$15 million and now we are pushing \$20 million. Mr. Morgan expressed that the architect was doing work that we didn't have the final costs on, so they held off till hard numbers came in. Architect, Brad Gellert expressed that it was a simple explanation, that the total cost of the architect fees are adjusted based on a percentage of the total cost of the project, so as the project cost has increased, our fees increase, adding that the geotechnical inspections are requested by the Building Department and have to continue throughout the project. Mr. Gellert stated that instead of coming to you for every small increase, they chose to do them at one time. Mr. Lennon asked for the true cost of the building, and where the direction is coming from on the adjustments to the project. Mr. Morgan explained that the Judges and Sheriff had initial input relating to functionality and security, the original design was a four-story extension that didn't work out, so it was redesigned to a slightly bigger footprint, and reducing to three floors, giving the first floor to Probation and Clerk of Courts and each court having their own floor. Mr. Morgan added that the pragmatic plan in the beginning was to try and keep the same design from 20 years ago and keeping it the same as the original building. Mr. Gellert added that they had to get permission on the change to the footprint to not block view in the City of Chardon. Mr. Lennon expressed frustration about having a budget and now it seems to be open ended. Mr. Spidalieri added that this is the outside, but what will the overruns be furnishing the inside. Mr. Spidalieri added that the idea was to have ARPA funds to use towards the project and now we have concern over the allocated amount going in a different direction, and not be able to do other things necessary in the county. Mr. Lennon and Mr. Spidalieri expressed concern over the work being performed and not having the funds included in the cost of the project, and asked if there is a cap, what is causing the increases, can we scale back, but asking how we justify the increases. Mr. Lennon asked who the Architect is getting direction from to which it was noted the direction comes from Mr. Morgan but input from the Judges and Sheriff. Mr. Gellert expressed that there were also requirements from the City of Chardon to meet the design and view comments, the stone material from the quarry to meet compatible building stone.

Mr. Dvorak asked for updates weekly on expense changes. The City of Chardon is capped at \$2 million towards the project. Mr. Gellert added that when they contribute their portion it will lower the county portion by that amount.

*Motion:* by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Change Order #3, increasing the Contract with ThenDesign Architecture for Renovation of Existing County Buildings and Construction of New Buildings, Phase 2 for additional services related to geotechnical cores and associated reporting as well as additional construction testing and architectural fees in the amount of \$368,570.00 for a revised contract total amount of \$1,512,470.00.

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

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COMMISSIONERS' OFFICE – ATTORNEY RETAINER AND FEE CONTRACT – DANNLAW – LEGAL SERVICES REGARDING LITIGATION AND INTERGOVERNMENTAL DISPUTES

*Mr. Morgan explained that with the Prosecutor's Office being reluctant to provide legal services to our office, whether it be a conflict or other reason, looking to add another law firm under contract to be able to split up some of the issues we need assistance with to get answers as things come up. If we don't use them, we don't owe them anything, just gives us another option.*

*Mr. Dvorak asked for the process used for obtaining the firm and how much the hourly rate will be. Mr. Morgan noted the rates are based on years of experience for the hourly rate. Mr. Dvorak expressed that he did his own research on DannLaw that it is all over the internet, that he was formerly Ohio Attorney General, removed from office, suspended for conduct, relating to payments made from campaign funds and use. Mr. Dvorak expressed that this just continues, and that we should continue to look at other firms, that he just handles real estate and that they don't really fit the needs of our office. Mr. Lennon explained that he spoke with him and met with him, along with another Attorney that works for him, and had asked for opinions on a few things that plagued this office, noting that he was not aware of that background. Mr. Lennon stated that we do need help if we are not getting answers, and at least get some opinions. Mr. Dvorak stated that his gut feeling is that DannLaw doesn't fit the need.*

*Mr. Spidalieri agreed that we should also look at adding additional firms to have options depending on the need.*

*Motion: by Commissioner Lennon, seconded by Commissioner Spidalieri to approve and authorize the President of the Board to execute the Attorney Retainer and Fee Contract with DannLaw to provide legal services regarding Geauga County Commissioners Litigation and Intergovernmental Disputes in an amount not to exceed \$50,000.00, unless prior approval by the Board.*

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

*Discussion continued briefly with Mr. Dvorak continuing to read information that he had found online about the DannLaw. Mr. Lennon added that he had spoken with another attorney in the office, maybe having them come in for a discussion.*

COMMISSIONERS' OFFICE – AGREEMENT – D.B. KOSIE AND ASSOCIATES, LLC – BOUNDARY AND TOPOGRAPHICAL SURVEY – FUTURE LOCATION OF YOUTH CENTER

*Assistant County Administrator Linda Burhenne explained that we need to do a survey on the property for the location of the new Youth Center. Ms. Burhenne noted that they had walked the property to look at the timber in case there were trees of value, most of what they found were not of value. This agreement is for a topographical survey and boundary lines, along with staking the trees for removal. It was noted that they hope to have the trees down in October / November timeframe to avoid any issues.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Agreement with D.B. Kosie and Associates, LLC to perform a boundary and topographical survey, and tree removal staking of the future location of the Geauga County Youth Center, on Parcel #13-705020, effective October 8, 2024 and work shall be completed by October 30, 2024 in the amount of \$6,037.00.*

<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 – TREASURER'S OFFICE – PUBLIC DEPOSITORY AGREEMENTS – J.P. MORGAN CHASE BANK, N.A., HUNTINGTON BANK, THE FARMERS NATIONAL BANK OF CANFIELD, THE MIDDLEFIELD BANKING COMPANY AND PREMIER BANK

*Deputy Treasurer Caroline Mansfield thanked Christine Blair, Clerk, and Assistant Prosecuting Attorney's Laura LaChapelle and Kristen Rine for all the hard work they did on the Public Depository process. It only takes place every four years, and invitation is sent to all the banks in*

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*the County and five responded. The amount is a total of what they might do, and they may or may not use a bank listed, but they need to be in place in order to be able to do so.*

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Agreement for Public Depositories with J.P. Morgan Chase Bank, N.A. for deposit of active moneys during the period October 12, 2024 through October 11, 2028 in the maximum amount of \$100,000,000.00.*

<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 approve and authorize the President of the Board to execute the Agreement for Public Depositories with Huntington Bank for deposit of active moneys during the period October 12, 2024 through October 11, 2028 in the maximum amount of \$80,000,000.00.*

<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 approve and authorize the Vice President of the Board to execute the Agreement for Public Depositories with The Farmers National Bank of Canfield for deposit of active moneys during the period October 12, 2024 through October 11, 2028 in the maximum amount of \$100,000,000.00.*

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

*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Agreement for Public Depositories with The Middlefield Banking Company for deposit of active moneys during the period October 12, 2024 through October 11, 2028 in the maximum amount of \$100,000,000.00.*

<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 approve and authorize the President of the Board to execute the Agreement for Public Depositories with Premier Bank for deposit of active moneys during the period October 12, 2024 through October 11, 2028 in the maximum amount of \$25,000,000.00.*

<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 – RESCIND MOTIONS – SEPTEMBER 26, 2024 AND OCTOBER 1, 2024 REGARDING SESSION AT THE GEAUGA COUNTY AIRPORT – DUE TO SCHEDULING CONFLICT, SESSION AND THE RIBBON CUTTING CEREMONY ARE CANCELLED**

*Mr. Morgan explained that due to a conflict the meeting on the 22<sup>nd</sup> will not take place at the airport and no ribbon cutting will be held.*

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*Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to rescind the motion from September 26, 2024 to move and hold regular session October 22, 2024 at the Geauga County Airport.*

<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 rescind the motion from October 1, 2024 approving Resolution #24-173 that Established the location and time of the October 22, 2024 regular meeting at 9:30 a.m. at the Geauga County Airport, Middlefield, Ohio, due to a scheduling conflict, session and the ribbon cutting ceremony planned has to be cancelled.*

<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>

*Ms. Blair added that the regular Commissioners meeting will still be held, it will be here at the County Offices, just no longer at the Airport.*

**ACKNOWLEDGEMENTS**

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending September 25, 2024 as required by O.R.C. 955.12.*

**OTHER**

*The Board reviewed upcoming events.*

**MEETINGS**

*Tue., 10/8 Planning Commission, 7:30 a.m. First Floor Conference Room, B168, Chardon*

*Wed., 10/9 Geauga County Township Association Dinner, Centerville Mills Dining Hall, Bainbridge, 6:00 p.m.*

*Thu., 10/10 Soil and Water Conservation Dinner, 6:00 p.m. Legacy Woods Tribute Lodge*

*Thu., 1/10 Geauga County Fair Board Annual Dinner Meeting 6:30 p.m. at Mary Yoder's Amish Kitchen*

*Mon., 10/14 **County offices will be closed for general business due to Columbus Day. Twenty-four-hour operations will continue to operate as usual.***

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

*Fri., 10/18 Geauga Transit Service Launch – Wheels to Work 11:00 a.m. 12555 Merritt Road, Chardon*

*Mon., 10/21 Family First Council, 1:30 p.m. County Office Building*

*Tue., 10/22 The Commissioners will hold session at 9:30 am.*

*Tue., 10/29 The Commissioners will hold session at 9:30 a.m.*

**QUESTIONS / DISCUSSION**

*Local resident Tom Jones expressed the motion regarding snowplowing and the dollar amount on salt was not addressed. Mr. Jones expressed that Auburn Township is paying \$40.00 a ton, and this morning the County Engineer expressed getting salt at \$40.00 a ton, so why are we paying \$196.00 per ½ ton of salt. Mr. Jones expressed that it needed to be looked at. Ms. Blair explained that the Engineer's Office is buying salt by the ton in bulk, and that the Contractor is paying for salt buying it elsewhere and may include labor. Ms. Burhenne added that she was going to get further clarification from Mr. Vernick and provide an update. Mr. Morgan added*

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*that this was a bid project, and this is how the bid was submitted. The Maintenance department does purchase salt from the Engineer's office but a private company cannot purchase from the Engineer.*

*Local resident Diane Jones asked for clarification on the Lease Addendum with Geauga Transit being with LakeTran or Geauga Transit. The Lease is LakeTran but operate as Geauga Transit who submitted the request.*

*Local reporter Anastasia Nicholas asked after everything Mr. Dvorak read about DannLaw, why would you vote yes and hire the attorney. Mr. Lennon added that those are concerns for sure, but he spoke with him and all the recommendations he was given, they are a good firm, and feels comfortable. Mr. Lennon explained that he wanted some opinions on questions from the ORC and answers that they have been given on several occasions.*

*Ms. Nicholas asked Mr. Spidalieri the same question, why vote yes, to which Mr. Spidalieri expressed his disappointment in Mr. Dvorak and if he had this, why it wasn't brought up prior to the meeting so it could be reviewed and that it almost appeared that he was trying to discredit this law firm. Mr. Spidalieri added that one attorney out an entire firm may have issues, and feels that it gives them an option to use, and is agrees that they should look at hiring additional firms. Ms. Nicholas commented that she didn't know why they didn't wait, to which Mr. Spidalieri stated that is why they are sitting as Commissioners, and she is in the audience, and they make the decisions.*

*Mr. Dvorak continued to express he wasn't disappointed in himself, but rather Mr. Morgan because he hadn't heard anything about the firm. Mr. Lennon added that Mr. Morgan had spoke to him on multiple occasions and that they have needed outside counsel for a long time, that there have been multiple issues and challenges, that he would like answers on.*

*Director Gina Hofstetter added that as a department head she has had multiple challenges come up and have had to use outside counsel to get the job done and all to often we are at a standstill and it is frustrating. Ms. Hofstetter added that she appreciates having another resource available.*

*Representative from NOPEC for Geauga County was here, noting that cold months are coming and provided a resolution for Townships to approve that will allow residents that may have opted out, can have the ability to opt back in to the gas aggregation. Some areas have already approved it and anticipate others to do so as well.*

**BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD**

*Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to adjourn the meeting at 11:12 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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