

July 10, 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 2012-0710)

CALL TO ORDER: Commissioner Sines called the meeting to order at 2:02 pm, Tuesday, July 10, 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 June 28, 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. No one present addressed the Board.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$8,006.20 WITH GEO-SCI, INC. FOR MATERIALS TESTING SERVICES FOR THE LEROY THOMPSON ROAD BRIDGE REPLACEMENT OVER PHELPS CREEK - LEROY TOWNSHIP, OHIO - PID 85132 (20120710\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 APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$194,600 FOR BACON ROAD WASH WATER TANK PAINTING PROJECT 342W AND ADVERTISING FOR BIDS FOR SAME (Bid opening August 8, 2012) (20120710\U01) (UT-8)

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 AMENDING THE SANITARY SEWERAGE, SOLID WASTE, AND WATER SUPPLY RULES AND REGULATIONS OF THE LAKE COUNTY DEPARTMENT OF UTILITIES (20120710\U02) (UT-41)

Al Saari, Sanitary Engineer briefly explained the minor changes to the rules and regulations as follows:

- Sizing of grease traps
- Discontinue the use of polyethylene encased pipe
- Lake County will supply 2" meters to customers when requested
- Backflow preventer language change
- Getting away from Corten material and replace with stainless steel
- Cleanout riser change

Commissioner Troy: About 10 years ago, we decided that the Utilities Department Rules and Regulations needed to be codified by resolution. We also asked the Utilities Department to regularly update any changes to these rules and regulations due to experience or new technology. These are the rules and regulations for anyone dealing with sanitary sewage, solid waste, and water supply in Lake County. There is also an appeals board for anyone that may not agree with the interpretation of these rules and regulations.

Al Saari: These rules and regulations are on the county website.

Commissioner Aufuldish: We feel that this has really helped all of the contractors who are putting in bids for sewer and water. Everyone is working on the same playing field.

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

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

4. RESOLUTION PROVIDING FOR \$720,000 IN NOTES FOR CHAPEL ROAD INTERCEPTOR SEWER PROJECT 285-S AND BELLFLOWER AREA SANITARY SEWER PROJECT 314-S (20120710\U03) (UT-15)

Commissioner Troy: This project is already complete. This will renew the financing; new notes are good for up to one year. **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 PROVIDING FOR \$2,900,000 IN NOTES FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES PROJECTS 302W, 317W AND 321W (20120710\U04) (UT-15)

Commissioner Aufuldish: It is interesting that by noting \$2.9 million we will get a 1% interest rate, which is \$29,000 to help pay off this debt.

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 PROVIDING FOR \$1,900,000 IN NOTES FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT 335W (20120710\U05) (UT-15)

Commissioner Troy: We have the choice of noting or bonding. By noting, this will extend the debt service for a 12 month period, the statutory maximum for a note. At anytime, we can roll this into bonds, which eventually has to be done after five years of noting, and bonds are a longer term debt service. As Commissioner Aufuldish said, we are taking advantage of the 1% interest rate rather than rolling them into bonds, which would be at a higher interest rate. Commissioner Sines: As said, these can be changed to bonds. However, there is no real need to bond them anytime soon.

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 INCREASING APPROPRIATIONS FOR GARDENSIDE DRIVE WATERLINE REPLACEMENT 317W AND TRANSFERRING CASH FROM LCDU WATER DISTRICT TRANSFERS OUT (20120710\U06) (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

8. RESOLUTION ESTABLISHING FUNDS TO BE KNOWN AS: AWTP LABORATORY UPGRADE 338W, BEIDLER ROAD WATERLINE REPLACEMENT (NORTH OF RAILROAD TO EUCLID AVE) 339W AND MAPLE, GRAND, ELM, FOREST, EDGEWOOD, LAKESHORE WATERLINE RELINING 340W (20120710\U07) (UT-2)

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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20120710\U08) (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

10. RESOLUTION HIRING ARIANN M. RICHNER TO THE POSITION OF SECRETARY I IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE JULY 30, 2012 (20120710\U09) (UT-3)

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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

11. RESOLUTION APPOINTING JENNIFER A. SMITH TO THE POSITION OF SUPPORT OFFICER 1 IN THE CHILD SUPPORT ENFORCEMENT DIVISION OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, EFFECTIVE JULY 16, 2012 (20120710\JFS01) (JFS-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

12. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT JULY 10, 2012, IN THE AMOUNT OF \$103,251.56 (20120710\JFS02) (JFS-14)

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

13. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF’S - CENTRAL COMMUNICATIONS DIVISION AND THE MADISON FIRE DISTRICT FOR CENTRAL DISPATCH AND COMMUNICATION SERVICES (20120710\C01) (501c)

Commissioner Aufuldish: It is interesting in speaking with our Central Communications Department that all of the fire departments use our service instead of their own because it is usually staffed with four full-time dispatchers at all times. And, in fire emergencies a lot of different departments are responding and they need to be able to converse rapidly. We are pleased that Madison is again renewing their contract.

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

14. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF’S - CENTRAL COMMUNICATIONS DEPARTMENT AND THE LEROY TOWNSHIP BOARD OF TRUSTEES FOR CENTRAL DISPATCH AND COMMUNICATION SERVICES FOR LEROY TOWNSHIP AND ITS FIRE DEPARTMENT (20120710\C02) (501-c)

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

15. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF’S - CENTRAL COMMUNICATIONS DEPARTMENT AND THE VILLAGE OF KIRTLAND HILLS FOR CENTRAL DISPATCH AND COMMUNICATION SERVICES FOR KIRTLAND HILLS VILLAGE AND ITS FIRE AND POLICE DEPARTMENTS (20120710\C03) (501-c)

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 AUTHORIZING EXECUTION OF AGREEMENTS BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE LAKE METROPOLITAN HOUSING AUTHORITY FOR THE RIVER ISLE APARTMENT PROJECT (20120710\C04) (C-46)

Marian Norman, HOME Program Manager: This involves Community Development Block Grant Funding in the amount of \$200,00 from Housing and Urban Development and \$254,107.80 from the Home Investment Partnership Program for the acquisition costs of River Isle Apartments. These funds are well supported within the communities of Eastlake, Willoughby, Painesville City, Congressman

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LaTourette, and HUD Funding provided by the Lake County Commissioners. The HUD funding outside of our control will be a \$2.7 million grant that the housing authority had on their books to use for such purposes.

- There are 40 units.

Mike Cody, Interim Director of Lake Metropolitan Housing Authority: We were given a grant back in 1995 to add an additional 25 units of public housing. During 1998, the rules for public housing were changed and it really capped the number of available public housing units. We were able to lobby HUD and through Congressman LaTourette's efforts and with the support of the Lake County Commissioners, the Mayor of Willoughby, Eastlake and Painesville we were granted a grandfather for usage of the 1995 grant. Therefore, we were able to purchase this property and intend to invest up to \$2.5 million on its renovation, which will provide 25 units of public housing and an additional 15 units of project base vouchers utilizing our housing choice voucher program. These units will serve the Lake County community. The vast majority of clients are the elderly and disabled and we are also providing special preferences for veterans of moderate to low income families.

- This is public housing's first growth since 1973.

- These units are expected to be leased this time next year.

Commissioner Sines: One of the greatest needs in Lake County is housing, so this is a good project in addressing some of those needs. We appreciate your efforts and this is quite a project.

Commissioner Troy: As you indicated, it is a partnership between the federal and county government through our use of HOME and CDBG Funds. The City of Willoughby is on board and everyone is in agreement to address this need. These are actually some unused funds from prior years that we are able to put to work here in Lake County, rather than giving them back to the federal government.

Commissioner Aufuldish: And, the fact that you are going to reach out to the veterans I believe is very important.

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

17. RESOLUTION AWARDING A BID CONTRACT IN THE AMOUNT OF \$108,800.00 TO APEX CONSTRUCTION AND MANAGEMENT COMPANY, INC. FOR LAKE COUNTY BUILDINGS ACCESSIBILITY ENTRANCE IMPROVEMENTS (20120710\C07) (C-7)

Chuck Klco, Buildings & Grounds Superintendent: We are going to be changing the Juvenile Court entrance and exit with motion detector doors to accommodate access for wheelchairs and people with disabilities. We are also adding electronic openers to all of the public bathroom doors at Job and Family Services. This is all being funded through CDBG/A.D.A. funds.

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

18. RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT II (#AG1200096) TO THE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND CUYAHOGA COUNTY FOR THE FY09 STATE HOMELAND SECURITY PROGRAM GRANT, EFFECTIVE THROUGH JULY 31, 2012 (20120710\C08) (CT-18)

Commissioner Sines: This is an extension of an agreement that we have been working on for several months.

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

19. RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING A BUILDING AND ITS SITE AND CONSTRUCTING IMPROVEMENTS THERETO, INCLUDING RENOVATING, EQUIPPING, FURNISHING AND OTHERWISE IMPROVING THE BUILDING FOR USE AS A COUNTY SERVICE GARAGE, AND INCLUDING ALL NECESSARY APPURTENANCES THERETO (20120710\C09) (C-21)

Commissioner Troy: This is the project where the Commissioners acquired the "old" Crandall Ford property on Rt. 20 in lieu of building a new service garage probably at 2 ½ times the cost. This will extend the notes for one year in an amount not to exceed \$3 million. And, at anytime as Commissioner Sines indicated, we can convert these into bonds.

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

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

20. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,652,469.49 (20120710\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

21. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$720,030.82 (20120710\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

22. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20120710\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

23. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20120710\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

24. RESOLUTION ADOPTING THE ANNUAL TAX BUDGET FOR THE YEAR ENDING DECEMBER 31, 2013 (20120710\BTAX) (C-8)

Joel DiMare, Budget Director: Nothing has changed since we had the public hearing. The general fund will drop from 2.1 inside mills to 1.0 mills and the Senior Levy will increase from .4 to .5.

Commissioner Troy: Ohio law requires that by July 15th of each year we have to indicate our anticipated spending for the next year by justifying the levying of property tax amounts for our operation, and for the other operations where the Commissioners are the gatekeepers to what goes on the ballot. As Joel has indicated, there is a one tenth of a mill increase in the Senior Citizen Levy and a 1.1 mill reduction in the county inside millage from 2.1 down to 1.0. Those will be applied next year against the property values in Lake County, which are soon to be announced by the County Auditor for 2013.

Commissioner Aufuldish: Just to further point out that the 1.1 mills that we are reducing is right around \$5.5 million that will flow back to the taxpayers for dollars that they will not have spend on their property taxes.

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: Chris Hodges, Public Services Coordinator gave an update on the solid waste management plan. The Lake County Solid Waste District has a 15 year plan period and it is required to be updated every 5 years. The Solid Waste District Policy Committee and the Board endorsed a final five year draft prepared by Utilities in November, and in turn all 23 communities ratified or approved the draft plan as of March 2012. At that time, it was submitted to the EPA, and as June 26th the Director of EPA has approved the plan. The plan is good to go for another five years and the next update is due in 2017.

STORMWATER: Commissioner Troy briefly discussed with Tim Miller, Director of Stormwater, why Mentor-on-the-Lake would be seeking CDBG funds for a stormwater project and why this is not coming out of the stormwater program? Mentor-on-the-Lake is eligible for these CDBG funds because of the income levels in this particular neighborhood. A proposed distribution of \$40,00 has

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been temporarily earmarked for this project.

- Mentor-on-the-Lake feels that this is a localized project and not a regional storm sewer project.
- If the Commissioners determine there is another area where the \$40,000 of CDBG funds could be of better use, the Stormwater Department will work with Mentor-on-the-Lake in providing assistance.

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: None

CLERK: None

LEGAL: None

OLD BUSINESS: Commissioner Troy inquired if the resolution 15 caption needs to be rewritten because Kirtland Hills does not have a fire department.

NEW BUSINESS: Commissioner Troy briefly discussed with Al Saari, Sanitary Engineer, that NOACA is updating their clean water plans. Commissioner Troy wanted to make sure that NOACA is working with the Utilities Department on this issue in order to make sure that everyone is on the same page.

Al Saari: Yes, we met with Painesville City yesterday and there will be a conference call with NOACA this week.

- Brief discussion took place regarding what the water usage is right now compared to other years. It is up about 25%, not as high as we have seen because the water table was built up last year by the over abundance of rain.

- Brief discussion took place that it was an electronic malfunction that caused the county sirens to recently alarm and that it was probably a result of a lightning strike. The Lake County EMA is addressing this issue.

PUBLIC COMMENT: Sarah Powell, Dock Road, Madison addressed the Commissioners regarding her house built in Madison Township on Dayton Road, which she is trying to tie into the sewer of Madison Village. It was her understanding that it was going to be approved today.

- Al Saari, Sanitary Engineer: This morning the Prosecutors Office directed me to put this situation in a memo to the Commissioners.

- The Commissioners were not aware of this issue.

- It appears that Madison Village dropped the ball, and the Commissioners asked Mr. Saari to move this situation right along if at all possible.

- Matt Battiato, Job and Family Services Director briefly explained that resolution 11 for a new hire will fill a child support vacancy when asked by John Muzik, Painesville Township.

Commissioner Troy: The Lake County Land Bank Organizational Meeting was held on Friday, July 6, 2012. The initial members are Commissioner Sines, myself, and Treasurer Crocker. By resolution, we added a representative from the largest city, which is Assistant City Manager, Anthony Zampedro of Mentor and Painesville Township Trustee Gabe Cicconetti, representing the townships. By law, we can add up to four additional members to this board. We wanted to get this board up and running to take advantage of the dollars that are available until the end of August from the Ohio Attorney General's Office. Treasurer Crocker was elected as the Chairman of the Land Bank Board, and I am the Vice Chairman.

Commissioner Sines: We will consider increasing the board. Those interested in serving on this board, please forward a letter of interest.

EXECUTIVE SESSION: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 2:46 pm to discuss a personnel matter, with the vote as follows:

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

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The Lake County Board of Commissioners recessed Executive Session at 2:46 pm.
The Lake County Board of Commissioners reconvened Executive Session at 2:50 pm.

On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 3:16 pm, with the vote as follows:

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

The Lake County Board of Commissioners went into Open Session at 3:16 pm.

RESOLUTION PRESENTED BY CAPTION:

25. RESOLUTION AUTHORIZING THE REMOVAL OF GERALD ROY, SYSTEM MAINTENANCE IV IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE JULY 11, 2012 (20120710\U10) (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

26. RESOLUTION RESCINDING RESOLUTION 20120710\U10, DATED JULY 10, 2012, AUTHORIZING THE REMOVAL OF GERALD ROY, SYSTEM MAINTENANCE IV IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE JULY 11, 2012 (20120710\U11) (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 and Troy "NAYS": None

ADJOURN: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 3:25 pm, with the vote as follows:

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

Minutes approved this 19th day of July, 2012.

BOARD OF LAKE COUNTY COMMISSIONERS

RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK