

August 12, 2010

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT

RAYMOND E. SINES, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

LEGAL COUNSEL

MIKE MATAS, BUDGET
DIRECTOR

AMY ELSZASZ, CLERK

NEWS MEDIA

(Tape 2010-0810)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:06 am, Thursday, August 12, 2010.

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

APPROVAL OF MINUTES: None

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

Jean Brush, the original office manager of the local Habitat for Humanity addressed the Board regarding problems that began in 2009 when a new administration came into office getting rid all of the original volunteers. The volunteers were told they were no longer needed and further told not to step foot on Habitat property. This group of volunteers are sincere in getting back to work in fulfilling the Habitat Mission, and would like some help and are open to discussion.

- Marian Norman, Lake County HOME Program indicated that last year there was an offering of \$30,000 CDBG Funds to Habitat for Humanity, but the contract was never executed.

- Jean Brush and Andy Trench, an original volunteer of Habitat for Humanity congratulated the Commissioners on the county's recent highest state audit rating, and said that it is refreshing to know that we do have county commissioners that are concerned about where the money is being spent.

Commissioner Troy: We do appreciate you coming here today and informing us that you believe some things are going on that may not be in the best interest of Habitat for Humanity. And, thank you for the time and dedication that you have given to this cause over the years. I'm sure I will be running into Attorney General, Richard Cordray, and I will directly ask him if someone in his office could do a look see on this situation to see if the rules of the game are being followed. Hopefully, we can get everyone pushing in the same direction.

John Muzik of Painesville Township addressed the Board congratulating Lake County on an excellent audit and asked that the county do everything possible to make sure that Lake County residents benefit from what little money the county receives in terms of the bidding process, etc...

Commissioner Troy: We take this seriously as we do anything dealing with the expenditures of dollars, and we will keep on it!

Reverend Gerald Mirbel of Painesville congratulated each Commissioner on their good audit and said a good audit is the lifeblood of any good company.

Commissioner Troy thanked the Reverend and indicated that he works very hard in the community.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING ADVERTISEMENT FOR REBIDS FOR CINDERS FOR THE LAKE COUNTY ENGINEER'S ROAD DEPARTMENT (BID OPENING: September 1, 2010) (20100812\E01) (E-2)

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 APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST

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IN THE AMOUNT OF \$2,950 FOR FAY ROAD WATERLINE EXTENSION IN CONCORD TOWNSHIP FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20100812\U01) (UT-9)

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 RATIFYING THE PLANS, SPECIFICATIONS, ESTIMATES OF COST AND TENTATIVE ASSESSMENTS FOR THE CONSTRUCTION OF MCMACKIN ROAD WATER IMPROVEMENT PROJECT NO. 261-W IN MADISON TOWNSHIP IN THE LAKE COUNTY DEPARTMENT OF UTILITIES (20100812\U02) (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

4. RESOLUTION DETERMINING TO PROCEED WITH THE CONSTRUCTION OF MCMACKIN ROAD WATER IMPROVEMENT PROJECT NO. 261-W IN THE LAKE COUNTY DEPARTMENT OF UTILITIES (Bid Opening September 1, 2010) (20100812\U03) (UT-8)

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

5. RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH INLAND WATERS POLLUTION CONTROL, INC. FOR BELLFLOWER AREA SANITARY SEWER IMPROVEMENT PROJECT NO. 314-S FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES, DECREASING THE TOTAL CONTRACT AMOUNT BY \$8,345 (20100812\U04) (UT-4)

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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20100812\U05) (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

7. RESOLUTION ESTABLISHING AN APPROPRIATION LINE, INCREASING APPROPRIATIONS AND TRANSFERRING CASH (20100812\U06) (UT-2)

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 LCDU WATER DISTRICT CONTRACT REPAIRS (20100812\U07) (UT-2)

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 HIRING JOSHUA HATTOX TO THE POSITION OF SYSTEM MAINTENANCE I IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE AUGUST 16, 2010 (20100812\U08) (UT-3)

Commissioner Aufuldish: These are replacements due to retirement.

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

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“NAYS”: None

10. RESOLUTION HIRING DANA D. FEARING TO THE POSITION OF ACCOUNT CLERK I IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE AUGUST 23, 2010 (20100812\U09) (UT-3)

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

11. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT AUGUST 23, 2010, IN THE AMOUNT OF \$423,598.64 (20100812\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

12. RESOLUTION DECLARING THE LAKE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING SCHEDULE BEGINNING SEPTEMBER 2, 2010 (20100812\C01) (C-107)

Commissioner Troy: The Commissioners' Meetings are scheduled through the end of August, and this will set the schedule for the remainder of the year. And, on December 30th we will have our 50th meeting, which fulfills the statutory requirement. **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

13. RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AND RELEASE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND DiGIOIA-SUBURBAN EXCAVATING, LLC RELATIVE TO LAKE COUNTY COURT OF COMMON PLEAS CASE NO. 2008-CV-002956 (20100812\C02) (CT-8)

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

14. RESOLUTION TO REMOVE DANCO GENERAL CONTRACTING, LLC FROM THE LAKE COUNTY WATERLINE IMPROVEMENT PROJECT NO. 295-W HUBBARD ROAD DUE TO BREACH OF CONTRACT AND AUTHORIZING A FORMAL CLAIM FOR COMPLETION OF THE PROJECT AGAINST THE SURETY NORTH AMERICAN SPECIALTY INSURANCE COMPANY PURSUANT TO THE TERMS OF THE BOND AND THE CONTRACT (20100812\C03) (UT-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

15. RESOLUTION TO REMOVE DANCO GENERAL CONTRACTING, LLC FROM THE LAKE COUNTY WATERLINE IMPROVEMENT PROJECT NO. 319-W LAKE ROAD DUE TO BREACH OF CONTRACT AND AUTHORIZING A FORMAL CLAIM FOR COMPLETION OF THE PROJECT AGAINST THE SURETY PENNSYLVANIA NATIONAL MUTUAL INSURANCE COMPANY PURSUANT TO THE TERMS OF THE BOND AND THE CONTRACT (20100812\C04) (UT-4)

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

16. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,154,320.55 (20100812\BC01) (C-4)

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

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

17. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$668,112.53 (20100812\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

18. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20100812\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

19. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20100812\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

20. RESOLUTION CONGRATULATING KYLE W. ROGERS ON ATTAINING THE RANK OF EAGLE SCOUT AWARDED BY THE NATIONAL BOYS SCOUTS OF AMERICA (2010081\F01) (C-126)

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: Rick Martin, Director gave an update that the hydrants in need of repair at 305 and Lakeshore Drive are complete.

STORMWATER: None - Jo Marie Falcone was present on behalf of Tim Miller.

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

ADMINISTRATIVE SERVICES: None

FINANCE: None

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy briefly discussed that our federal grants office will be proceeding to apply for our share of an upcoming \$1 billion of Round 3 Neighborhood Stabilization (NSP) Program dollars. The county was successful in receiving an allocation of NSP Round 1 funds, and certainly have been able to use them to stabilize a neighborhood here or there.

PUBLIC COMMENT: None

Commissioner Troy: Next week is County Fair week and the Commissioners will not have a meeting. The Commissioners will meet two weeks from today on Thursday, August 26, 2010 at 10 am.

EXECUTIVE SESSION: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 10:47 am to discuss imminent and pending litigation and personnel compensation, 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 10:47 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 1 pm, with the vote as follows:

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

ADJOURN: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 1 pm, with the vote as follows:

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

Minutes approved this 26th day of August, 2010.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

RAYMOND E. SINES, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK