Commissioners' Journal
November 26, 2024

The Geauga County Board of Commissioners met in session on November 26, 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 9:35 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:
Heavenly Father
On Thanksgiving Day
We bow our hearts to you and pray
We give you thanks for your great works
Especially for the gift of Jesus, your son.
For beauty in nature
Your Glory we see, for joy and health, friends and family
Amen

COMMISSIONERS' OFFICE - COUNTY ADMINISTRATOR'S REPORT
County Administrator Gerard Morgan reported on what he approved on November 22, 2024 for the Department on Aging, Approved hiring Jaclyn Pavlick to the position of Full-time Recreation and Education Assistant (#1005) to be effective December 9, 2024 at the rate of $16.84 per hour with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions.; 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 special meeting of November 5, 2024.*

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

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the minutes for the special meeting of November 14, 2024.*

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

MAINTENANCE – AMEND MOTION FROM OCTOBER 8, 2024 TO ADJUST TOTAL CONTRACT AMOUNT – AWARD BID – MCCASKEY LANDSCAPING AND DESIGN, LLC – 2024-2026 SNOWPLOWING SERVICES, SALT AND SPRING CLEANUP
Contract Coordinator Matt Sieracki explained that we need to tweak the dollar amount on the total contract amount for McCaskey Landscape and Design for snowplowing services.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to amend the motion from October 8, 2024 to adjust the total contract amount to read: 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 $272,688.00, as they represented the lowest and best bid.*

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

MAINTENANCE – EXECUTE CONTRACT AGREEMENT – MCCASKEY LANDSCAPE AND DESIGN, LLC – 204-2026 SNOWPLOWING SERVICES, SALT AND SPRING CLEANUP
Mr. Sieracki asked the Board to approve and execute the Contract Agreement with McCaskey Landscape and Design for snowplowing services. Mr. Sieracki explained that it's before the financials today because we needed to get the contract open today.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Contract Agreement with 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 $272,688.00.*

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

Mr. Dvorak asked for clarification on the $196.00 per half ton of salt in comparison to the Engineer's Office price. Mr. Sieracki stated that they most likely won't use their salt, however, if there is a time that the Maintenance Department can't take care of it and they need to, that is the rate that we would be charged.

MAINTENANCE – ACCEPT PERFORMANCE BOND – RELEASE BID BOND – MCCASKEY LANDSCAPE AND DESIGN, LLC – 2024-2026 SNOWPLOWING SERVICES, SALT AND SPRING CLEANUP
Mr. Sieracki asked the Board to accept the Performance Bond for McCaskey Landscape and Design and release the Bid Bond.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to accept the Performance Bond for McCaskey Landscape and Design, LLC for the 2024-2026 Snowplowing Services and further release the Bid Bond.*

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

APPROVE FINANCIALS
Budget and Finance Manager Adrian Gorton explained the financials for today as including Appropriations transfer for the Engineer's Office moving General Fund payroll appropriations into their General Fund Equipment account (this is appropriations that represent the payroll that was moved from ARPA). Mr. Gorton explained that he spoke with Katie Taylor at the Engineer's office, and they are looking to purchase a scanner for the Tax Map department and is planned to go before the ADP Board for approval. Mr. Gorton stated that it sounded like it would be something the Board would need to make provisions for to purchase and is a small amount of the ARPA payroll that was transferred and is about $65,000.00.

Supplemental De-Appropriation from Mental Health in their Capital Reserve Fund Project Contracts account, Cash transfer from the General Fund to the County Engineer's Building fund to provide the 22.2% share of the funding that was requested for the construction of their new salt structure, Cash transfer from the Worker's Compensation Rotary Fund to reimburse departments that paid into the 2019 and 2020 premiums as required by the State Auditor before funds can be used for other safety related expenditures; a Then and Now encumbrance for the Commissioners' Office to Kimberly Baioni for appointed counsel fees from 2022 that were not previously encumbered, Then and Now encumbrances for the Common Pleas Court to the Supreme Court of Ohio for assigned Judges fees and to the office of the Ohio Public Defender for investigator fees from 2023 that were not previously encumbered, Travel Requests for the Common Pleas Court and the Dog Warden, a Purchase Order for Emergency Services to Daystar Ford of Garrettsville LLC for a new replacement 2024 Ford Ranger, a payment for the

Engineer's Office to Ohio Machinery Company for a 2024 Caterpillar D3XL Track Type Tractor in the amount of $125,949.00 and a Revenue Certification from the Common Pleas Court Technology fund for additional unbudgeted revenue received in 2024 and a Revenue De-Certification from Mental Health in their Capital Reserve Fund from budgeted revenue they will no longer be receiving in 2024.

Mr. Gorton addressed a question from Commissioner Lennon, stating that the General Fund payroll is coming out of ARPA so therefore leaves funds in the General Fund payroll accounts and while we have asked them to not use those funds because the Board needs to transfer those funds back into the General Fund. Mr. Gorton feels that this is a rare expenditure for the Tax Map department and would most likely need to fund it. Mr. Lennon inquired about funds being returned back, to which Mr. Gorton reached out to Prosecutor Flaiz and he feels the resolution is insufficient to compel the Elected Officials to return those funds. Mr. Flaiz did express that his office was working on whether or not some of the affected departments have the ability to refund, and while it might not be able to return to the ARPA funds but it could be returned to the General Fund. Mr. Gorton explained that Sheila Bevington, Clerk of Courts has agreed to return the funds and is taking steps to get those funds back. Mr. Gorton stated that he was still waiting to hear on the Highway Road Fund, which was several hundred thousand dollars. Mr. Lennon expressed that he feels those funds need to be returned and finds it suspicious. Mr. Lennon stated that it really is a shell game, moving funding around so you don't have to do paperwork. Mr. Gorton expressed that next week during the permanent appropriation budget and they will discuss the cuts to make the budget balance. Mr. Gorton stated that Maintenance and the Courts were excluded from the General Fund payrolls that were transferred to ARPA. Mr. Lennon hopes that next year when budgets come around this is remembered.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-195 itemizing the financials for the meeting of November 26, 2024.*

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

<u>COMMISSIONERS' OFFICE – RESOLUTION PROCLAIMING RECOGNITION OF CONTINUED SUPPORT OF THE "BE A SANTA TO A SENIOR" PROGRAM FOR 2024 IN GEAUGA COUNTY</u>

Amanda Everhart from Home Instead Senior Care explained that they have provided services to seniors in the County for almost twenty years and initiated the Be a Santa to a Senior program. Trees are placed throughout the County with ornaments on them if anyone is interested in providing a gift. Most of the seniors that they deliver to don't see anyone or have family during the holidays and the gifts are basic items that the seniors need. Ms. Everhart thanked Sandy McLeod from the Department on Aging for her help and assistance with the program and what she does for the seniors in the county.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-196 Proclaiming Recognition of Continued Support of the "Be A Santa to A Senior" Program for 2024 in Geauga County.*

Board of County Commissioners, Geauga County, Ohio

Resolution: *#24-196*
Date: *November 26, 2024*

PROCLAIMING RECOGNITION OF CONTINUED SUPPORT OF THE "BE A SANTA TO A SENIOR" PROGRAM FOR 2024 IN GEAUGA COUNTY

WHEREAS, Geauga County seniors are valued members of society and it is our collective responsibility to ensure they are remembered during the holiday season. The well-being of all seniors is in the interest of all and further adds to the well-being of Geauga County communities; and

WHEREAS, the "Be a Santa to a Senior" program is sponsored by Home Instead Senior Care and has been providing a heartfelt gift at the holidays for hundreds of older adults in Geauga County for twenty-one years. The "Be a Santa to a Senior" program is a way to bring a little holiday cheer with gifts to those who otherwise might not be remembered during the holiday season; and

WHEREAS, the "Be a Santa to a Senior" program is a way to give back to the community, by providing gifts to some of our most treasured residents and give them a feeling of value by being remembered during the holiday season. This program is designed to help stimulate human contact and social interaction for our seniors in Geauga County; and

WHEREAS, this year are Home Instead offices are partnering with the Department on Aging, local senior centers, Churches and other Community Agencies to provide gifts to about 250 seniors in Geauga County; and

WHEREAS, Seniors are identified and names are provided to Home Instead Senior Care, who then places Christmas trees and wreaths with ornaments that have the first name of seniors and a gift request at several locations including Buckeye Chocolates, Giant Eagle in Chesterland, UH Geauga Hospital, Geauga County offices and Coffee Works in Chesterland; and

NOW, THEREFORE, BE IT RESOLVED, that the Geauga County Board of Commissioners hereby proclaim continued support for the "Be A Santa to A Senior" program that runs from Thanksgiving through Christmas and encourage all our citizens to recognize and celebrate the 2024 holiday season of Geauga County seniors through the "Be A Santa to A Senior" program.

NOW, THEREFORE, BE IT RESOLVED, that this Resolution become part of the permanent record of the Board of County Commissioners of Geauga County, Ohio.

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

<u>COUNTY ENGINEER'S OFFICE – RESOLUTION TO ORDER THE ASPHALT RESURFACING OF AUBURN ROAD IN CHARDON TOWNSHIP, EXECUTE TITLE SHEET AND SET BID OPENING</u>
Deputy Engineer Shane Hajjar asked the Board to approve the resolution to order the asphalt resurfacing of Auburn Road, which includes the title sheet for specifications and set a bid opening.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-197 to Order the Asphalt Resurfacing of Auburn Road (CH-0004, Sections R-U) in Chardon Township.*

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

Further, this resolution sets a Bid Opening on Friday, December 20, 2024 at 10:05 a.m. the Engineer's Office using Bid Express. Notice of this Bid Opening will be advertised on November 28, 2024, December 5, 2024 and on the county website.

Board of County Commissioners, Geauga County, Ohio

Date: *November 26, 2024*
Resolution: *#24-197*

RESOLUTION TO ORDER THE ASPHALT RESURFACING
OF AUBURN ROAD (CH 0004), SECTIONS R-U IN CHARDON TOWNSHIP

WHEREAS, the Geauga County Board of Commissioners (Board) has determined by Resolution <u>23 - 137</u> that the public convenience and welfare requires the improvement of Auburn Road (CH-0004), Sections R-U from G.A.R. Highway (US-6) to the Lake County Line 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 December 20, 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 Chardon Township Board of Trustees and the Geauga County Engineer.

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

<u>COUNTY ENGINEER'S OFFICE – AGREEMENT TO EXTEND CONTRACT EXECUTION DATE – RONYAK PAVING, INCORPORATED – ASPHALT RESURFACING OF VARIOUS ROADS, INCLUDING CLAY STREET AND LEGGETT ROAD – HUNTSBURG AND MONTVILLE TOWNSHIPS</u>
Mr. Hajjar asked the Board to approve the President to execute the agreement to extend contract execution date for Ronyak Paving for the asphalt resurfacing of Clay Street and Leggett Road for an additional thirty days.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Agreement to Extend Contract Execution Date, Pursuant to O.R.C. 153.12 for Ronyak Paving, Incorporated for 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 from December 31, 2024 for an additional thirty days up to and including January 30, 2025.*

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

<u>COUNTY ENGINEER'S OFFICE – RESOLUTION APPOINTING BOARD MEMBER, JAMES W. DVORAK AS CHIEF EXECUTIVE OFFICER – CERTIFYING REPRESENTATIVE FOR PROPOSED ASPHALT RESURFACING OF FAIRMOUNT ROAD – NEWBURY AND RUSSELL TOWNSHIPS</u>
Mr. Hajjar asked the Board to approve a resolution to appoint Mr. Dvorak as the Chief Executive Officer and Certifying Representative for the proposed resurfacing of Fairmount Road project and authorize him to execute the State Ohio Public Works Commission application for financial assistance.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-198 Appointing Board Member, James W. Dvorak, as the Chief Executive Officer and Certifying Representative for the proposed Asphalt Resurfacing of Fairmount Road (CH-0016, Sections C-E) in Newbury and Russell Townships and further approve and authorize the Chief Executive Officer to execute the State of Ohio Public Works Commission application for financial assistance.*

Board of Commissioners, Geauga County, Ohio

Date: *November 26, 2024*
Resolution: *#24-198*

AUTHORIZING LEGISLATION

RESOLUTION AUTHORIZING James W. Dvorak, MEMBER OF THE GEAUGA COUNTY BOARD OF COMMISSIONERS, TO SERVE AS THE CHIEF EXECUTIVE OFFICER AND CERTIFYING REPRESENTATIVE TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Whereas, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

Whereas, Geauga County is planning to make improvements to Resurface Fairmount Road CH 0016, Sections C-E, in Newbury and Russell Townships; and

Whereas, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs;

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

Section 1: *That James W. Dvorak, Board Member, is hereby appointed to serve as the Chief Executive Officer and is authorized to apply to the OPWC for funds as described above*

Section 2: *That James W. Dvorak, Board Member, is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.*

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

COUNTY ENGINEER'S OFFICE - RESOLUTION APPOINTING BOARD MEMBER, JAMES W. DVORAK AS CHIEF EXECUTIVE OFFICER – CERTIFYING REPRESENTATIVE FOR PROPOSED ASPHALT RESURFACING OF SPERRY ROAD – CHESTER, NEWBURY AND RUSSELL TOWNSHIPS
Mr. Hajjar explained that this resolution is similar, that they are asking the Board to appoint Mr. Dvorak as the Chief Executive Officer and Certifying Representative for the proposed resurfacing of Sperry Road project and authorize him to execute the State Ohio Public Works Commission application for financial assistance.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-199 Appointing Board Member, James W. Dvorak, as the Chief Executive Officer and Certifying Representative for the proposed Asphalt Resurfacing of Sperry Road (CH-0012, Sections B-G) in Chester, Newbury and Russell Townships and further approve and authorize the Chief Executive Officer to execute the State of Ohio Public Works Commission application for financial assistance.*

Commissioners' Journal
November 26, 2024

Board of Commissioners, Geauga County, Ohio

Date: November 26, 2024
Resolution: #24-199

AUTHORIZING LEGISLATION

RESOLUTION AUTHORIZING James W. Dvorak, MEMBER OF THE GEAUGA COUNTY BOARD OF COMMISSIONERS, TO SERVE AS THE CHIEF EXECUTIVE OFFICER AND CERTIFYING REPRESENTATIVE TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Whereas, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

Whereas, Geauga County is planning to make improvements to Resurface Sperry Road CH 0012, Sections B-G, in Chester, Newbury and Russell Townships; and

Whereas, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs;

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

Section 1: That James W. Dvorak, Board Member, is hereby appointed to serve as the Chief Executive Officer and is authorized to apply to the OPWC for funds as described above

Section 2: That James W. Dvorak, Board Member, is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

PLANNING COMMISSION – EXECUTE FINAL PLAT – CHAGRIN FALLS PARK REPLAT OF SUBLOTS #850-858 – CREATE SUBLOT #850-R – BAINBRIDGE TOWNSHIP
Planning Commission Director Linda Crombie asked the Board to execute the final plat for Chagrin Falls Park for a replat of Sublots #850-858 to create Sublot #850-R. Ms. Crombie stated that the consolidated sublot total will be 0.4132 acres and is being done so the house will no longer straddle the five lots that it currently does right now. This is in Bainbridge Township and was approved by the Planning Commission.

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Final Plat for Chagrin Falls Park Replat of Sublots #850-858, creating Sublot #850-R in Bainbridge Township.

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

PLANNING COMMISSION – EXECUTE FINAL PLAT – CANYON LAKES COLONY SUBDIVISION REPLAT – PHASE 14A AND 14B – CREATING SUBLOT #360-R – BAINBRIDGE TOWNSHIP
Ms. Crombie asked the Board to execute the final plat for Canyon Lakes Colony subdivision for a replat of Phase 14A and 14B, sublots #360 and #378 and create Sublot #360-R. Ms. Crombie stated that the consolidation total will be 0.4687 acres and is just consolidating two sublots in Bainbridge Township.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Final Plat for Canyon Lakes Colony Subdivision Replat of Phase 14-A and 14-B, Sublots #360 and #378, creating Sublot #360-R in Bainbridge Township.*

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

PROSECUTOR'S OFFICE – APPLICATION OF APPOINTMENT OF COUNSEL – NO MOTION MADE TO MOVE FORWARD – AFTER DISCUSSION ACTION TAKEN TO ESTABLISH A MEMORANDUM OF UNDERSTANDING OVER USE OF SPACE IN THE BUILDING AND COST OF UTILITIES AND JANITORIAL SERVICES

Prosecutor Jim Flaiz explained that the Commissioners Office has been pursuing a lease agreement to have the Board of Health pay rent for their space in the county office building and a lease was drafted and sent to them. The Health Department sent it to his office for review and after much discussion his office determined that there was a conflict. Mr. Flaiz explained that he had facilitated a meeting with former Health Commissioner Quade, Mr. Lennon and Mr. Morgan about getting the health department to move into the new building. Mr. Flaiz expressed that they were interested in moving here due to proximity of other services and that he understands that certain commitments were made by the Commissioners office to get them to move here. Mr. Flaiz stated that now the Board is pursuing them to get them to pay rent, and the health department could have an argument they detrimentally relied upon commitments. Mr. Morgan and Mr. Lennon don't agree with Mr. Flaiz about the meeting. Mr. Lennon expressed that it is more than just rent, it's about having an MOU about the footprint of space of the building. Mr. Lennon stated that the former Health Commissioner was all in favor of moving into the building and that he had money in his budget to help with construction, continuing that the next meeting was with the Clerk of Courts who also had funding to help with the construction costs of the building. Mr. Flaiz stated that it is about rent, it's a lease and includes them paying rent and that you are trying to take money from the Health Department. Mr. Flaiz stated that because they are a combined Health District that the Board of Commissioners can charge rent, you don't have to, and now the rules are changing to try and charge them rent, but they need a lawyer to make the arguments, should they pay rent, how much they should pay and if they detrimentally relied upon the Boards representations to move into the building. Mr. Lennon asked if Mr. Flaiz was trying to create an issue or a lawsuit, as that is what is sounds like and asked if they have an APA. Mr. Flaiz returned by stating that the Commissioners have outside counsel advising them on this, to which Mr. Lennon stated that the Commissioners have to for everything, because Mr. Flaiz has pushed them to do it. Mr. Flaiz added that he disagreed but that he could not represent the Health District, because if it came to litigation he would be called as a witness. Mr. Flaiz stated that the Commissioners wanted the Health District out of building 8 and into the new building but needed to give them a place to go. Mr. Lennon stated that the rent was to cover overhead charges like utilities and janitorial. Mr. Flaiz stated that the lease says it is a cost per square foot and utilities, and if you want to calculate those things that is a different story. If you want to charge rent in a lease agreement, they need a lawyer. Mr. Lennon stated that he wanted an MOU, and if we have to provide them a lawyer the Commissioners would have to pay for it, to which Mr. Flaiz stated that the General Fund would have to pay it. Mr. Flaiz expressed that he doesn't have to do a joint application, but he could just go to the Court to get the application. Mr. Dvorak expressed that former Health Commissioner Bob Weisdack used to say if the levy didn't pass he would have to charge the townships and political subdivisions. Mr. Flaiz and Mr. Lennon went back and forth about wasting time and taxpayer dollars.

Mr. Flaiz stated that he feels the Board should drop the rent issue and not hire outside counsel. Mr. Dvorak stated that he would like to lean towards an MOU with the Health District to say this is your space, parking, and save a lot of time and money, free rent and serve the people, adding that we wanted them here as it's the center of the county.

Mr. Dvorak made a motion for the Health Department to have an MOU with free rent but with an understanding over the space in the building. Mr. Lennon expressed that there needed to be an agreement in place that just states you are here, hours of operation and what is your space and what is not, listing the boundaries.

Commissioner Spidalieri asked for clarification on responsibilities on a cost involved with utilities and cleaning, and Mr. Flaiz no disrespect and Quade was very much engaged with

moving in here and had no issue with rent, because it would give him a facility to do what he needed to do, and that they would assist with costs. Mr. Spidalieri stated that they are not looking to make money, and he wasn't involved in the meeting Mr. Flaiz mentioned. Mr. Spidalieri asked Mr. Dvorak about responsibility of costs, to cover operational costs that are there, to which Mr. Dvorak mentioned what is in the detail of a combined health district, give them free rent and work on an MOU. Mr. Flaiz stated that if we are providing maintenance services, there is a cost to that, utilities could be figured out. Mr. Spidalieri wanted to hear Mr. Dvorak state that there could be a dollar factor, to which he stated Yes, whatever the ORC states as a combined health district and that they would need to cover certain costs. Mr. Spidalieri stated that with the City of Chardon involved that there should be a dollar figure that we should not be uncomfortable with charging since they are involved. Mr. Flaiz stated that all the residents pay for the levy and pay for the services, but if they are looking at utilities and maintenance and janitorial services. Mr. Flaiz stated that its' all the same taxpayers and you're just moving funds from one place to another. Mr. Lennon agreed but that nothing is free and there is a cost to everything. Mr. Spidalieri expressed that they extended the olive branch to the health district and from the beginning that he was of the understanding that it was something they looked to do.

Mr. Flaiz stated that the health district had some legacy issues that that current board has taken on and have been working hard to fix the issues of overcharging, and because of that they are currently not flush with cash. Administrator Adam Litke explained that the only thing that they could do is raise fees or increase the levy to offset expenses, and they have reduced fees to cover the cost of expenses so if they are charged rent, they would have to do an increase. Mr. Flaiz stated that fees were high, and they had built up their funds and the Budget Commission was not happy with that and then Quade came in and then COVID hit and now they are handling a lot of issues that have been discovered from years' past. Mr. Lennon said the Health Board has done a good job and Mr. Litke of taking a huge ball of twine and untangling it. Mr. Lennon stated that when they started talking about this it was to define space and what the existence was here and things that go on in here could cost, including expansion or renovation of space. Mr. Flaiz stated that he would love to see the Board waive rent, maybe do an MOU.

Mr. Dvorak asked for the motion to be read. Clerk Christine Blair clarified that the item that was on the agenda, had no motion and the item did not move forward (below).

The Prosecutor's Office is requesting the Board approve and authorize the President of the Board to execute the Application for Appointment of Counsel in regard to the Application of Prosecuting Attorney and Geauga County Board of Commissioners for Appointment of Legal Counsel for the Geauga County Board of Health appointing Attorney Bryan Kostura to represent and advise the Board of Health on the proposed lease agreement and any other matters relating thereto between the Board of Health and the Board of County Commissioners.

Motion: *by Commissioner Dvorak, seconded by Commissioner Lennon to agree to the Health District not paying rent, however, to establish a Memorandum of Understanding over the use of the building, space, including square footage, parking with further clarification that they follow the O.R.C. regarding a Combined Health District and cost regarding utilities and janitorial services.*

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

<u>PROSECUTOR'S OFFICE – AUTHORIZE PROSECUTOR TO EXECUTE AMENDMENT TO PARAGRAPH EIGHT OF THE AGREED JUDGEMENT ENTRY – CITY OF CHARDON V. GEAUGA COUNTY</u>

Mr. Flaiz explained that as the Board may recall on May 27, 2022, the County and the City of Chardon came to an agreement through a Judgment Entry regarding several items and paragraph #8 of that judgment entry discussed the City's contribution of the expansion project of the Courthouse and beautification on the square and that there was a 10% contribution / capped at $2 million dollars. Mr. Flaiz explained that after going back and forth on the invoices the City of Chardon is ahead of schedule on payments. A meeting was held and after some discussion it was stated that the City of Chardon was going to pay $2 million and came up with a payment schedule for the remaining payments by the City of Chardon. Mr. Flaiz thanked Mr. Gorton and Ms. LaChapelle, along with the City of Chardon for working on this. Mr. Lennon

explained that when we were knee deep on this with the City of Chardon we talked about $15 million on this project and are creeping towards $20 million and haven't talked about the inside yet. Mr. Lennon felt we had an estimate and that was a speed bump that got ran over. Mr. Flaiz expressed that back then he figured $15-17 million, but between then and now the footprint was enlarged based on the Judges for safety and security. Mr. Flaiz stated that in order to do this the correct way, it drove up the price increase. Mr. Lennon expressed that the cost is $20 million; City of Chardon is doing $2 million, and the County contribution is $18 million. Mr. Dvorak added that you add in the $10 million ARPA funds and its only costing the County about $8 million. Mr. Flaiz expressed that the Board of Commissioners did this and didn't raise taxes, and that's huge. Mr. Spidalieri added that if you look at what we are putting into this instead of a band aid approach, we have a lot of things yet to handle on the square and that will be a different conversation than what we are talking about now.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the Prosecuting Attorney, James R. Flaiz to execute an Amendment to Paragraph Eight (8) of the Agreed Judgement Entry in the City of Chardon v. Geauga County, Common Pleas Case #20M000648.*

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

<u>SHERIFF'S OFFICE – GRANT AWARD AND ACCEPTANCE FORMS – VICTIM OF CRIME ACT (VOCA) AND STATE VICTIM ADVOCACY ACT (SVAA)</u>
Sheriff Scott Hildenbrand and Chief Deputy Tom Rowan asked the Board to approve the grant award and acceptance for the Victim of Crime Act and State Victim Advocacy Act.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Victim of Crime Act (VOCA) and State Victim Advocacy Act (SVAA) Grant Award and Acceptance Forms in the amount of $39,565.00 from Grant #2025-VOCA-135901864 ($31,652.00 from Federal VOCA funds and $7,913.00 local match from the County General Fund) and $3,264.80 from Grant #2025-SVAA-135901868 with no local match. This grant is for the period October 1, 2024 through September 30, 2025.*

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

<u>MAINTENANCE – SERVICE CONTRACT AGREEMENT – KENNY HOAR CONSTRUCTION COMPANY – TABLED FOR ADDITIONAL TIME TO OBTAIN INFORMATION</u>
Contract Coordinator Matt Sieracki asked how they wanted to proceed.

This motion was on the agenda, but at the request of Commissioner Dvorak was tabled for additional time to obtain information and study the specifications.

The Maintenance Department is requesting the Board approve and execute the service Contract Agreement with Kenny Hoar Construction Company to repair the block foundation of the Maintenance Department's Salt Garage with work to be completed within sixty (60) days from November 26, 2024 in an amount not to exceed $15,000.00.

Motion: *by Commissioner Dvorak, seconded by Commissioner Lennon to table the service Contract Agreement with Kenny Hoar Construction Company for time to review the specifications on the project.*

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

MAINTENANCE – SERVICE CONTRACT AGREEMENT – CABLE COMMUNICATIONS, INCORPORATED
Mr. Sieracki explained that when they were assisting the County Engineer's office this summer they found several boxes buried under ground and are asking to put risers on them so they can be found easier.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the service Contract Agreement with Cable Communications, Incorporated to install new quazite riser boxes at nine (9) pull boxes located on Merritt Road and Ravenwood Drive per the Maintenance Director with work to be completed within sixty (60) days from November 26, 2024 in an amount not to exceed $20,000.00.*

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

MAINTENANCE – AGREEMENT – PROFESSIONAL DESIGN SERVICES – TEC INCORPORATED ENGINEERING AND DESIGN – WEST GEAUGA SENIOR CENTER BUILDING MSI WWTP AND WELL PUMP AND GENERATOR
Project Manager Charles Tkach asked the Board to approve the agreement for professional design and contract administration services for Tec Incorporated for the West Geauga Senior Center building and MSI building, wastewater treatment plant and generator in Chesterland.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Agreement for Professional Design Services with Tec Incorporated Engineering and Design to provide professional design and contract administration services related to the off-load of standby power for the West Geauga Senior Center building, MSI WWTP and the well-pump serving the MSI building from the existing shared Metzenbaum standby generator to a newly installed dedicated standby generator and fuel source located at 8090 Cedar Road, Chesterland for the period November 26, 2024 through November 30 2025 in an amount not to exceed $21,000.00.*

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

MAINTENANCE – AGREEMENT – PROFESSIONAL DESIGN SERVICES – TECHNICAL ASSURANCE, INCORPORATED – MAINTENANCE BARN ROOF – AQUILLA ROAD
Mr. Tkach asked the Board to approve the agreement for professional design and contract administration with Technical Assurance for the Maintenance Barn Roof on Aquilla Road.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute the Agreement for Professional Design Services with Technical Assurance, Incorporated to provide professional design and contract administration services related to replace the Geauga County Maintenance Barn Roof located at 13211 Aquilla Road, Chardon for the period November 26, 2024 through November 30, 2025 in an amount not to exceed $81,200.00.*

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

COMMISSIONERS' OFFICE – REQUEST FOR PARTIAL PAYMENT #14 – INFINITY CONSTRUCTION COMPANY, INCORPORATED – COURTHOUSE EXPANSION GMP #1 AND #2 EXPENSES
Mr. Morgan asked the Board to approve partial pay request #14 for Infinity on the Courthouse Expansion project. Mr. Lennon asked the estimated projected cost, to which Mr. Morgan stated that it is just over $20 million and we still have a contingency of about $500,000.00 that we haven't touched, to which Mr. Lennon added, nor do we want to. Ms. Blair stated that balance to finish with retainage is about $14.1 million.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and authorize the President of the Board to execute the Request for Partial Payment #14 for Infinity Construction Company, Incorporated for the Geauga County Courthouse Expansion, GMP #1 and #2 expenses in the amount of $1,053,105.31.*

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

<u>COMMISSIONERS' OFFICE – APPOINT TRISTAN SANCHEZ TO THE BOARD OF DEVELOPMENTAL DISABILITIES BOARD – FOUR YEAR TERM</u>

Superintendent Don Rice explained that four board members have terms coming to an end. The first request is to appoint a new member, Tristan Sanchez. One of the new ORC rules is that we need to have a member be a client. Mr. Rice explained that they advertised for the position and Mr. Sanchez applied, they interview and make a recommendation to the Commissioners. Mr. Rice explained that Mark Jackson has served twelve years on the Board and can no longer serve so this was a good time to appoint the client requirement.

Mr. Spidalieri explained that he had spoken to one of the applications, Bobby, who was discouraged when he was told he would have large amounts of reading for each meeting. Mr. Rice explained that the specific question was how much reading he would have to do, and that it would be up to him, but the board packets for the meetings can be around 150 pages. Mr. Rice expressed that his reading ability was not where he felt comfortable. Mr. Spidalieri asked what the goal was to have a client on the board. Mr. Rice stated that a political group in Columbus pushed to have a client on the board, that they felt clients had a say in what the board does, this position replaces the adult services parent position on the board. Mr. Rice explained that this will include contracts that the client will have to abstain due to receiving services. Mr. Rice stated that overall, it shouldn't change the board much, there are seven members on the board. Mr. Rice noted that the remaining positions are re-appointments. Mr. Dvorak asked about criteria in the ORC and do these members meet those criteria. Mr. Rice explained that ORC should reflect the communities mix of clients, Mr. Rice explained that Martin Miller is an Amish representative because the Amish are a significant portion of our county. Mr. Rice stated that they have four parent representatives and the other three are community representatives, noting that Dave Lair is a community representative; his family member is not receiving services from us. Mr. Dvorak asked if they had put the ad in the newspaper, to which Mr. Rice stated that it was run in September for two weeks. Ms. Blair added that she reached out to Mr. Rice in September about the number of members up for appointment and they were already working on the process of advertising for the appointment. Mr. Dvorak asked for better communication with the Commissioners since they are their Board appointments. Mr. Rice explained that the other appointment was made by the Probate Court Judge.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to appoint Tristan Sanchez to the Board of Developmental Disabilities Board for a four-year term, beginning January 1, 2025 through December 31, 2028.*

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

**Mr. Dvorak noted that he was going to abstain on all four appointments due to lack of communication.*

<u>COMMISSIONERS' OFFICE – RE-APPOINT USCHY KEIPER, DAVE LAIR AND MARTIN MILLER TO THE BOARD OF DEVELOPMENTAL DISABILITIES BOARD – FOUR YEAR TERM</u>

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to re-appoint Uschy Keiper to the Board of Developmental Disabilities Board for a four-year term, beginning January 1, 2025 through December 31, 2028.*

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

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to re-appoint Dave Lair to the Board of Developmental Disabilities Board for a four-year term, beginning January 1, 2025 through December 31, 2028.*

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

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to re-appoint Martin Miller to the Board of Developmental Disabilities Board for a four-year term, beginning January 1, 2025 through December 31, 2028.*

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

COMMISSIONERS' OFFICE – APPROVE PROMOTION MEGAN ERICKSON TO THE POSITION OF BENEFITS SPECIALIST (#1330)
Human Resources Administrator Kathy Hostutler asked the Board to approve the promotion of Megan Erickson to Benefits Specialist.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve the promotion of Megan Erickson to the position of Benefits Specialist (#1330) to be effective December 9, 2024 at the rate of $24.02 per hour (Grade 11, Step 1) with a 180 day probationary period.*

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

COMMISSIONERS' OFFICE – RESOLUTION ADOPTING GEAUGA COUNTY BOARD OF COMMISSIONERS' CREDIT CARD POLICY – EFFECTIVE JANUARY 1, 2025
Assistant County Administrator Linda Burhenne explained that some time ago the law changed on how credit cards could be used. Ms. Burhenne added that they have developed a policy to reflect those changes and in consultation with the Auditor's Office.

Motion: *by Commissioner Lennon, seconded by Commissioner Dvorak to approve and execute Resolution #24-200 Adopting the Geauga County Board of Commissioners' Credit Card Policy, pursuant to O.R.C. 301.27), to be effective January 1, 2025.*

Board of County Commissioners, Geauga County, Ohio

Date: *November 26, 2024*
Resolution: *24-200*

RESOLUTION ADOPTING THE GEAUGA COUNTY BOARD OF COMMISSIONERS' CREDIT CARD USE POLICY (O.R.C. 301.27)

WHEREAS, *the Geauga County Board of Commissioners, in consultation with the County Auditor, desires to adopt a policy by resolution regarding the use of county credit cards by the Board of County Commissioners, by the office of any other county appointing authority, by an officer or employee of the board or any other appointing authority; and*

WHEREAS, *a county appointing authority shall apply to the Board of County Commissioners for authorization to have an officer or employee of the appointing authority use a county credit card in accordance with O.R.C. 301.27(D); and*

WHEREAS, *the Board, pursuant to O.R.C.307.27(F)(1), wishes to allow every officer or employee authorized to use a county credit card to submit quarterly estimates of associated work-related expenses along with the specific appropriation line items from which those expenditures are to be made: and*

WHEREAS, the purpose of such a policy is to provide direction for the use of county credit cards in accordance with applicable state law; and

NOW, THEREFORE BE IT RESOLVED, that the Geauga County Board of Commissioners adopts the attached Geauga County Credit Card Use Policy for use by the Board of Commissioners, by the office of any other county appointing authority, by an officer or employee of the board and any other appointing authority.

BE IT FURTHER RESOLVED that the Board directs the Commissioners' Clerk to deliver a certified copy of this Resolution and attached Geauga County Credit Card Use Policy to the County Auditor, the departments under the Board's hiring authority, offices of any other county appointing authorities and any other appointing authorities.

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

<u>COMMISSIONERS' OFFICE – ADOPT CREDIT CARD USE POLICY – TO BE EFFECTIVE JANUARY 1, 2025</u>

Motion: by Commissioner Lennon, seconded by Commissioner Dvorak to adopt the Credit Card Use Policy to be effective January 1, 2025 and place in the Geauga County Personnel Policy and Procedure Manual.

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

Regarding Developmental Disabilities appointments Mr. Spidalieri added that Mr. Dvorak abstained, however he wanted to explain that he was involved in the appointments of three of these members originally and is comfortable to move forward, and while he had questions on the one appointment, he just asks for more information going forward.

<u>COMMISSIONERS' OFFICE – EXPENSES FOR COMMISSONER ELECT CAROLYN BRAKEY TO ATTEND CCAO WINTER CONFERENCE</u>

Mr. Dvorak explained that when he became a commissioner, the Board allowed his expenses to be paid to attend the CCAO Winter Conference and feels we should do that with the new incoming Commissioner. There was a brief discussion on when the conference will be held and new Commissioner training that will be the end of February.

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to cover the expenses for Commissioner Elect Carolyn Brakey to attend the CCAO Winter Conference.

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

Mr. Litke thanked the Board for the action that they took today, and that the Board of Health takes pride in providing the services to the community without raising taxes.

<u>OTHER</u>

The Board reviewed upcoming events.

<u>MEETINGS</u>

Tue., 11/26 Transition Supervisory Board, 11:00 a.m. – County Office Building, Room A333-334

Thu., 11/28 ***<u>County Offices will be closed for general business in observance of Thanksgiving Day. Twenty-four hour operations will continue to operate as normal.</u>***

Fri.,	*11/29*	***<u>County offices under the hiring authority of the Board of Commissioners will be closed for general business. Twenty-four hour operations will continue to operate as usual.</u>***
Tue.,	*12/3*	*The Commissioners will hold session at 9:30 a.m.*
12/4 – 12/6		*CCAO Winter Conference, Columbus, Ohio*
Tue.,	*12/10*	*Planning Commission, 7:30 a.m. 12611 Ravenwood Drive, Room A334, Chardon*
Tue.,	*12/10*	*The Commissioners will hold session at 9:30 a.m.*
Tue.,	*12/10*	*Geauga Trumbull Solid Waste Management District, Board of Directors meeting, 2:00 p.m. Warren, District Office*
Tue.	*12/17*	*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 Spidalieri to adjourn the meeting at 11:14 a.m.*

Geauga County Board of Commissioners

_____
Ralph Spidalieri

_____
James W. Dvorak

_____
Timothy C. Lennon

_____
Christine Blair, Commissioners' Clerk