

Commissioners' Journal
January 28, 2025

The Geauga County Board of Commissioners met in session on January 28, 2025 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, James W. Dvorak opened the meeting at 9:30 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Dvorak read the following prayer:

Heavenly Father,

We remember that "Faith comes by hearing, and hearing by the word of God" (Romans 10:17) so when discouragement comes and you find that you have been walking by sight, instead of by faith, head back to the scriptures and let the promises of God build your faith back up to strength.

Amen

COMMISSIONERS' OFFICE - COUNTY ADMINISTRATOR'S REPORT

Acting County Administrator Linda Burhenne reported on the items approved, as authorized by Resolution #25-004 under the direction and supervision of the County Commissioners that was approved January 7, 2025, pursuant to O.R.C. 305.30.

January 24, 2025

Department on Aging:

Approved an unpaid personal leave of absence for Bonnie Tayek, Adult Day Service Assistant for 8 hours (1 day) on April 21, 2025. This will extend her probationary period by 8 hours (1 day).

Maintenance:

Approved an unpaid medical leave of absence for Joan Staley, Part-time General Communications Clerk / Switchboard Operator for the period January 6, 2025 through February 28, 2025 for time not covered by accrued sick and vacation leave.

Liquor License:

Concurred with the Auburn Township Trustees in not requesting a hearing on the Liquor License being requested by Royal Sandwich King, LLC located at 9899 E. Washington Street, Chagrin Falls, Ohio (TRFO 7466240).

January 27, 2025

Maintenance:

Approved hiring Anthony Rickard to the position of Custodian (#1906) to be effective February 18, 2025, at the rate of \$18.14 per hour (Grade 5, Step 5) with a one-year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions.

MEETING MINUTES

Motion: by Commissioner Spidalieri, seconded by Commissioner Dvorak to approve and execute the minutes for the meeting of December 27, 2024.

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

Motion: by Commissioner Spidalieri, seconded by Commissioner Brakey to approve and execute the minutes for the meeting of January 7, 2025.

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

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APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including Supplemental Appropriations in the Commissioners' Capital Reserve Fund Phase II for the Courthouse Expansion Project in Contract Services, Equipment and Other expense accounts, Cash transfer from the General Fund to the Phase II Capital Reserve fund for money that will be needed for the Courthouse Expansion project, Contract purchase order from the Commissioners in the miscellaneous equipment account to purchase eight portable 800 MHz radios for the Dog Warden and Emergency Services, Travel request for Job and Family Services, a payment for ADP to DocuSign, Incorporated for the 2025 annual renewal of electronic signature software services in the amount of \$26,910.00, a payment for the Commissioners' Office to Maximus US Services, Incorporated for a contract related to the 2025 (2023 costs) cost allocation program in the amount of \$13,000.00, a payment for the Common Pleas Court to Courtview Justice Solutions for services related to the County's case management system in the amount of \$34,322.00, and a payment for the Engineer's Office to Interstate Auto & Truck Body, LLC for a repair to truck #94 in the amount of \$31,362.00.

Commissioner Brakey asked about the funding transfer for the Courthouse, to which Mr. Gorton replied that it was the ten million dollars from payroll that was offset from using the ARPA funds.

Motion: by Commissioner Spidalieri, seconded by Commissioner Brakey to approve and execute Resolution #25-015 itemizing the financials for the meeting of January 28, 2025.

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

COMMISSIONERS' OFFICE – APPROVE AN ENCUMBRANCE AND EXPENDITURE –
GEAUGA COUNTY AGRICULTURAL SOCIETY – OIL/GAS WELL REVENUE

Mr. Gorton explained that this was briefly discussed last week, but is the annual revenue that was received on the well on the fairground's property.

Motion: by Commissioner Brakey, seconded by Commissioner Spidalieri to approve an encumbrance and expenditure to the Geauga County Agricultural Society, for oil / gas well revenue received through December 31, 2024, in the amount of \$350.92 from a well located on the Geauga County Fairgrounds property.

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

MAINTENANCE – CONTRACT AGREEMENT – AIR FORCE ONE, INCORPORATED – 2025-
2028 “HILL” HVAC MAINTENANCE SERVICES

Contract Coordinator Matt Sieracki asked the Board to approve the contract agreement with Air Force One for the Hill HVAC Maintenance Services. Ms. Brakey asked if the sample contract included was the contract that will be signed. Mr. Sieracki replied that you are signing an actual contract, that the sample contract is only attached because they are included in the bid packet and Air Force One added additional items in with the contract.

Motion: by Commissioner Spidalieri, seconded by Commissioner Brakey to approve and execute the Contract Agreement with Air Force One, Incorporated for the 2025-2028 “Hill” HVAC Maintenance Services in the amount of \$86,154.00 for maintenance services and to authorize the payment of a separate amount up to a sum which shall not exceed \$65,000.00 for any HVAC repair work that may be needed during the term of the contract at the labor rates provided, for a total amount of \$151,154.00.

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

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**MAINTENANCE– CONTRACT AGREEMENT – MAJOR WASTE DISPOSAL SERVICES,
INCORPORATED – 2025-2028 NON-HAZARDOUS WASTE REMOVAL SERVICES**

Mr. Sieracki asked the Board to approve the contract agreement with Major Waste Removal Services for Non-Hazardous waste removal services.

Motion: by Commissioner Spidalieri, seconded by Commissioner Brakey to approve and execute the Contract Agreement with Major Waste Disposal Services, Incorporated for the 2025-2028 Non-Hazardous Waste Removal Services effective February 1, 2025 in the amount of \$118,766.60 (\$22,140.00 2025-2026, \$23,025.60 2026-2027, \$23,601.00 2027-2028 and up to \$50,000.00 for roll-off dumpsters. The Bid Bond submitted shall be held to serve as the Performance Bond for this project.

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

COMMISSIONERS' OFFICE – ADOPT POLICY ON PUBLIC COMMENT

Ms. Burhenne noted that the Board had a copy of the policy, and it was discussed last week. Instead of putting in the manual, it will just be posted in chambers and on the website. Ms. Brakey noted a typo and Clerk Christine Blair added that she corrected the commissioners' general email address that is included in the policy.

Ms. Burhenne read the proposed policy:

***Policy on Public Comment during
Board of County Commissioners' Meetings***

Effective Jan. 28, 2025

The Board of County Commissioners values public input and is committed to orderly, productive meetings. This policy outlines the procedures for public comment to ensure that all voices are heard while maintaining meeting efficiency and focus.

I. Public Comment Period

- *The Board may invite members of the public to provide comment after the completion of the meeting agenda.*
- *Members of the public wishing to speak (“commenters”) must raise their hand to be recognized by the Board.*
- *The Board may require commenters to sign up on a designated sign-up sheet prior to the public comment period.*
- *The public comment period will last up to 20 minutes unless extended by a motion of the Board.*

II. Speaker Guidelines

- *After being recognized, each commenter shall state their full name and address before making comments or asking questions.*
- *Each commenter will have up to **two (2) minutes** to address the Board.*
 - *The County Administrator or designee will monitor and enforce time limits for all comments.*
- *Commenters are kindly asked to refrain from disorderly or disruptive conduct.*
- *Public comment during a special meeting of the Board will be limited to the advertised purpose of the meeting in order to comply with Ohio law.*

III. Additional Options for Public Input

In addition to providing comments during meetings, members of the public may submit questions or comments to the Board via:

- *The Commissioners' official email address: commissioner@geauga.oh.gov; or*

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- *Regular U.S. mail: 12611 Ravenwood Dr., Suite 350, Chardon, OH 44024.*

Submitted comments will be reviewed and considered by the Board at a subsequent meeting, as appropriate.

Motion: by Commissioner Brakey, seconded by Commissioner Dvorak to approve and adopt the Policy on Public Comment during Board of County Commissioners' Meetings, to be effective January 28, 2025.

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

Mr. Spidalieri did not comment regarding why he abstained from the vote.

BOARD DISCUSSION

Facebook and LinkedIn Social Media pages for the Board of County Commissioners

Ms. Burhenne explained that this was discussed during the planning session for this year and all of the commissioners seemed in favor of having more social media presence. Ms. Burhenne met with Mr. Antenucci yesterday and he offered assistance in getting a Facebook and LinkedIn page set up in a "locked down" version. Ms. Burhenne expressed concern over not having a policy, so a "locked down" version will help with no comments, and just information at first, then once a policy gets in place and we have additional staff, we can open up comments. Ms. Brakey expressed that she was in favor, mentioning that on LinkedIn, the job posting for the County Administrator has the generic symbol, and if we can get a page set up, we can put the county seal in and make it look more professional. Upon asking for direction from the Board, Mr. Dvorak added that he felt it would be a step in the right direction.

PUBLIC HEARING #2 – GEAUGA COUNTY WATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS, AMENDED 2025

Motion: by Commissioner Brakey, seconded by Commissioner Dvorak to waive the reading of the legal notice.

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

The Public Hearing was opened at 9:45 a.m. and Commissioner Brakey asked anyone that wished to speak to stand and be sworn in for the hearing.

Conservation Technician Lisa Berkheimer provided some history and a summary of the changes in the Geauga County Water Management and Sediment Control Regulations, Amended 2025, and are the County Commissioners' regulations. Geauga County was the first county in the state to have regulations, and that was back in 1979. Since then, the regulations have been frequently updated, especially following the introduction of the EPA Phase II program. Ms. Berkheimer explained that a key requirement of the program was the adoption of Storm Water Management and Erosion and Sediment Control and now every five years, when the EPA does an update to the construction general permit, we update ours. Geauga County is due for an update.

Ms. Berkheimer reviewed some of the changes, that included:

- *"Storm water" to "stormwater" a minor change that is seen throughout the document.*
- *Clarification of Applicability categories – adding a category for the less than one acre within a subdivision category and clarifying that if multiple lots from common sale are being developed, over an acre must submit full WMSC Plan to match EPA permit requirements.*
- *Catch all – that a WMSC plan shall incorporate all requirements of the regulations and any additional requirements within the most recent version of OEPA Construction General Permit, in case ours are not updated in time.*

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- *Post construction stormwater plan requirement for a residential lot that disturbs over an acre but less than two acres. These sites need to show runoff is properly managed into the grass and into the ground rather than a stormwater system*
- *Change in plan review and inspection fee structure – these have not been updated in over ten years - Typical residential fee increased from \$60 to \$80, whereas commercial fees are now based on acres disturbed (1 acre to > 40 acre - \$750 to \$3000) and not percentage of lot disturbed which was <5% to over 31% - \$350 to \$1800.*
- *Filter Sock standards of performance, if they chose to use these instead of using silt fence*
- *After a Notice of Violation, (NOV) is issued, all subsequent inspections for residential are assessed a \$100 reinspection fee and non-residential are assessed a \$250 reinspection fee until site is out of violation. The goal is to incentivize quicker compliance*
- *Construction site has 2 months after completion of construction to submit as-builts and Declaration of Restrictive Covenants regarding long term maintenance*

Mary Heintzleman, an observer from the League of Women Voters, asked if the regulations will be posted on the website. Ms. Berkheimer explained they are posted on the Soil and Water Conservation District website. With no other questions or comments, the Public Hearing was closed at 9:49 a.m.

SOIL AND WATER – ADOPT WATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS, AMENDED 2025

Motion: by Commissioner Brakey, seconded by Commissioner Spidalieri to adopt the Water Management and Sediment Control Regulations, Amended 2025, to be effective February 28, 2025.

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

COMMISSIONERS' OFFICE – EXECUTIVE SESSION

Motion: by Commissioner Spidalieri, seconded by Commissioner Brakey to move into Executive Session for the purpose of discussing the employment and compensation of a public employee, pursuant to O.R.C. 121.22 (G)(1).

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

The Board moved into Executive Session at 9:50 a.m. with Ms. Burhenne and Human Resources Administrator Kathy Hostutler. The Board returned at 10:05 a.m. and no action was taken.

PUBLIC COMMENT

Howard Newell, South Russell Village asked about the lawsuit with Portage County Commissioners. Mr. Dvorak stated that there is no comment, since it is pending litigation. Ms. Brakey noted that it was filed in Portage County, and they have been working with the Prosecutor. Reporter Anastashia Nichols asked if the lawsuit was being sent to insurance. Ms. Hostutler explained that we received information two days ago and submitted it to CORSA for review and we are waiting to hear if counsel will be appointed.

ACKNOWLEDGEMENTS

- a) *Geauga County Board of Developmental Disabilities, Board meeting minutes for December 11, 2024*
- b) *A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending January 23, 2025 as required by O.R.C. 955.12.*

OTHER

The Board reviewed upcoming events.

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MEETINGS

Tue., 1/28 *Special ADP Board meeting, 2:00 p.m. Auditor's Appraisal Conference Room*

Tue., 2/4 *The Commissioners will hold session at 9:30 a.m.*

Tue., 2/11 *Planning Commission, 7:30 a.m. County Office Building, 12611 Ravenwood Drive, Room A334*

Tue., 2/11 *The Commissioners will hold session at 9:30 a.m.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri, seconded by Commissioner Brakey to adjourn the meeting at 10:09 a.m.

Geauga County Board of Commissioners

James W. Dvorak

Carolyn Brakey, Esq.

Ralph Spidalieri

Christine Blair, Commissioners' Clerk

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