

November 30, 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 2010-1130)

CALL TO ORDER: Commissioner Troy called the meeting to order at 2 pm, Tuesday, November 30, 2010.

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

APPROVAL OF MINUTES: None

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

The Commissioners presented awards to employees from the Lake County Utilities Department and congratulated them for 25 years of county service.

RESOLUTIONS:

1. RESOLUTION AWARDING A BID CONTRACT IN THE AMOUNT OF \$975,936.50 TO J.D. WILLIAMSON CONSTRUCTION CO., INC. FOR THE DODD ROAD BRIDGE REPLACEMENT IN WILLOUGHBY HILLS, OH - LPA PID #85133 (20101130\E01) (E-3)  
- Mr. Gills, County Engineer briefly discussed that these bids were approximately 20% below the Engineer's estimate.

**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 AUTHORIZING A TEMPORARY RIGHT-OF-ENTRY AGREEMENT FOR IMPROVEMENTS TO FAIRGROUNDS ROAD IN CONCORD TOWNSHIP (20101130\E02) (E-11)

**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 AUTHORIZING EXECUTION OF A JOINT PROGRAM AND USE AGREEMENT FOR THE LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT (20101130\U01) (UT-4)

- Chris Hodges, Public Services Coordinator briefly discussed that this is a 3-year contract with eight other counties allowing for competitive prices.

**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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20101130\U02) (UT-7)

**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

5. RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS ORTON ROAD TANK PAINTING 325W WITH VARIOUS REVENUE AND APPROPRIATION LINES AND TRANSFERRING CASH (20101130\U03) (UT-2)

**On a motion** of Commissioner Aufuldish, seconded by Commissioner Sines, the foregoing resolution

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was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy  
"NAYS": None

6. RESOLUTION INCREASING APPROPRIATIONS FOR RT 91 & 84 TRANSMISSION MAIN 302W (20101130\U04) (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 INCREASING APPROPRIATIONS FOR LCDU SOLID WASTE DISTRICT CONTRACT SERVICES (20101130\U05) (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 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND GERALD A. STROM IN AN AMOUNT NOT TO EXCEED \$6,000.00, EFFECTIVE JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 (20101130\JFS01) (JFS-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 APPROVING ADOPTION AND IMPLEMENTATION OF THE UPDATED MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN (20101130\C01) (504)

Commissioner Troy: This is a mandated 5-year plan that is required by FEMA and I thank Larry Greene, EMA Director for putting this together.

**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 AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AS LESSEE AND THE LAKE COUNTY COMMUNITY COLLEGE DISTRICT AS LESSOR OF AN ORIGINAL LEASE AGREEMENT TO ALLOW EXECUTION OF A SUBLEASE BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AS SUBLESSOR AND CLEAR WIRELESS, LCC, AS SUBLESSEE (20101130\C02) (209u)

Commissioner Sines: This is a lease for tower space.

**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 TO CONVENE THE 911 PLANNING COMMITTEE FOR LAKE COUNTY, OHIO (20101130\C03) (407b)

Commissioner Troy: Madison Village has made a request to discontinue using our public safety dispatch program at our Central Communications Center located in Kirtland. This requires convening of the 911 Planning Committee by resolution. The meeting is scheduled for December 16, 2010 at 1 pm in the Commissioners Chambers.

**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 ACCEPTING THE RETIREMENT RESIGNATION OF JOSEPHINE SLAPAK FROM THE POSITION OF CUSTODIAN II IN THE LAKE COUNTY BUILDINGS AND GROUNDS DEPARTMENT, EFFECTIVE DECEMBER 30, 2010

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(20101130\C04) (P-7)

**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

13. RESOLUTION AUTHORIZING EXECUTION OF A TWENTY FOUR (24) MONTH AGREEMENT FOR LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE FOR LAKE COUNTY OFFICIALS AND EMPLOYEES WITH SUN LIFE FINANCIAL, EFFECTIVE JANUARY 1, 2011 (20101130\C05) (INS)

Bill Margalis, Administrative Director: This resolution is for the basic \$20,000 life insurance policy that we provide all county employees. The county will realize a 17% savings with the changing over to Sun Life Financial for a 2 year life and dental insurance agreement.

**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

14. RESOLUTION AUTHORIZING EXECUTION OF A TWENTY FOUR (24) MONTH AGREEMENT FOR DENTAL INSURANCE COVERAGE WITH SUN LIFE FINANCIAL, EFFECTIVE JANUARY 1, 2011 (20101130\C06) (INS)

Commissioner Troy: As well as constituting a savings, this will expand the network of providers that will be available to our employees.

**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

15. RESOLUTION AUTHORIZING EXECUTION OF A TWELVE (12) MONTH SELF-FUNDED HEALTH CARE AGREEMENT WITH UNITED HEALTHCARE OF OHIO, INC., EFFECTIVE JANUARY 1, 2011 (20101130\C07) (INS)

Commissioner Aufuldish: We are very pleased with UnitedHealthcare's services.

Bill Margalis, Administrative Director: This is the last year of a 3 year agreement with UnitedHealthcare. The first two years of the agreement we did not see an increase. This year it will be a 2% increase over last year's administrative fees.

**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

16. RESOLUTION AMENDING THE POLICY GOVERNING PARTICIPATION IN THE LAKE COUNTY LIFE AND HEALTH INSURANCE PROGRAM OFFERED BY THE LAKE COUNTY BOARD OF COMMISSIONERS TO LAKE COUNTY POLITICAL SUBDIVISIONS TO PARTICIPATE IN THE LAKE COUNTY LIFE AND HEALTH INSURANCE PROGRAM (20101130\C08) (INS)

**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

17. RESOLUTION ESTABLISHING THE MONTHLY PREMIUMS FOR MEDICAL AND DENTAL INSURANCE COVERAGE FOR SUB-GOVERNMENT ENTITIES PARTICIPATING IN THE COUNTY EMPLOYEE HEALTH PLANS, EFFECTIVE JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 (20101130\C09) (INS)

Commissioner Troy: We do have numerous external political subdivisions that have chosen to be part of our county health insurance plan, which we have accepted based on an underwriting analysis and, if so deemed necessary, appropriate surcharges. This includes the City of Eastlake, City of Wickliffe, Leroy Township, Lake County Health District, Laketrans, Lake County Fair Board, and North Perry Village.

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**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

18. RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL AGREEMENT BETWEEN BUSINESS STORAGE COMPANY AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN THE AMOUNT OF \$11,250.00, EFFECTIVE JANUARY 16, 2011 THROUGH JANUARY 15, 2012 (20101130\C10) (209z-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

19. RESOLUTION EXPRESSING THE INTENT AND DESIRE OF THE BOARD OF LAKE COUNTY COMMISSIONERS TO SUPPORT LAKE ERIE ENERGY DEVELOPMENT CORPORATION (LEEDCo) INITIAL AND EXPANDED PROJECTS FOR THE INSTALLATION OF WIND ENERGY CONVERSION SYSTEMS ON LAKE ERIE, TO SUPPORT LEEDCo'S INITIAL APPLICATION FOR AN OPTION TO ENTER INTO SUBMERGED LAND LEASES WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES (20101130\C11) (C-107)

Commissioner Aufuldish: During the last 18 months, I have met with six different companies that are in the wind turbine business and Lake County Port Authority Director, John Loftus has met with many more. I am very impressed with the folks from LEEDCo and it is my recommendation that we pass this resolution. LEEDCo is a 501(c)(3) group that works with General Electric to produce wind energy off the shores of Lake Erie. The initial project is to produce 20 megawatts of wind energy. A few months ago, GE announced plans to put up five wind turbines off the shores of the City of Cleveland. This is considered Phase 1 of the project. Phase 2 will construct 15 wind turbines east of Cuyahoga County, which would impact Lake and Ashtabula County. The members that will serve on this board will be Cuyahoga, Ashtabula, Lake, The City of Cleveland, NorTech, The Cleveland Foundation, and Lorain County. The Cleveland Foundation has already submitted more than a million dollars towards this project. Last month, the Board met and applied with ODNR to lease Lake Erie's submerged lands between 5.8 and 8.1 miles offshore of the City of Cleveland. The fee for that lease application was \$75,000. An Economic Development Committee is being formed and that committee has five points that they are interested in to produce a mutually agreeable set of conditions for developing a General Electric turbine assembly facility in Northeastern Ohio; this would determine manufacturing quality standards required by General Electric; identify all supply chain requirements and opportunities; identify job skill requirements; allow potential manufacturing firms to meet with the working group; determine qualifications and necessary improvements of firms to meet the General Electric standards. As I met with these folks we discussed that any economic concerns that we may have do not impact Lake County. The major wind energy will be coming from the Lake and Ashtabula County area. It is my feeling to get in on the ground floor of the wind turbine energy is a very good opportunity for Lake County.

John Loftus, Director of the Lake County Port Authority: The most important feature is this will allow Lake County to be involved on the ground floor as this project moves forward to ensure that our economic and political interests are taken into account. The greatest wind energy will be in Lake and Ashtabula County, but right now the focus is on Cleveland. The folks from LEEDCo are in Columbus today working with regulators and new administration to make sure the plans for the program continues to move forward.

Commissioner Sines: Why are we doing this now?

Mr. Loftus: There is a critical stage going on at this time. There is legislation that needs to be drafted, which would amend the way submerged land leases operate. This is really a way of making sure that we are at the table and that the interest of Lake County is taken into account as this project moves forward.

Commissioner Sines: That is going to happen in Columbus and we can protect our interest with our legislators by ourselves. Would you agree or disagree that it not critical that we sign this contract at this time to protect our interests going forward?

Mr. Loftus: I would say that it is better to be in on the ground floor than trying to change something halfway into legislation. Commissioner Sines: Protect our interests, what are our interests here?

Mr. Loftus: There is a revenue generation and a lease that must be signed with ODNR. I believe it is 50% of the revenues that will come to the county. So, it is important that we are not left out of these discussions.

Commissioner Sines: Have you been following the discussion regarding Painesville City and a contract

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with their power plant to build a facility. If this project falls through an estimated \$1.2 million investment will be lost.

Mr. Loftus: If the Commissioners agree that this is not the direction that Lake County wants to proceed there is nothing that stops the county from stepping away.

Commissioner Troy: We have asked the Prosecutor's Office to look at this resolution and make sure that we are not exposing the county to any liability. The resolution states that the Lake County Board of Commissioners does support this project and approves LEEDCo's application for a Lake Erie Wind Powered Electric Generation Facility Option to Lease filed with the ODNR on or about September 14, 2010; and be it further resolved by this Board that it supports LEEDCo's plans for the Expanded Project, subject to this Board's formal approval of applications filed by LEEDCo with ODNR for options to lease additional submerged lands, as may be expressed in subsequent legislation adopted by this Board. It's partnering with other lakefront counties for what very well may not amount to any development. But, if there is, we are in on the ground floor. I don't see where we are bound with any financial or land transfer commitments, which is all subject to separate approval by this Board at a later date. Regarding the reference to the Painesville power plant agreement, Painesville got into a signed agreement with a commitment to underwrite some of the costs. This is not the same situation.

Commissioner Sines: I am not comfortable saying that we are covered, and that is why I can not sign at this time. Down the road when we start to see some of these things moving forward, than maybe yes.

**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

20. RESOLUTION APPOINTING ROBERTE. AUFULDISH AS A MEMBER OF THE LAKE ERIE ENERGY DEVELOPMENT CORPORATION (LEEDCo) BOARD OF DIRECTORS FOR A TWO YEAR TERM ENDING DECEMBER 31, 2012 (20101130\C12) (B-15)

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

21. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$493,387.65 (20101130\BC01) (C-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

22. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$149,604.72 (20101130\BC02) (C-17)

**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

23. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20101130\BC03) (C-111)

**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

24. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20101130\BC04) (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

UTILITIES: Chris Hodges, Public Services Coordinator: Special collections for next year are as follows:

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Scrap Tire Collection - April 23, 2011

Computer Collection - May 7, 2011

Household Hazardous Waste Collection - June 4, 2011 and October 1, 2011

Phone Book Collection - June 24, 2011 to July 29, 2011 and September 16, 2011 to October 21, 2011

STORMWATER: None

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: Commissioner Troy and Mike Matas, Budget Director briefly discussed that a 2011 temporary appropriation resolution will need to be passed by December 30<sup>th</sup>. It is estimated that the revenue for 2011 will be close to 7% lower than last year, and also subject to change for the worse. The departments are well aware of this situation.

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: There was no new business.

PUBLIC COMMENT: County Engineer, Jim Gills: I would like to report that Fairgrounds Road is open and was completed just before Thanksgiving. And, Casement Road will finally be opened tomorrow.

Commissioner Troy briefly discussed that two terms are expiring on the Narcotics Board and two terms will be expiring on the Lake County Port Authority.

Commissioner Troy: The next Commissioners' Meeting is Thursday, December 9, 2010 at 10 am.

EXECUTIVE SESSION: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 2:48 pm to discuss personnel discipline matters, with the vote as follows:

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

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

The Lake County Board of Commissioners reconvened Executive Session at 2:50 pm.

On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 3:20 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 3:20 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

November 30, 2010

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ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK