

March 10, 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

(Tape 2011-0310)

CALL TO ORDER: Commissioner Sines called the meeting to order at 10:06 am, Thursday, March 10, 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 February 24, 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.

- Anthony Torre, 158 Sanford Street, Painesville addressed the Commissioners in regards to maintaining the security in Lake County and was not happy with the recent layoff of two deputies. Mr. Torre also is not happy with the upcoming special election in May for a 6.5 mill school levy, which costs money.

- Commissioner Sines said that the Commissioners have no control over the school levy, and that a special May election was not appropriate. Commissioner Sines said that the Sheriff, every other local government, state and federal are having budget difficulties. The Sheriff road patrol in Painesville Township, Concord Township, Perry Township, and Leroy Township has been reduced, which was the Sheriff's decision. The Sheriff road patrol has gone from 39 deputies two years ago to 34 today. Painesville Township and Concord Township have just passed a levy to increase their patrol. It is not the requirement of the County Commissioners to provide road patrol in unincorporated areas. Every department in this county has had to reduce spending, just like every family in this county has had to reduce spending. The Commissioners do not want to raise taxes in this type of environment. Therefore, we have to work harder, smarter, and do more with less.

- Commissioner Aufuldish reassured Mr. Torre that Painesville City where he resides has its own police department that looks after his area. And, that Painesville Township and Concord Township will be paying for extra Sheriff patrol. Commissioner Aufuldish does not feel that police security has really been cut in this county.

- Commissioner Troy explained that the County Commissioners are doing what the people have asked them to do by living within the budget, doing the best that we can with the dollars that are available, and not raising taxes. There are five areas in our county that choose to remain unincorporated. The law requires the Sheriff's Department to be the responsible entity that responds to emergency calls, and keep the peace in these areas. Madison Township is the only area with its own police department. The same responsibility does not exist in the other eighteen political subdivisions in Lake County, which Commissioner Troy thinks the legislature needs to take a hard look at this antiquated law. Commissioner Troy feels if the folks and leaders of these unincorporated areas need additional police protection, they should step up to the plate and pay. It should not be paid for by all of the taxpayers in Lake County.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND PROGRESS PAYMENT NO. 7-FINAL WITH BURTON SCOT CONTRACTORS, LLC. FOR THE AUBURN ROAD RECONSTRUCTION-PHASE II CONTRACT OPWC #CGS04 (20110310\E01) (E-3)

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 FINDING AND DETERMINING THAT THE TERRITORY TO BE USED BY PERRY TOWNSHIP TRUSTEES TO CONSTRUCT A SEGMENTED BARRIER FOR SHORE PROTECTION TO SAID ODNR SPECIFICATIONS ALONG THE SHORELINE OF THE PROPERTY AT PERRY TOWNSHIP PARK FOR EROSION PROTECTION IN LAKE ERIE, PERRY TOWNSHIP, IS NOT REQUIRED FOR USE BY LAKE COUNTY AND COMPLIES WITH REGULATIONS OF PERMISSIBLE LAND USE (20110310\E02) (C-95)

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 APPROVING PLANS AND SPECIFICATIONS FOR THE PROUTY ROAD BRIDGE SUPERSTRUCTURE REPLACEMENT (OPWC PROJECT NO. CVG04) OVER ELLISON CREEK IN CONCORD TOWNSHIP, OH AND ADVERTISING FOR BIDS FOR SAME (BID OPENING: March 30, 2011) (20110310\E03) (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

4. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT (NO. 16597) WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE LAK-LAKE ROAD IMPROVEMENT PROJECT CONTRACT, PID 86263, WITH GGJ, INC. (20110310\E04) (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

5. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO APPLY TO THE OHIO PUBLIC

March 10, 2011

WORKS COMMISSION FOR EMERGENCY FUNDING FOR REPAIRS TO THE MILL-MORR ROAD AND BARTON DITCH CULVERT IN PAINESVILLE TOWNSHIP AND TO EXECUTE AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING EMERGENCY REPAIRS TO ALLEVIATE THE THREAT TO PUBLIC SAFETY (20110310\E05) (E-3)

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

6. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20110310\U01) (UT-7)

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

7. RESOLUTION RECLASSIFYING ROBERT BLAKESMITH TO THE POSITION OF MAINTENANCE III IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE MARCH 14, 2011 (20110310\U02) (UT-3)

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

8. RESOLUTION HIRING SARAH E. WITTMANN TO THE POSITION OF SECRETARY IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE MARCH 14, 2011 (20110310\U03) (UT-3)

Commissioner Troy: This is filling a vacancy due to a retirement, and is not an additional hire.

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

9. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT MARCH 14, 2011, IN THE AMOUNT OF \$251,123.18 (20110310\JFS01) (JFS-14)

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

10. RESOLUTION APPROVING THE PUBLIC OFFICIAL BOND POSTED BY LAKE COUNTY AUDITOR FOR A NEW TERM OF OFFICE COMMENCING MARCH 14, 2011 AS REQUIRED BY OHIO REVISED CODE (20110310\C01) (C-107)

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

11. RESOLUTION AUTHORIZING RENEWAL OF A WORKERS' COMPENSATION SELF-INSURANCE THIRD PARTY ADMINISTRATION AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND COMPENSABLE BENEFITS EFFECTIVE MARCH 1, 2011 THROUGH FEBRUARY 29, 2012, IN THE AMOUNT NOT TO EXCEED \$32,880.00 (20110310\C02) (Workers' Comp.)

Commissioner Afuldish: Mr. Margalis, Administrative Director has sent us a note that Compensable Benefits has done an excellent job in the administration of our self-insured Workers Compensation Program, which has proved to be a substantial savings to the county.

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

12. RESOLUTION REJECTING BIDS FOR THE JUVENILE DETENTION FACILITY CONTROL PANELS FOR THE LAKE COUNTY DEPARTMENT OF TELECOMMUNICATIONS (20110310\C03) (404g)

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

13. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,892,288.32 (20110310\BC01) (C-4)

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

14. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$782,017.13 (20110310\BC02) (C-17)

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

15. RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS GENERAL FUND ACCOUNTS (20110310\BC03) (C-111)

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

16. RESOLUTION TRANSFERRING CASH WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20110310\BC04) (C-111)

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

March 10, 2011

17. RESOLUTION APPROVING THE 2011 FINAL APPROPRIATION MEASURE FOR FUNDS OUTSIDE THE GENERAL FUND (20110310\BC05.2011FOGF) (C-111)

Mike Matas, Budget Director: This includes all of our special revenue funds such as Job and Family Services, enterprise funds, Utilities Department funds, permanent improvement, health insurance, etc... The total for this year is \$234.5 million, last year was almost \$249 million, which equates to a \$14.4 million decrease or 5.7%.

Commissioner Sines: This is the first step in balancing and approving our budget. We will soon be addressing our general fund budget.

Commissioner Troy: This budget does not include any of our general tax dollars. These are basically rotary funds, utilities, Engineer's Department, assessable projects, and Jobs and Family Service funds. As Mr. Matas has indicated this is down from the previous years. This is a necessary process as the County Commissioners must pass a resolution by April 1st of every year, which authorizes the expenditure of these funds.

Commissioner Afuldish: Mr. Matas indicated that there are 2,200 expense line items in this \$234 million budget.

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

18. RESOLUTION RECOGNIZING MARCH 2011 AS MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AWARENESS MONTH (20110310\F01) (C-126)

- Beth Falkner-Brown of the Lake County Board of Developmental Disabilities introduced Dan Marshall and Patty Lewis who are members of the Adult Workshop Committee. Artwork that was made in the workshop was presented to the Commissioners. And, Dan and Patty gave an overview of how the committee works to make things better for themselves and others, and shared some committee accomplishments.

Commissioner Troy: There are not many counties that have a DD Program Workshop Facility like we do in Lake County.

Ms. Falkner-Brown: Yes, we are very fortunate! We serve over 1,900 people. We are a premier county, people move to Lake County because of our service.

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

UTILITIES: Rick Martin, Director has forwarded his department's financial reports to the Commissioners for their review. Mr. Martin reported that solid waste is up for the first two month's, and the tonnage is up by 9% over last year. In the water division, January and February are big months for water breaks, which is 10%-15% above normal or an average of 40 breaks. Discussion took place regarding stormwater and how it affects the sewers due to snow melting and heavy rain. Trucks have been working around the clock and a combined effort is taking place with the City of Mentor on stormwater issues. The Kron Plant in Mentor normally has an average flow of 11 million gallons per day and it peaked a few weeks ago at 52 million gallons.

Commissioner Troy: One thing to point out, at no time does Lake County put untreated wastewater into Lake Eire.

STORMWATER: None - Tim Miller was not present.

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: Mike Matas, Budget Director: The General Fund is almost complete with the help of Donna Tyson and it should be distributed to the Commissioners late today or early tomorrow.

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy discussed a couple of issues with Bruce Landeg, Deputy County Engineer that the Rt. 2 striping through the Willoughby and Mentor area is very difficult to see and there is an ongoing drainage problem at the East 305 eastbound entrance ramp.

Commissioner Troy: At the recent annual National Association of Counties Meeting,, discussion took place regarding the real concern of the rising homelessness among veterans after coming home from serving in the wars. Also, there is the concern for the huge federal budget deficit, but also the argument that this deficit cannot be addressed by just going after the 10% of the budget, which is discretionary domestic spending. Discretionary domestic spending includes such things as CDBG Funds and Workforce Investment Programs.

PUBLIC COMMENT: The Commissioners addressed questions asked by Becky Lynch of Mentor regarding the funding of the Lake County Port Authority, and that the Lost Nation Feasibility Study was paid for out of external funds.

EXECUTIVE SESSION: On a motion of Commissioner Afuldish, seconded by Commissioner Troy, the Board convened an Executive Session at 10:49 am to discuss a collective bargaining matter, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 10:49 am.

The Lake County Board of Commissioners reconvened Executive Session at 11 am.

On a motion of Commissioner Afuldish, seconded by Commissioner Troy, the Board terminated the Executive Session

March 10, 2011

at 12:10 pm, with the vote as follows:

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

ADJOURN: On a motion of Commissioner Aufuldish, seconded by Commissioner Troy, the Board adjourned the meeting at 12:10 pm, with the vote as follows:

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

Minutes approved this 24th day of March, 2011.

BOARD OF LAKE COUNTY COMMISSIONERS

RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK