

March 14, 2012

**LAKE COUNTY COMMISSIONERS' MEETING MINUTES**

RAYMOND E. SINES, PRESIDENT  
DANIEL P. TROY, COMMISSIONER  
ROBERT E. AUFULDISH, COMMISSIONER

LEGAL COUNSEL  
JOEL DIMARE, BUDGET  
DIRECTOR  
NEWS MEDIA

AMY ELSZASZ, CLERK

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(Tape 2012-0314)

CALL TO ORDER: Commissioner Sines called the meeting to order at 10:05 am, March 14, 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 meetings of February 28 and March 1, 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.

- Commissioner Sines performed the swearing in of Brad Shawhan, Supervisor of the Lake County Soil & Water District.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR A 2013 TRUCK CAB AND CHASSIS FOR THE LAKE COUNTY ENGINEER'S ROAD DEPARTMENT (BID OPENING: April 4, 2012) (20120314\E01) (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

2. RESOLUTION AWARDING A BID CONTRACT IN THE AMOUNT OF \$612,714.00 TO CHAGRIN VALLEY PAVING, INC. FOR VARIOUS COUNTY ROADS - BACON ROAD & BLACKBROOK ROAD, LAKE COUNTY, OHIO PROJECT (20120314\E02) (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

3. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR THE NEWELL STREET CULVERT REPLACEMENT PROJECT IN PAINESVILLE TOWNSHIP, OHIO (BID OPENING: April 11, 2012) (20120314\C07) (UT-46)

**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 APPROVING CHANGE ORDER NO. 1 EXTENDING THE CONTRACT COMPLETION DATE WITH COLD HARBOR BUILDING CO. FOR SR 174 & 84 BOOSTER STATION UPGRADE (GENERAL AND ELECTRICAL) PROJECT NO. 326W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (Contract Completion Date July 1, 2012) (20120314\U01) (UT-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

5. RESOLUTION AWARDING A BID CONTRACT TO WINTERS & LEWIS EXCAVATING, INC. FOR MANAGEMENT & OPERATION OF THE LAKE COUNTY SOLID WASTE FACILITY (20120314\U02) (UT-4)

Commissioner Aufuldish and Al Saari, Sanitary Engineer briefly discussed that Winters & Lewis is

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the current contractor and this new contract is for five years.

**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 TO ACCEPT A UTILITIES EASEMENT FOR MAINTAINING WATER LINES AND THEIR APPURTENANCES FROM TAMARAC APARTMENTS II, LLC AFTER INSTALLATION AND TESTING BY OWNER AND APPROVED BY THE LAKE COUNTY DEPARTMENT OF UTILITIES AT THE ARBOR RIDGE SUBDIVISION 1A, ALSO KNOWN AS RE-SUBDIVISION OF PARCEL 4 OF THE TAM-A-RAC SUBDIVISION NO. 4 RECORDED IN VOLUME 14, PAGE 13 OF LAKE COUNTY PLAT RECORDS, SITUATED IN WILLOUGHBY, OHIO (20120314\U03) (SD-407)

**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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20120314\U04) (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

8. RESOLUTION ACCEPTING THE RETIREMENT RESIGNATION OF RUSSELL BAER FROM THE LAKE COUNTY BUILDINGS AND GROUNDS DEPARTMENT, EFFECTIVE MARCH 30, 2012 (20120314\C01) (P-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

9. RESOLUTION AUTHORIZING EXECUTION OF A DRUG LAW ENFORCEMENT FUND SUB-GRANT AWARD AGREEMENT (#2011-DL-LEF-5809) IN THE AMOUNT OF \$24,215.06 WITH THE OFFICE OF CRIMINAL JUSTICE SERVICES, EFFECTIVE FEBRUARY 1, 2012 THROUGH JANUARY 31, 2013 (20120314\C02) (CT-17a)

Commissioner Aufuldish: This is being awarded to the Lake County Narcotics Agency and the dollars will be used for safety equipment.

**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 AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH THE LAKE COUNTY BAR ASSOCIATION FOR OFFICE SPACE IN THE LAKE COUNTY COURTHOUSE WEST ANNEX, WITH THE LEASE PERIOD BEGINNING JUNE 1, 2012 AND ENDING MAY 31, 2017 (20120314\C03) (209z-18)

Commissioner Troy: We have had an arrangement with the Bar Association since we converted the old Post Office into the Courthouse West Annex. This agreement will enter into another 5-year lease, which is in a small area on the second floor. Commissioner Aufuldish: Each year there will be a 5% increase in their rent.

**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 AUTHORIZING EXECUTION OF A REVOLVING LOAN FUND AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND CORE SYSTEMS, LLC FOR \$150,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (20120314\C04) (C-46)

Commissioner Troy: We have worked with CORE Systems before on a previous project, which was a combination of state funding and Community Development Block Grant (CDBG) funds. CORE Systems is here in Painesville and has been bringing manufacturing jobs back to Lake County with the help of

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these funds. And, we are certainly thrilled about that!

John Loftus, Lake County Port Authority: The first project with CORE Systems could not have been done without the help of this revolving loan program and the same is true this time. This is expanding the capabilities of CORE Systems by contracting with General Electric. Thank you to Jason Boyd for all of his assistance and the Commissioners for their support.

Commissioner Troy: In most cases the CDBG funds were given to not for profit organizations, etc.... In finding out that the use of CDBG funds is certainly permissible for economic stimulation, I don't think that there is anything that does more for community development than creating additional jobs. We appreciate the hard work that Jason has done as the head of our soon to be renamed Department of Planning and Community Development and appreciate CORE Systems commitment to Lake County.

Commissioner Sines: Right now, this is a difficult environment. We thank CORE Systems for not only reaching out to Lake County and providing opportunities for the residents with jobs, but for their commitment. So, when the county can be part of the development of CORE Systems it develops the whole county and this is the key to economic development working together to provide jobs and a successful business.

- The Commissioners presented a check to Mr. Howard Siegel of CORE Systems.

Mr. Howard Siegel: I would like to thank the Commissioners and say that this is a perfect example of public/private partnership. General Electric has made a major commitment to bring manufacturing back to the United States and has selected CORE Systems as one of their major injection molders. We greatly appreciate these additional 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

12. RESOLUTION AUTHORIZING EXECUTION OF A REVOLVING LOAN FUND AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND TASYD INDUSTRIES, LLC FOR \$125,000 UTILIZING \$54,804 OF FY-2008 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND \$70,196 OF FY-2009 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (20120314\C05) (C-46)

John Loftus, Lake County Port Authority: My colleague, Marty Gareau has done a yeomen's duty in making this happen! This is a combination of a SBA 504 loan and the revolving loan program that we administer and without the revolving loan this probably would not have been made possible.

Commissioner Sines: This too is an example of using a partnership and is what this program was designed to do!

Commissioner Troy: It has been good to work with Mr. Mike Miller who has been very involved with the City of Painesville in its strategic planning committees.

Mr. Mike Miller of TASYD Industries: We could not have done this without the help of the County Commissioners and I can not say enough good things about the Lake County Port Authority. I am happy to report that we have added an additional four people, all Lake County residents and we are looking at adding four to five more employees over the next couple of months. And, I cannot say enough good things about the city government.

- The Commissioners presented a check to Mr. Mike Miller of TASYD Industries.

**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 A MICROLOAN FUND AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND SEVEN BROTHERS DISTILLING COMPANY IN THE AMOUNT OF \$5,000 (20120314\C06) (C-46)

Commissioner Troy: This is one of our other programs under the Lake County Port Authority and is here to help these particular types of companies with financing. We are glad to help the growing distillery industry here in Lake County. Commissioner Sines: Sometimes in this environment it takes just a little help to get started. These loans are important to many small companies and it is the difference between starting, growing or continuing in business. And, most banks do not provide this type of loan. Again, this is a great partnership with the small business community and this is the key

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to job creation.

- The Commissioners presented a check to Mr. Kevin Suttman of Seven Brothers Distilling Company.

- Mr. Suttman thanked the Commissioners.

**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 RE-APPOINTING ANGELA T. BALDREE AS A MEMBER OF THE BOARD OF TRUSTEES OF THE LAKE COUNTY LIBRARY DISTRICT, FOR A SEVEN YEAR TERM COMMENCING MARCH 24, 2012 (20120314\C08) (B-52)

Commissioner Troy: Angela has served on this board since 2005 and has done a great job!

**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 APPROVING CHANGE ORDER 2 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 \$29,924.65 (20120314\C09) (CT-18)

**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 ADVERTISING FOR PROPOSALS FOR AUCTION SERVICES FOR THE SALE OF VARIOUS PARCELS OF LAKE COUNTY REAL PROPERTY (PROPOSALS OPENED: APRIL 4, 2012) (20120314\C10) (210)

Commissioner Troy: We are going to try to do a little bit better than we did in the sealed bid process with two properties that we feel are of no future use for the county.

**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 AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF'S DEPARTMENT AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION DEPUTIZED DEPUTY SHERIFFS, COURT OFFICERS, AND COURT OFFICER CORPORALS, EXPIRING MARCH 31, 2014 (20120314\C11) (301c)

Commissioner Aufuldish: This is the last agreement to be signed with the Lake County Sheriff's Department. There were no raises last year, no raises this year, and it will reopen next year. There are no longevity payments for the length of the contract, six unpaid furlough days this year and next year, and a freeze of the personal days. All in all this is a very nice contract for us.

Commissioner Troy: This contract was a result of binding arbitration, it did go to a conciliator. There was generally more agreement with the county's position on this contract than with the bargaining unit. The key thing is that there is actually a 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

18. RESOLUTION APPOINTING CHIEF MARK KISH OF FAIRPORT HARBOR VILLAGE TO THE LAKE COUNTY NARCOTICS EXECUTIVE BOARD TO FILL AN UNEXPIRED TERM, ENDING DECEMBER 31, 2013 (20120314\C12) (B-17)

Commissioner Aufuldish: This is to fill the term of Chief Stanko from Waite Hill who has retired.

**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 APPOINTING VARIOUS INDIVIDUALS TO THE LAKE COUNTY

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PORT AUTHORITY TAX INCENTIVE REVIEW COMMITTEE FOR TWO YEAR  
TERMS ENDING FEBRUARY 28, 2014 (20120314\C13) (B-64)

**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

20. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE  
COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,333,412.50  
(20120314\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  
\$620,504.57 (20120314\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 (20120314\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 CASH AND APPROPRIATIONS WITHIN VARIOUS  
GENERAL AND NON GENERAL FUND ACCOUNTS (20120314\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 APPROVING THE 2012 FINAL APPROPRIATION MEASURE FOR THE  
GENERAL FUND (20120314\BC05.2012FGF) (C-111)

Commissioner Troy: This is our budget for 2012 that we have been working on with Joel DiMare, Budget Director. Up until today, the county has been operating on a temporary appropriation ordinance. With the addition of new sales tax dollars to begin in July, the 2012 revenue estimate is \$58,924,000, an increase of almost \$4 million. The revenue numbers that we will be spending are reflective of what we spent in 2005. We have a cash carryover balance of \$2.7 million to help make up this budget and this was the lowest carryover balance since the early 1990's. The passage of this budget will stabilize the current county operation without adding additional staff. The County Jail and the Juvenile Detention Center will be able to remain open with the current staff. The County Courts and Prosecutor's Office will be able to maintain its current level of legal efficiency to county residents. This is a presidential election year and there is almost \$2 million dollars appropriated in this budget for the Board of Elections. We are going to set aside approximately \$1.5 million to address the maintenance needs of county owned assets. These are assets and facilities that are owned by the taxpayers. The Commissioners are stewards of these particular possessions and some of the long term capital expenditures need to be addressed. This budget will allow the county to stop the bleeding and will allow us to perform our statutory functions. We have planned ahead with our revenue decisions and this budget anticipates further drops such as the local government fund and changes in the valuation. There is a balance here in order to be able to handle further traditional reductions! Starting on April 1<sup>st</sup> taxpayers will pay a little bit more in terms of the tax on consumable goods and services. But, starting next year there will be a 53% reduction in the property taxes that the county general fund collects. We have put the county in a position to continue to maintain, not regrow. I appreciate the fact that we have all worked together in a bipartisan fashion.

Commissioner Aufuldish: The temporary budget that we have been operating under had about a \$3 - \$4 million hole in it. And, as indicated with our increased revenue we will be able to operate in a smoother manner. As our revenues continued to shrink over the last several years the most difficult decisions that

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we had were determining which employees we had to let go. And, without this increased revenue we would have been looking at losing over 100 jobs and shutting down facilities making this an almost part-time county. I would like to thank my fellow Commissioners and the departments understanding of the county's situation for working very hard to get to this point.

Commissioner Sines: In this economy over the last several years we have seen the county revenues drop. From investment earnings of \$8 - \$9 million not that long ago to less than \$1 million today. Revenues from sales tax to collections for fees and permits and movement of county business have dropped. We have made the adjustments over the years to meet the challenges of our budget. And, we have made cuts, we have worked with the department heads and elected officials to streamline operations. At the pace we were going and the budgets we were anticipating we could not continue the services that we feel are important for the residents of this county. We took a tough task of raising the sales tax and not one Commissioner wanted to do this. I think it is important for people to realize that we aren't spending because we raised the tax, we are maintaining. And, without this tax increase we would have been in rough shape! This budget will allow the county to maintain the operations that are important. I thank my colleagues, Joel DiMare and staff, Mike Matas, and all of the folks involved in this budget process. We are doing great things with the Lake County Port Authority to encourage business and provide opportunities for folks to work, play and be proud to be part of Lake County.

**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: None

STORMWATER: None - No one present.

JOB AND FAMILY SERVICES: None - Mary Spencer was present on behalf of Matt Battiato.

ADMINISTRATIVE SERVICES: None

FINANCE: Joel DiMare: You guys did a fantastic job on the budget!

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 briefly discussed news from the NACO Finance and Intergovernmental Affairs Steering Committee Meeting regarding proposed legislation called the Marketplace Fairness Act, a bipartisan bill that addresses the issue of remote sales and the collection of taxes. This is strongly supported by the National Conference of State Legislatures, The National Association of Counties, and CCAO.

- A sample resolution passed by the Erie County Commissioners was given to the Clerk and Legal Council to see if the Board would like to draft a support resolution.

- Commissioners Troy briefly discussed that built into the federal deficit reduction law there is a term called sequestration meaning at a certain point in 2013 there are automatic cuts that need to take place and a substantial amount of those cuts will take place in domestic spending such as CDBG. One item of concern is the addressing of tax expenditures, which is favorable tax treatment for certain things. A tax expenditure that is very helpful to county government is tax free municipal bonds, which are used to address capital infrastructure projects.

- Commissioner Troy testified with Ashtabula County Commissioner Moroski in front of the House Local Government Committee on the bill that would allow two or more counties to enter into a contract relationship for Coroner Services.

PUBLIC COMMENT: None

EXECUTIVE SESSION: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 10:53 am to discuss collective bargaining matters, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 10:53 am.  
The Lake County Board of Commissioners reconvened Executive Session at 11 am.

On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 11:50 am, 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 11:50 am, with the vote as follows:

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

Minutes approved this 20<sup>th</sup> day of March, 2012.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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RAYMONDE. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

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ROBERT E. AUFULDISH, COMMISSIONER

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