

May 12, 2011

**LAKE COUNTY COMMISSIONERS' MEETING MINUTES**

RAYMOND E. SINES, PRESIDENT  
DANIEL P. TROY, COMMISSIONER  
ROBERT E. AUFULDISH, COMMISSIONER  
AMY ELSZASZ, CLERK  
LEGAL COUNSEL  
MIKE MATAS, BUDGET DIRECTOR  
NEWS MEDIA

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(Tape 2011-0512)

**CALL TO ORDER:** Commissioner Sines called the meeting to order at 10:07 am, Thursday, May 12, 2011.

**ROLL CALL:** Upon the roll being called all were present.

**APPROVAL OF MINUTES:** Upon a motion by Commissioner Troy, seconded by Commissioner Aufuldish, the minutes of the meeting of April 28 & May 5, 2011, were approved as follows:

"AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

**OPEN TO THE PUBLIC:** Commissioner Sines asked if anyone in the audience wished to address the Board.

- Bruce Walters, a senior from Harvey High School in Painesville who was shadowing John Hutchinson of the News-Herald was introduced and welcomed.

**RESOLUTIONS:**

1. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR THE LAKE COUNTY PAVEMENT MARKINGS FOR THE YEAR 2011 (BID OPENING: June 1, 2011) (20110512\E01) (E-2)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

2. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND T.K. ENGINEERING & DESIGN GROUP FOR THE REPLACEMENT OF THE STORM DRAINAGE SYSTEM ALONG OVERLOOK ROAD IN PAINESVILLE TOWNSHIP, OHIO (20110512\E02) (E-3)

**On a motion** of Commissioner Troy, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

3. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR CHEMICALS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (Bid Opening: June 8, 2011) (20110512\U01) (UT-8)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

4. RESOLUTION BY THE COUNTY OF LAKE, OHIO, AUTHORIZING ITS PARTICIPATION AND RATIFYING ITS PRIOR PARTICIPATION WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, IN THE GLYCO II LIFT STATION IMPROVEMENT NO. 324-S AND AUTHORIZING ITS SANITARY ENGINEER TO ACT FOR AND ON BEHALF OF THE COUNTY OF LAKE IN EXECUTING, ACCEPTING OR OTHERWISE APPROVING ALL DOCUMENTS, AGREEMENTS, INSTRUMENTS, OR OTHER NECESSARY PAPERS, REQUIRED BY THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS FOR PARTICIPATION IN THE IMPLEMENTATION OF THE PROJECT (20110512\U02) (UT-22)

Commissioner Troy: This is a sanitary sewer improvement for the Village of Fairport Harbor.

Commissioner Sines: The Utilities Department did meet with the mayor and their engineers in regards to ongoing issues.

**On a motion** of Commissioner Troy, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

5. RESOLUTION INCREASING APPROPRIATIONS FOR RED CREEK SEWER PROJECT 280S EASEMENTS AND LAND ACQUISITION (20110512\U03) (UT-2)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

6. RESOLUTION AUTHORIZING THE TEMPORARY AND SEASONAL EMPLOYMENT OF LABORERS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE MAY 23, 2011 AND ENDING OCTOBER 28, 2011 (20110512\U04) (UT-3)

**On a motion** of Commissioner Troy, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

7. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20110512\U05) (UT-7)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

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8. RESOLUTION APPROVING CHANGE ORDER NOS. 5, 6 AND 7 WITH HALLMARK EXCAVATING, INC. FOR LAKE ROAD WATER IMPROVEMENT PROJECT NO. 319-W, IN MADISON TOWNSHIP, FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES, DECREASING THE TOTAL CONTRACT AMOUNT BY \$52,060.75 (20110512\U06) (UT-4)

Commissioner Troy: We always like change order resolutions that decrease the cost of the project.

**On a motion** of Commissioner Troy, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

9. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT MAY 23, 2011, IN THE AMOUNT OF \$398,115.76 (20110512\JFS01) (JFS-14)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

10. RESOLUTION APPROVING A REVENUE SHARING AGREEMENT BY AND BETWEEN LAKE COUNTY, LORAIN COUNTY, ASHTABULA COUNTY, AND THE CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY FOR THE LAKE ERIE ENERGY DEVELOPMENT CORPORATION (LEEDCo) INITIAL PROJECT (20110512\C01) (C-107)

Commissioner Aufuldish: I was graciously appointed by The Board of Lake County Commissioners to serve on this board. This is the initial project involving the installation of five-direct drive 20 megawatt turbines, a new development designed by General Electric. These turbines will be located northwest of Cleveland in an area identified as favorable by the Ohio Department of Natural Resources(ODNR). This will be the first fresh water offshore wind turbine installation in the U.S.; the first offshore wind installation design to withstand sufficient foundation icing conditions; the first to pursue the regulatory process in the Great Lakes Region; and the first U.S. installation of steel and concrete gravity based foundation. The foundations will be built next year and the installation of the entire project will be in the year 2013. At this time, the total revenue is estimated at \$55,000. ODNR will receive \$27,500, and the other \$27,500 will be distributed as follows: 40% or \$11,000 to the Cleveland Port Authority, and 20% or \$5,500 to the counties of Lorain, Ashtabula and Lake. John Loftus is our representative to the Economic Development Committee and it has been agreed that it is fair to give 40% to the Cuyahoga County Port Authority since this first project is located off the shores of Cleveland.

Commissioner Troy: This resolution does not obligate the county, and is basically a revenue sharing agreement if the project should generate revenue. The fact that Cuyahoga County only gets 40% and has a population seven times greater than Lake County who will get 20% is a very good deal, for a change.

Commissioner Sines: My colleagues know that I have concerns about this contract. Even though our legal counsel has said that we would not be obligated in any way going forward, I am not so sure of that. I am also not so sure that we will ever see wind on Lake Erie, and do not feel that this project will materialize. Therefore, I vote "no".

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish and Troy "NAYS": Commissioner Sines

11. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$847,059.59 (20110512\BC01) (C-4)

**On a motion** of Commissioner Troy, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

12. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$483,627.48 (20110512\BC02) (C-17)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

13. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20110512\BC03) (C-111)

**On a motion** of Commissioner Troy, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

14. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20110512\BC04) (C-111)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

15. RESOLUTION COMMENDING DYLAN McFARLAND ON ATTAINING THE RANK OF EAGLE SCOUT AWARDED BY THE NATIONAL BOY SCOUTS OF AMERICA (20110512\F01) (C-126)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

16. RESOLUTION COMMENDING CURTIS FRANKS ON ATTAINING THE RANK OF EAGLE SCOUT AWARDED BY THE NATIONAL BOY SCOUTS OF AMERICA (20110512\F02) (C-126)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

UTILITIES: None

STORMWATER: None - Jo Marie Falcone was present on behalf of Tim Miller who was attending a conference. Ms.

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Falcone did inform Mr. Miller about the Fairport Harbor issues from last week's Commissioners' Meeting.  
Commissioner Sines: We did meet with Fairport Harbor and they do not have concerns about the development at Hemisphere.

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: None

CLERK: None - Katarina Rodgers was present on behalf of Amy Elszasz.

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: There was no new business.

PUBLIC COMMENT: John Muzik of Painesville Township addressed the Board regarding resolution 6. Mr. Muzik feels that all government entities should use E-verify for any hiring whatsoever in terms of immigration concerns. He wants to make sure that the jobs are given to the people who are rightfully entitled and personally does not want any of his taxpayer dollars going to somebody that is not.

Becky Lynch of Mentor addressed the board for clarification of the money distribution regarding resolution 10. Ms. Lynch requested a copy of the details regarding this project. Ms. Lynch thanked Commissioner Sines for voting the way he did and having the courage to say "no" on this resolution. Ms. Lynch said it was really nice to see that the county is doing some sewer improvements.

Commissioner Troy: The revenue sharing resolution on the potential Lake Erie energy development is not an expenditure agreement. It is actually an agreement that if there is any revenue to be realized, Lake County will get a share. And, if a situation becomes available where we have an opportunity to be on the ground floor for any amount of additional revenue, I certainly won't vote to turn it down.

EXECUTIVE SESSION: None

ADJOURN: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 10:34 am, with the vote as follows:

"AYES": Commissioners: Aufuldish, Sines and Troy

"NAYS": None

Minutes approved this 26<sup>th</sup> day of May, 2011.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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RAYMOND E. SINES, PRESIDENT

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DANIEL P. TROY, COMMISSIONER

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ROBERT E. AUFULDISH, COMMISSIONER

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KATARINA RODGERS, ASSISTANT CLERK