

April 26, 2012

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK

LEGAL COUNSEL

JOEL DIMARE, BUDGET DIRECTOR

NEWS MEDIA

(Tape 2012-0426)

CALL TO ORDER: Commissioner Sines called the meeting to order at 10:02 am, Thursday, April 26, 2012.

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 12 & April 17, 2012, 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.

- The Lake County Board of Commissioners presented awards to the 2012 Clean & Green Lake County Logo Contest winners.

Commissioner Troy: As the Chair of the Lake County Solid Waste Policy Committee we are in charge of making sure that waste is disposed of properly in the county and that the amount of waste is reduced. We certainly thank you because we could not do this without the assistance of the teachers and the students like you who are promoting this very important policy.

Commissioner Aufuldish: Nice job everybody!

Commissioner Sines: We want to thank everyone who participated and certainly express our congratulations to the winners! Thank you for your efforts and beautiful artwork!

RESOLUTIONS:

1. RESOLUTION INCREASING APPROPRIATIONS FOR LAKE COUNTY SOLID WASTE DISTRICT PROFESSIONAL SERVICES CONSULTANTS, TRANSFER OUT AND AREA C4-3 REDESIGN PROFESSIONAL SERVICES CONSULTANTS AND TRANSFERRING CASH (20120426\U01) (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

2. RESOLUTION AUTHORIZING THE TEMPORARY AND SEASONAL EMPLOYMENT OF LABORERS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE MAY 7, 2012 THROUGH OCTOBER 26, 2012 (20120426\U02) (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

3. RESOLUTION ACCEPTING THE RESIGNATION OF KELLY STONEMAN FROM HER POSITION OF ACCOUNT CLERK I, LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE APRIL 18, 2012 (20120426\U03) (UT-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

4. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20120426\U04) (UT-7)

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

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5. RESOLUTION CONFIRMING AND LEVYING THE REVISED ASSESSMENTS FOR KIRTLAND SANITARY SEWER IMPROVEMENT PROJECT NO. 284-S (20120426\U05) (UT-13)

Al Saari, Sanitary Engineer: The tentative assessment was \$37.33 per gallon. After all of the construction and project costs that number is now \$30.06 per gallon, which is 20% lower significantly reducing the assessment amount to all of the property owners.

Commissioner Sines: This was a major project and obviously the residents will be happy to see that their assessment will be less than they anticipated.

Commissioner Aufuldish: When we have a public hearing for one of these projects the residents are told the maximum amount that the assessment may be. We hope that the number comes in lower and this time it was 20% lower. We thank all of bidders and the contractors.

- Brief discussion at one point there was litigation involved in this project and now everyone is on board.

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 APPROVING CHANGE ORDER 3 FOR OHIO PAVING & CONSTRUCTION CO., INC. FOR THE LAKE COUNTY CRIME LABORATORY ADA COMPLIANCE AND RENOVATION PROJECT FOR THE LAKE COUNTY PROSECUTOR'S OFFICE, INCREASING THE NET AMOUNT BY \$13,166.88 (20120426\C01) (CT-18)

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 CHANGING THE REGULAR COMMISSIONERS' MEETING SCHEDULED FOR THURSDAY, MAY 3, 2012 TO TUESDAY, MAY 1, 2012 AT 10:00 AM (20120426\C02) (C-107)

Commissioner Sines: I apologize for the change it is my fault. I am going to the Kentucky Derby, it is my birthday!

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

8. RESOLUTION ACCEPTING A STATE OF OHIO HOUSING STABILITY PROGRAM GRANT IN THE AMOUNT OF \$153,900 AND AUTHORIZING EXECUTION OF THE GRANT AGREEMENT (# S-K-11-1DG-1) BY AND BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT FOR GRANT PERIOD APRIL 1, 2012 THROUGH FEBRUARY 28, 2013 (20120426\C03) (C-46)

Marian Norman: Thank you, Commissioners, for accepting this big grant. This is a stop gap, it had been the Homeless Assistance Grant through the state back in 2008 and that was fully expended. Then we had a Recovery Act Funding of the Homeless Prevention Rapid Rehousing (HPR), and this Housing Stability Program mirrors the HPR Program, which lasts for the six or eight month period noted in the grant. This will be followed next year by a Housing Crisis Response Program, which will be the first time that we are regionalized with other counties. The homeless prevention part of this grant will assist about 50 households by providing up to \$1,000 to help keep them in their unit where they have fallen on hard times. The rapid rehousing part of the grant is either to divert people from going to the shelter and redirect them or help them leave the shelter by providing a short term subsidy to help get them into their own housing. Over the past two years there has been more than a 200% increase in children being at the shelter. This money comes at a very good time!

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

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9. RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT (#AG1200096) TO THE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND CUYAHOGA COUNTY FOR THE FY09 STATE HOMELAND SECURITY PROGRAM GRANT, EFFECTIVE THROUGH MAY 31, 2012 (20120426\C04) (CT-18)

Commissioner Troy: This is an existing agreement that we have with the Cuyahoga County Commissioners on the utilization of Homeland Security Grant money. This is an amendment to reflect a modification of the scope of services that will be provided.

Paul Stefanko, Telecommunications Director: Cuyahoga County and Lake County have been working together for four years on a public safety radio system that is connected to the State of Ohio and will be connected to Geauga County in July of this year. Ultimately will also be connected Lucas County in the State of Michigan. This is a cooperative effort to reduce costs and increase the capability of communication for public safety officers.

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

10. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$639,098.35 (20120426\BC01) (C-4)

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

11. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$837,118.25 (20120426\BC02) (C-17)

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 INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20120426\BC03) (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

13. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20120426\BC04) (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

UTILITIES: Al Saari, Sanitary Engineer reported the bid results for the Bellflower Area Outlet Sewer Replacement Project as follows:

There were (4) bids, this was a rebid and last time there was only (1) bid and it was over the Engineer's estimate.

Engineer's Estimate is \$201,000

High Bid is \$235,577

Low Bid is Fabrizi Trucking & Paving Company, Middleburg Heights at \$214,713. This number is over the Engineer's estimate, but it is within the awardable range of 10% as by the Ohio Revised Code.

- Brief discussion took place that this project includes both open trenching and manholes with the majority being directional drilling, which is a specialty. Subcontractors don't have the equipment to do the trenching part of the project, which caused the main bidders to get numbers from a directional drilling contract, tacking on a high percentage of pass through profit, and making the bid high.

STORMWATER: None - No one present.

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

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FINANCE: None

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy: The Executive Board of CCAO had a joint meeting with the Executive Board of the Ohio County Auditors Association where we found a few square feet of common ground. One concern in Ohio is rather than having an actual association of county governments with one voice speaking on behalf of county government in front of the state legislature, we have associations of all of these divisions of county governments such as the Commissioners, Auditors, and Treasurers and it tends to cause internal conflicts over responsibilities and authorities. We talked about working together more in the future.

- Commissioner Troy indicated that the CCAO Board discussed the issue of oil and gas in shale deposits and the questions of whether that will be taxed, at what rate, and what will happen with the proceeds. The board is working on a position to include that the severance tax rate be increased beyond what the administration is proposing without discouraging an industry from locating in Ohio. Discussion with the Auditor's Association regarding the Ad Valorem Tax and that it needs to be revised to provide local communities with more revenue than under the current tax structure. Commissioner Troy indicated the deposits of shale, oil and gas under Ohio is a good thing and it will require ongoing discussion to develop a formal position with responsible mining. Mr. Troy indicated there was some discussion regarding the Governor's mid-budget review and our support for assignment of indirect costs for workers' compensation administration to other entities such as MRDD. And, there is always sentiment to use some of these new oil and gas tax dollars to restore cuts in the local government fund.

PUBLIC COMMENT: John Muzik of Painesville Township requested that Commissioner Troy being a representative take the message to Columbus that Ohio needs to do something regarding illegal immigration, since the federal government is not. Mr. Muzik said that the costs for illegal immigrations comes down to the state and local governments and is an overall expense to all of the taxpayers.

Matt Battiato, Job and Family Director: In terms of entitlement programs, none of the programs administered by Job and Family Services provide any public assistance to undocumented immigrants.

Commissioner Sines: If you have any ideas that this is going on in the county, please bring it to our attention with specifics. Commissioner Troy: Mr. Muzik mentioned the increase of the county sales tax, which goes to the county general fund. None of the benefits that are provided by Job and Family Services comes from the county general fund; it is a combination of state and federal funds. We all agree that the federal immigration law needs to be revised. And, there is probably a lot of wait and see as to how the Arizona Law shakes out with the U.S. Supreme Court regarding this issue.

EXECUTIVE SESSION: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 10:40 am to discuss litigation, personnel, real estate and collective bargaining matters, with the vote as follows: "AYES": Commissioners: Aufuldish, Sines and Troy "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:40 am.

The Lake County Board of Commissioners reconvened Executive Session at 10:43 am.

On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 12:00 pm, with the vote as follows:

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

ADJOURN: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 12:00 pm, with the vote as follows:

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

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Minutes approved this 1st day of May, 2012.

BOARD OF LAKE COUNTY COMMISSIONERS

RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK