

November 23, 2010

**LAKE COUNTY COMMISSIONERS' MEETING MINUTES**

DANIEL P. TROY, PRESIDENT

RAYMOND E. SINES, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK

LEGAL COUNSEL

MIKE MATAS, BUDGET DIRECTOR

NEWS MEDIA

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(Tape 2010-1123)

**CALL TO ORDER:** Commissioner Troy called the meeting to order at 2:05 pm, Tuesday, November 23, 2010.

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

**APPROVAL OF MINUTES:** Upon a motion by Commissioner Aufuldish, seconded by Commissioner Sines, the minutes of the meeting of November 16, 2010 were approved as follows:

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

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

Commissioner Troy read a proclamation on behalf of the Commissioners declaring December as "Be a Santa to a Senior Month" in Lake County, Ohio designed to bring cheer to lonely and needy seniors by providing gifts and human interaction to those respected and admired residents.

**RESOLUTIONS:**

1. RESOLUTION APPROVING CHANGE ORDER NO. 1-FINAL WITH MONTE CONSTRUCTION COMPANY, INC. FOR CRESCENT DRIVE WATERLINE REPLACEMENT PROJECT NO. 316W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES, DECREASING THE TOTAL CONTRACT AMOUNT BY \$24,142.80 (20101123\U01) (UT-4)

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

2. RESOLUTION APPROVING FINAL ESTIMATE (RELEASE OF RETAINER) IN THE AMOUNT OF \$20,707.56 WITH MONTE CONSTRUCTION CO., INC. AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$38,564.00 FOR CRESCENT DRIVE WATERLINE REPLACEMENT PROJECT NO. 316W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20101123\U02) (UT-4)

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

3. RESOLUTION APPROVING ESTIMATE NO. 14 FINAL IN THE AMOUNT OF \$11,972.36 WITH ARMATAS CONSTRUCTION, INC. FOR LCDU BUSINESS & TRAINING CENTER PROJECT NO. 281-L IN THE LAKE COUNTY DEPARTMENT OF UTILITIES (20101123\U03) (UT-4)

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

4. RESOLUTION AUTHORIZING ASSIGNMENT OF THE HYDROFLUOSILICIC ACID CHEMICAL CONTRACT TO MOSAIC CROP NUTRITION, LLC (20101123\U04) (UT-31)

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

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5. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20101123\U05) (UT-7)

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

6. RESOLUTION TRANSFERRING APPROPRIATION FROM LCDU WATER DISTRICT EQUIPMENT TO LCDU WATER DISTRICT MINOR EQUIPMENT AND SMALL TOOLS (20101123\U06) (UT-2)

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

7. RESOLUTION TRANSFERRING CASH FROM LCDU WATER DISTRICT TRANSFER OUT AND LCDU SEWER DISTRICT TRANSFER OUT TO VARIOUS GENERAL OBLIGATION BOND RETIREMENT FUNDS TRANSFER IN (20101123\U07) (UT-2)

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

8. RESOLUTION INCREASING APPROPRIATIONS FOR LCDU SOLID WASTE SALARIES AND MEDICARE (20101123\U08) (UT-2)

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

9. RESOLUTION INCREASING APPROPRIATIONS FOR LCDU SOLID WASTE DISTRICT REFUNDS AND REIMBURSEMENTS (20101123\U09) (UT-2)

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

10. RESOLUTION HIRING ERICA FUNDERBURK TO THE POSITION OF ACCOUNT CLERK I IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE DECEMBER 6, 2010 (20101123\U10) (UT-3)

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

11. RESOLUTION AUTHORIZING EXECUTION OF THE REVISED LAKE COUNTY PREVENTION, RETENTION, AND CONTINGENCY PLAN, EFFECTIVE DECEMBER 1, 2010; CERTIFYING COMPLIANCE WITH CHAPTER 5108 OF THE OHIO REVISED CODE IN ADOPTING THE REVISED PLAN (20101123\JFS01) (JFS-16)

Commissioner Troy and Matt Battiato, Job and Family Services Director briefly discussed that the PRC Program is funded by TANF dollars. This is a program that helps remove obstacles so that individuals may continue to work and not go back on welfare. To be eligible, you must have a minor residing in your home and you have to be working, and there is an income guideline. Assistance is provided for car repair, utilities assistance, and certain home repairs. However, with a reduction in TANF dollars some funding of the program had to be amended. Unfortunately, assisting families with purchase of clothing has been eliminated. There are specific amounts available annually to an individual. PRC is state and federal funds with no use of Lake County general fund dollars.

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

12. RESOLUTION CERTIFYING TO THE LAKE COUNTY AUDITOR THE 2011 DRAINAGE CHARGES FOR THE LAKE COUNTY REGIONAL SEWER, WATER, AND DRAINAGE DISTRICT (20101123\C01) (UT-46)

Commissioner Troy and Tim Miller, Stormwater Director briefly discussed that the same number of

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Level 1 and Level 2 communities are participating from last year. These user fees are used to implement the requirements of the Phase 2 Program and there is an additional dollar amount to be used for Level 2 community capital projects that involve stormwater infrastructure. The Stormwater Advisory Committee concurred and the rates will remain the same as in previous years.

Commissioner Sines asked to reduce the amount we are charging and to eliminate the charges to public entities, local governments, schools and churches. Commissioner Sines said at the end of 2008 the stormwater balance sheet showed \$2,462,000, at the end of 2009 the balance was \$3,289,000, and currently the balance is \$4,026,000. Commissioner Sines said with this much of a carryover and the struggling economy suggested that we at least reduce some of these fees.

- Tim Miller briefly discussed that currently there is approximately \$500,000 in open purchase orders and projects that have yet to start, however the dollars have been allocated. Often communities want to wait before starting their project letting the money accumulate to a point where they can fund the entire project. There are also a substantial amount of grant applications that will require a match. And, the department has withheld approximately 15%-20% annually for emergency projects or projects that are unforeseen.

Commissioner Sines: More money will be coming in next year, which will add to the bottom line.

- Brief discussion took place and Commissioner Troy asked that the Stormwater Advisory Board and the Prosecutor's Office look at the legality of possible exemptions of certain classes of property.

**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

13. RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE PROPOSED ISSUANCE OF HEALTH CARE FACILITIES REVENUE BONDS OF THE COUNTY OF CUYAHOGA, OHIO (NEW AVENUES TO INDEPENDENCE PROJECT) IN THE AGGREGATE AMOUNT OF \$2.3 MILLION TO FINANCE THE COST OF HOSPITAL FACILITIES LOCATED IN LAKE AND CUYAHOGA COUNTIES (20101123\C02) (C-66)

Commissioner Troy: This resolution does not obligate the county in any way and is required for the healthcare facility revenue bonds to be issued for facilities in Cuyahoga County and Lake County.

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

14. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$858,599.71 (20101123\BC01) (C-4)

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

15. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$343,531.70 (20101123\BC02) (C-17)

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

16. RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20101123\BC03) (C-111)

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

17. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20101123\BC04) (C-111)

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

UTILITIES: None

STORMWATER: None

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: Mike Matas, Budget Director reported that we received our latest sales tax report and we are up approximately 3.98% or \$46,000. For the year we are down approximately .70% from last year and our projection is right on target.

Commissioner Troy: This reflects sales activity for August. We are up 4% over 2009, but this is substantially less than 2008.

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

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy: The CCAO Board of Trustees met last week to develop their platform for the 2011-2012 budget and will make recommendations to be voted on by the general membership at the annual meeting the second week of December in Columbus. The feeling is there will be substantial reductions in revenue with the biggest concern being the local government fund, which makes up approximately \$2.1 million of Lake County's budget. The general position of the CCAO is if you are going to take away the dollars that are needed to underwrite a statutorily mandated service, then you need to take away that statutorily mandated service or allow flexibility to adjust the structure by which we deliver.

PUBLIC COMMENT: John Muzik of Painesville Township asked if he could obtain the eligibility and criteria that is needed regarding resolution 11.

- Mr. Battiato will provide this information to Mr. Muzik.

John Murphy, 127 Chestnut Street, Painesville asked how much is budgeted for the employee health insurance.

Bill Margalis, Administrative Director: There are approximately 1,300 employees on the county health plan and there are an additional 300 of outside entities participating in our plan. The county pays UnitedHealthcare a set amount per employee per month, which is currently \$35-\$36 per month. And, the county pays any actual claims that the employees incur.

Mike Matas, Budget Director: It is approximately \$12-\$15 million.

Commissioner Aufuldish: This total amount is not totally from our general fund.

Commissioner Troy: Approximately \$7 million of the general fund goes to healthcare. This does not include the outside entities in our plan.

Commissioner Troy: The next Commissioners' Meeting will be on Tuesday, November 30, 2010 at 2 pm.

Commissioner Troy: We would like to wish everyone a Happy Thanksgiving.

EXECUTIVE SESSION: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 2:43 pm to discuss a personnel compensation matter, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 2:43 pm.

The Lake County Board of Commissioners reconvened Executive Session at 2:48 pm.

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On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 2:59 pm, with the vote as follows:

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

ADJOURN: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 2:59 pm, with the vote as follows:

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

Minutes approved this 16<sup>th</sup> day of December, 2010.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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DANIEL P. TROY, PRESIDENT

RAYMOND E. SINES,  
COMMISSIONER

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ROBERT E. AUFULDISH, COMMISSIONER

KATARINA RODGERS,  
ASSISTANT CLERK