

May 5, 2011

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

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

LEGAL COUNSEL
MIKE MATAS, BUDGET
DIRECTOR
NEWS MEDIA

AMY ELSZASZ, CLERK

(Tape 2011-0505)

CALL TO ORDER: Commissioner Sines called the meeting to order at 10:10 am, Thursday, May 5, 2011.

ROLL CALL: Upon the roll being called all were present.

APPROVAL OF MINUTES: None

OPEN TO THE PUBLIC: Commissioner Sines asked if anyone in the audience wished to address the Board.

Niles Oinonen, 406 E. Street, Fairport Harbor addressed the Board regarding sanitary sewer back-ups that have been happening in the homes on E. Street, and some other areas in Fairport.

- Randy Rothlisberger, Director of Water Systems commented on what the department has been doing in pursuit of rectifying these issues. Mr. Rothlisberger will be meeting with Fairport Harbor representatives next Tuesday to discuss a plan to address the private property laterals that are compounding the flooding problems.

- Tim Hadden, 622 Vine Street, Fairport Harbor addressed the Board requesting that these flooding issues become a priority. Mr. Hadden also said that Randy and his group have been more than accommodating regarding the Fairport issues.

- The sanitary sewer system in Fairport Harbor was aged and challenged when the county originally took it over, and has been an ongoing effort for the Utilities Department.

- Jim Braemer, 535 5th Street, Fairport Harbor discussed his basement flooding, Fairport Nursery Road flooding, and a green box near Hemisphere's driveway with the Utilities Department.

- The Commissioners will continue to work with Fairport Harbor to alleviate these issues.

- Mr. Hadden will provide the Commissioners with a list of concerns that will be directed to the appropriate departments within the county.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING A QUIT CLAIM DEED FOR EMERGENCY CULVERT REPAIR TO MILL-MORR ROAD IN PAINESVILLE TOWNSHIP (20110505\E01) (E-11)

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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20110505\U01) (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

3. RESOLUTION TRANSFERRING CASH FROM LCDU SEWER DISTRICT TRANSFER OUT TO VARIOUS GENERAL OBLIGATION BOND RETIREMENT FUNDS TRANSFER IN (20110505\U02) (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

4. RESOLUTION HIRING KELLY M. STONEMAN TO THE POSITION OF ACCOUNT

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CLERK I IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE MAY 16, 2011 (20110505\U03) (UT-3)

Commissioner Troy: This is to fill a vacancy due to a retirement.

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 APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT MAY 9, 2011, IN THE AMOUNT OF \$134,623.69 (20110505\JFS01) (JFS-14)

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 AUTHORIZING EXECUTION OF A SUBGRANT AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND THE STATE OF OHIO DEPARTMENT OF JOB AND FAMILY SERVICES TO ESTABLISH THE TERMS AND CONDITIONS FOR RECEIPT OF FUNDING (20110505\JFS02) (JFS-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

7. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THENDESIGN ARCHITECTURE, LTD. AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN AN AMOUNT NOT TO EXCEED \$50,000.00 (20110505\C01) (CT-18)

Commissioner Aufuldish: This is for the addition and renovation of the Lake County Crime Lab. None of these dollars will come out of the general fund and will come from the Crime Lab's tax levy fund.

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 AUTHORIZING THE PRESIDENT OF THE BOARD OF LAKE COUNTY COMMISSIONERS TO EXECUTE A SETTLEMENT AND RELEASE AGREEMENT WITH THE ARMS TRUCKING COMPANY AND PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY RELATIVE TO THE ARMS TRUCKING CO. V. DANCO GENERAL CONTRACTING, LLC CASE NO 10CV003713 IN THE LAKE COUNTY COURT OF COMMON PLEAS (20110505\C02) (CT-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

9. RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE COMMUNICATIONS WORKERS OF AMERICA, LOCAL 4340, EXPIRING MARCH 31, 2012 (20110505\C03) (301A)

Commissioner Aufuldish: I would like to thank the communication workers for their ability to work well with this Board of Commissioners, and understanding our height of fiscal problems that the county is experiencing. The key to this agreement is their wage rates will be frozen from April 1, 2011 - March 31, 2012. The folks in the union have also agreed to take extra furlough days.

Bill Margalis, Administrative Director: This one year contract is unusual because traditionally we have signed three year agreements with our bargaining unit. Through the negotiation process the union and the Commissioners recognized that we do not fully understand what will happen with Senate Bill 5 in terms of collective bargaining and this will allow possible negotiations with any upcoming changes. Next year, at this time we will sit down again and see if any changes are needed. Back in 2002, there

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were 117 members in the bargaining unit, and as of today there are 84. I thank the union for understanding our position financially. Mike Matas and myself were able to negotiate this contract without an outside consultant, which has saved us some dollars.

- Erica Seibert, Union Representative commented that the union understands the economic situation. The union was glad that they were able to come to a negotiation and felt that this was in the best interest of the union and the Commissioners.

Commissioner Troy: I too would like to salute CWA for working with us on this, and we appreciate the fact that they understand that we are doing the best that we can.

Commissioner Sines: Again, thank you. We are all trying to do our best in a bad situation, and to move forward in a positive way.

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 RESCINDING RESOLUTION C01 DATED MARCH 24, 2011 (20110505\C04) (C-154a)

Commissioner Troy: The original resolution passed had identified the wrong vendor and this will rescind the incorrect vendor.

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 REAPPOINTING DAVID A. KALINA TO THE LAKELAND COMMUNITY COLLEGE BOARD OF TRUSTEES FOR A FIVE YEAR TERM EXPIRING MARCH 6, 2016 (20110505\C05) (B-51)

Commissioner Aufuldish: Dave has served diligently on this board, and I believe he is now Chair. We thank him for his service.

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 APPOINTING RYAN K. CALLENDER TO THE LAKELAND COMMUNITY COLLEGE BOARD OF TRUSTEES FOR A FIVE YEAR TERM EXPIRING MARCH 6, 2016 (20110505\C06) (B-51)

Commissioner Troy: The Board of County Commissioners appoint six trustees to the nine member board for five year terms, and the Governor appoints three members for five year terms. Ryan Callender served on the board via the Governor’s appointment, and is currently Vice Chair. Not knowing what the Governor’s intentions will be in terms of appointments for 2012, Mr. Callender has stepped down from the gubernatorial appointment. His vacancy will need to be filled for a 15-16 month period.

Commissioner Sines: I will say, that Ryan was an opponent of mine. And, in the spirit of cooperation and understanding he is a good guy with a good financial background.

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 APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$816,442.19 (20110505\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

14. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$251,204.81 (20110505\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

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15. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL FUND ACCOUNTS (20110505\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

16. RESOLUTION CONGRATULATING LISA MASTRANGELO CLERK OF THE WILLOUGHBY MUNICIPAL COURT, RECIPIENT OF THE PRESTIGIOUS 2011 LIBERTY BELL AWARD PRESENTED BY THE LAKE COUNTY BAR ASSOCIATION (20110505\F01) (C-126)

Commissioner Troy: This event took place last Friday.

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 CONGRATULATING MICHAEL D. COFFEY RECIPIENT OF THE 2011 PRESIDENT'S AWARD PRESENTED BY THE LAKE COUNTY BAR ASSOCIATION (20110505\F02) (C-126)

Commissioner Aufuldish: This is former Commissioner Coffey.

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

UTILITIES: Rick Martin, Director: This Saturday, we will have our 2nd special “Computer Collection” to be held at the Lake County Fairgrounds Commercial Building from 9 am - 1 pm.

STORMWATER: Jo Marie Falcone: Tim Miller is on vacation, I will bring the Fairport Harbor concerns to his attention when he returns.

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: None

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy: There was an election Tuesday in Lake County. The local news media editorialized that entities should have the choice of when they want to go to the ballot. The overall turnout was 15%, and in Kirtland less than 10%. It is a tremendous cost per voter to put the elections board apparatus into effect when you are only getting about 1 of every 7 registered voters showing up. The media said there is nothing wrong with these elections because the county gets reimbursed in the following year. Just because the tax expenditure is coming from another entity doesn't make an unwise expenditure a wise one! It's still tax dollars! I guess it was a good day for pollworkers to catch up on their reading and exchange recipes!

Commissioner Troy: I did have the opportunity on Tuesday along with 75 or so other county officials from throughout America to attend a White House County Officials Meeting. A very impressive five cabinet secretaries met with us, Vice President Biden came in and spoke to us, and then we were very surprised when President Obama came in and met with the group. Discussion took place regarding issues such as rehabilitation and corrections, infrastructure and sustainable communities, changing Medicaid into a block grant program, and a presentation on the Health Reform Act. These representatives of our federal administration felt that county government was very important and referred to the counties as partners. President Obama said it was great opportunity to take a break from Congress, and meet with people that actually know what is going on out there in terms of county government issues. It was a very good meeting, and I was very happy to attend.

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PUBLIC COMMENT: Brief discussion took place when John Muzik of Painesville Township inquired about sheriff patrol and the distribution given to the cities, villages and townships. Commissioner Troy: There is no grant money that flows from the county to different communities. The county provides a vast array of state mandated services to all communities like running the jail, courts, elections, property recording, property valuation, collection of taxes, and bridges and county roads taken care of by the Engineer's Office. My idea of a township is a rural area that does not have a lot of demand for services. But, what has happened is Painesville Township and Concord Township have grown; they are the largest townships in Northeast Ohio in terms of population. It is up to the citizens of these townships as to what type of law enforcement protection they want, and it really is up to them to pay for it!

EXECUTIVE SESSION: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 11:10 am to discuss personnel employment matters, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 11:10 am.
The Lake County Board of Commissioners reconvened Executive Session at 11:17 am.

On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 11:42 am, with the vote as follows:

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

The Lake County Board of Commissioners went into Open Session at 11:42 am.
- Jim Dustin of Employee Benefits International, Inc. addressed the Board regarding a request from The Lake County Board of Developmental Disabilities to regionalize with Lake County's Healthcare Plan.

ADJOURN: On a motion of Commissioner Aufuldish, seconded by Commissioner Troy, the Board adjourned the meeting at 12:20 pm, with the vote as follows:

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

Minutes approved this 12th day of May, 2011.

BOARD OF LAKE COUNTY COMMISSIONERS

RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK