

February 4, 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

(Tape 2010-0204)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:10 am, Thursday, February 4, 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 January 26 and January 28, 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.

- John Muzik of Painesville Township addressed the Commissioners asking them to revisit and rescind the Matricula Consular I.D. resolution passed in October 2005.

Commissioner Troy: Thank you for your comments. As indicated before, the particular I.D. card in question is not accepted for any purposes by any entity of Lake County government. And, the Lake County Government has not instructed any other entity to accept the item in question for any specific identification purposes. We will note your continued concerns about the resolution that was adopted by the board five years ago.

RESOLUTIONS:

1. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$25,400 FOR NORTON DRIVE SANITARY SEWER EXTENSION, JOB NO. 10-02, FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20100204\U01) (UT-9)

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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20100204\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

3. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT FEBRUARY 8, 2010, IN THE AMOUNT OF \$132,208.28 (20100204\JFS01) (JFS-14)

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 AWARDING A BID CONTRACT IN THE AMOUNT OF \$648,018.00 TO HARRIS STRATEX NETWORKS FOR A DIGITAL MICROWAVE SYSTEM FOR THE LAKE COUNTY DEPARTMENT OF TELECOMMUNICATIONS (20100204\C01) (404g-1)

Commissioner Troy: The Funding stream for this component of the radio system is being supplied by Laketrans through a grant agreement previously approved by the Lake County Board of Commissioners.

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

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

5. RESOLUTION DECLARING THAT THE AMOUNT OF TAXES WHICH MAY BE RAISED WITHIN THE TEN-MILL LIMITATION WILL BE INSUFFICIENT TO PROVIDE FOR THE NECESSARY REQUIREMENTS OF LAKE COUNTY, DETERMINING THAT IT IS NECESSARY TO LEVY A TAX IN EXCESS AND OUTSIDE OF THE TEN-MILL LIMITATION FOR THE NECESSARY REQUIREMENTS OF THE LAKE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES (Formerly MR/DD BOARD), SAID LEVY BEING A REPLACEMENT OF 3.4 MILLS FOR A CONTINUING PERIOD, AND REQUESTING THAT THE COUNTY AUDITOR CERTIFY THE TOTAL CURRENT TAX VALUATION OF LAKE COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE SAID 3.4 MILLS REPLACEMENT TAX (20100204\C02) (C-49)

Commissioner Troy: This is the first of two resolutions that are necessary for placement on the ballot. By state law, counties have a separate entity formerly known as the Mental Retardation and Developmental Disabilities Board that was recently changed to the Board of Developmental Disabilities. The Board of Developmental Disabilities operates the programs that deal with the citizens of the county that have developmental disabilities, and by law any requests for funding from the local taxpayers for that entity must be placed on the ballot by the Board of County Commissioners. This Board has approached the Commissioners requesting that a replacement levy be placed on the ballot for the already scheduled election to be held on May 4, 2010, and they believe that this is necessary at this time in order to continue the present level of services that they have been able to provide in Lake County, and also to deal with the increased demands for those services.

Elfriede Roman, Superintendent of the Lake County Board of Developmental Disabilities: I would like to thank the Commissioners for their consideration of this resolution. The Board of Developmental Disabilities has diligently strived to operate all programs and services for an ever-increasing number of consumers without asking for any additional local taxpayer support since 1998. The Board has operated on the 3.4 mill levy without replacement since 1993, and a 1.5 mill levy without replacement since 1998. The Board has aggressively strived to maximize all available federal funding and private sources. But with the progressive and significant decline of state funding support, inflation costs over the past 12 and 17 years since the last local levy, and the increasing number of individuals eligible or needing our services has brought us to the point where the expenses exceed the revenues. We have scrutinized revenue projections, service mandates, wait lists, and any other fiscal information and have determined that this replacement levy is needed in order to keep current services in place, and also for those on the wait list needing our services.

Commissioner Sines: This levy is proposed to generate \$7 million, which is a 37% increase to the taxpayers of Lake County.

- Discussion took place when Commissioner Sines asked for justification in their budget where state or federal dollars were lost over the last three years, and indicated that according to the 2007, 2008, and 2009 numbers, their budget has stayed consistent.

- Ms. Roman and Ms. March indicated that an approximate \$750,000 to \$1 million of state subsidies has been lost, and, the Department of Education operating monies have dropped from \$1 million to an approximate \$400,000 - \$500,000 each year.

Commissioner Sines: Your numbers do not reflect that! Your 2008 revenues were \$40,600,000 and your 2009 were \$40,900,000.

- Discussion took place that this increase was a result of Medicaid revenue reimbursements delayed from previous periods.

Commissioner Sines: But, you have a \$9 million carryover going into 2010, plus, a \$4.2 million capital budget, which is \$13 million.

Ms. March: It is estimated that the \$13 million will get us through 2010. But, with the anticipated reduction of revenues by 2011 the deficit will be \$6 million.

Commissioner Sines: What percentage of your spending goes to salaries?

Ms. March: Salaries and benefits are almost 82%. But, that is what we do, we provide services.

Commissioner Sines: We in the county have made cutbacks, we have had furloughs, we have had layoffs, and we have had salary freezes. By raising \$7 million, 83% of that is going to go to salaries.

Ms. March: Yes, but that is to the people that are providing the services. We currently are serving

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1,917 individuals. When we passed the last levy in 1998, we were serving 952 individuals. We have increased the amount of people we serve by 107%, and services are delivered by people.

Commissioner Sines: I understand that, believe me! Is there anyone in the county that is paid higher than you? No one, by far! The top paid 25 government employees are DD! Obviously, you have specialized needs for what you do. But, in the same token, so do a lot of different areas of this county. You are looking at asking people basically to raise salaries in this environment with this increase at this time. Is there no way that you can wait a year or two to see how this economy goes before we ask the taxpayers in this county to raise your spending? I will allow people to vote, but I think at this time it is wrong! You are the only government entity that I know that picks up the retirement percentage of 2% of the employees. That is half a million dollars! And, you pay basically 100% of healthcare. I think if the taxpayers saw these things they would be upset! Because most of the taxpayers do not get any retirement benefits. And, for this entity to pay an additional amount, not required by law is another half a million dollars. Are you really sure that there is no other way to continue this operation without putting a levy on this year?

Ms. Roman: The need is still out there, the people keep coming. We want to continue to serve people in the future. We have had a two year negotiated wage freeze in place for all of our employees. We have also eliminated over 30 positions that have been unfilled.

Commissioner Aufuldish: This Board consists of seven county residents where two are appointed by the Probate Judge and the Commissioners appoint five. Two must be parents of adults that are residents of Deepwood and one the parent of a child that is a resident at Deepwood. This Board has the directives to run Broadmoor School, a child development center, the vocational guidance center, and the Willoughby Workshop. These facilities provide training and the education for the mentally retarded. The curriculum is designed to encourage the individuals' social, emotional, physical, and vocational growth. Vocational placement is the ultimate goal of this program. People who educate, take care of, and direct these unfortunate's have to be highly skilled. And, I believe they need to be fairly well compensated to do this job. I personally do not believe that we should just vote on something, put it on the ballot, and let the residents decide. We actually turned down a request by the Crime Lab to go on the ballot. And, when Council on Aging came before us for a levy we asked them to go back and revisit their request. They did, and they came back with a different scenario. I understand that no system is perfect, no financial flow of dollars can stand up to the ultimate test of anything. But, I believe that this program, and this school, and these folks do a super job for Lake County. And, with that being said I will move for adoption of this and vote yes.

Commissioner Sines: I understand the type of job they do. And, I am probably going to get slapped for saying that I don't support kids and adults with disabilities. That is not what I am saying! I am saying, this is a very large increase in an economic time that is difficult for many people and that this is not the time! I will vote to put this on the ballot and allow people to vote. I believe in that! But, I think residents need to know exactly what they are voting for!

Commissioner Troy: Before accepting a second on Commissioner Aufuldish's motion, I want to make it very clear that my message to the superintendent was that I had the understanding that the three Commissioners would vote to put this on the ballot, and no other indication than that! The Development Disabilities' overall budget is basically \$46 million from all sources. This levy will generate about \$7 million. It has to be taken into account that unlike a local business, they can not raise their prices week by week to get additional money; they have to go back to the ballot. We had some serious discussions regarding all of the issues that Commissioner Sines has raised. I compare this somewhat to the concept that it is not the Commissioners' job to run elections, but we have to pay for elections out of our budget. So, we continually ask for justification from the Elections' Board as to why they need this money for specific components of that process.

In this case we do not run the disability programs, we are not interested in running that operation, and we do not pay for that operation directly out of our budget. What is taking place here is the Board of Developmental Disabilities feels that this is necessary at this time. And, obviously you will have to convince a majority of the people out there whether they want to keep this present level of service in addressing the needs of the citizens who are less fortunate. I would predict that the state support for these programs will continue to diminish. I think that there are long-range structural problems in operating these entities in 88 different counties, and it is something that the legislature needs to review. These programs are better in some counties than others. And, Lake County can be proud that we have one of the better programs in the State of Ohio. I think all of the points raised here today are good points, and well-intentioned. This request will take the 3.4 mill levy last replaced in 1993, and apply it to today's property values. Next week, there will be a second resolution that will formally place this levy on the ballot of the May 4, 2010 election. Under Ohio Law, a replacement levy can only go to the ballot

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once in a calendar year.

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 APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,407,919.26 (20100204\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

7. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,105,460.68 (20100204\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

8. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20100204\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

9. RESOLUTION TRANSFERRING CASH WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20100204\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: None

STORMWATER: None

JOB AND FAMILY SERVICES: Commissioner Troy briefly discussed that some Workforce Investment Board terms and Youth Council terms are due to expire on 2-14-10.

- Mr. Battiato will discuss this issue Bob Dawson.

ADMINISTRATIVE SERVICES: None

FINANCE: Commissioner Troy: In January, the sales tax was down a little over 10% in comparison to last year, and last year's number was significantly down from the previous year.

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

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy: We do have some appointments coming up for the Lakeland Community College Board and on the Lake Health System Board. If anyone is interested in serving, please submit a letter of interest to the Commissioners.

PUBLIC COMMENT: None

Commissioner Troy: There will be a Commissioners' Meeting twice next week on Tuesday, February 9, 2010 at 2 pm and on Thursday, February 11, 2010 at 10 am.

EXECUTIVE SESSION: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish,

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the Board convened an Executive Session at 10:46 am to discuss pending litigation and compensation matters, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 10:46 am.
The Lake County Board of Commissioners reconvened Executive Session at 10:50 am.

On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 11:30 am, with the vote as follows:

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

OPEN: 11:30 am

Jim Gills, County Engineer discussed several change orders from O.D.O.T. in regards to the SR 20 Painesville Township Project.
- Mr. Gills will review the discrepancies with the Utilities and the Stormwater Department and will send a letter to O.D.O.T.

ADJOURN: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 11:48 am, with the vote as follows:

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

Minutes approved this 23rd day of February, 2010.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

R A Y M O N D E . S I N E S ,
COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

K A T A R I N A R O D G E R S ,
ASSISTANT CLERK