

September 16, 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

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(Tape 2010-0916)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:06 am, Thursday, September 16, 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 August 26, 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.

Commissioner Troy read a proclamation on behalf of the Commissioners proclaiming September 19<sup>th</sup> - 25<sup>th</sup>, 2010 as

National Resource Conservation and Development Week in Lake County. Western Reserve Resource Conservation

Development Council is a non-profit organization serving the members of Ashtabula, Cuyahoga, Geauga, Lake, Lorain,

Medina, Portage, Summit and Trumbull. The mission of this organization is to empower the partnership of community

leaders to plan, promote and implement conservation and sustainable use of natural resources in both rural and urban areas. - The Commissioners presented the proclamation to John Niedzialek and Darrell Webster, representatives of our Northeast Ohio R C & D with appreciation.

- Mr. Niedzialek thanked the Commissioners for their support.

- A resident of 128 Garfield Drive, Painesville Twp. addressed the Board stating that if the Sheriff Department levy were to pass, he resents paying taxes twice. The resident does not want additional service, he wants the same service that he is accustomed to having for many, many years.

Commissioner Troy explained that the resident lives in an unincorporated area and under Ohio law the Sheriff's Department

is charged with keeping the peace and responding to emergencies in unincorporated areas. The Sheriff's Department budget

is part of the county budget. And, as you know the county has been struggling as every other governmental entity has in

recent times due to the economy. The make up of the Sheriff's Department road patrol operation was approximately 39

individuals, and it is now at 36 individuals. Technically, there is funding still in the budget to replace one of these

individuals and bring this number up to 37. The Commissioners did not put this levy on the ballot, it is between the townships trustees and the Sheriff. The understanding is that the Sheriff has asked for

additional dollars to enhance the level of road patrol protection over and above what the county is able to provide. The county is operating on resources right now in 2010, that are equivalent to what we had

in 2005. The Sheriff's Department has not been reduced any more than any other department in terms of percentage reduction. Commissioner Sines: There is no question that the budget in this county is

being reduced and 65% of the county budget is law enforcement, which is the largest. The trustees in Painesville Township, Perry Township and Concord Township do not want to be in the same situation

as Ashtabula County with minimal Sheriff protection. It is the trustees decision to hire additional road patrol.

Commissioner Troy: The Sheriff has complimented the Commissioners for being able to hang on as long as we could under

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these difficult economic circumstances. Is it fair for this Board of County Commissioners to levy a general tax increase on all of the Lake County citizens in order to take care of three communities that choose to remain unincorporated, which is their right?

- The resident heard that the Commissioners gave advanced salaries to Building and Grounds.
- The Commissioners dismissed that this is not true.

**RESOLUTIONS:**

1. RESOLUTION AMENDING THE SANITARY SEWERAGE, SOLID WASTE, AND WATER SUPPLY RULES AND REGULATIONS OF THE LAKE COUNTY DEPARTMENT OF UTILITIES (20100916\U01) (UT-41)

- Commissioner Troy briefly discussed that minor changes have been made in order to make the process flow smoother. This is an update of what was instituted in writing by this board regarding the rules and regulations of our water, sewer and solid waste operation. An appeals board was established in case users felt that the rules or regulations were not fairly applied. These changes are based on experiences; technical changes and upgrades will evolve in the future based on environmental or EPA rule changes.

**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 (20100916\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 APPOINTING JOHN HAWKINS TO THE LAKE COUNTY PUBLIC DEFENDER COMMISSION FOR A FOUR YEAR TERM EXPIRING JUNE 30, 2014 (20100916\C01) (B-13)

**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 DECLARING CERTAIN COUNTY PERSONAL PROPERTY OBSOLETE AND NO LONGER NEEDED FOR PUBLIC USE AND AUTHORIZING THE DONATION OF SAID PROPERTY TO THE CITY OF PAINESVILLE DIVISION OF RECREATION AND PUBLIC LANDS IN ACCORDANCE WITH SECTION 307.12(D) OF THE OHIO REVISED CODE (20100916\C02) (C-107)

Commissioner Sines: These were on a former bridge that was torn down. The city wants to put them back up in a strategic area to make the area look nicer.

**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 ACCEPTING A GRANT AWARD (#2010CKWX0217) FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) ON BEHALF OF THE LAKE COUNTY SHERIFF'S DEPARTMENT FOR LAW ENFORCEMENT TECHNOLOGY, EFFECTIVE THROUGH DECEMBER 15, 2012 (20100916\C03) (CT-10a)

**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 AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE AMONG THE BOARD OF LAKE COUNTY COMMISSIONERS, CROSS CREEK VILLAGE CONDOMINIUM OWNERS' ASSOCIATION AND CROSSCREEK ASSOCIATES, LLC RELATIVE TO LAKE COUNTY COURT OF COMMON PLEAS

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CASE NOS. 2010-CV-000492 AND 2010-CV-001251 (20100916\C04) (CT-8)

Commissioner Troy: This is the result of an issue that arose pointing out some inconsistency, which has resulted in changes to our Utility rules and regulations. This will help us deal with this type of situation in a much better manner in the future.

**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 AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND WESTERN RESERVE COMMUNITY DEVELOPMENT CORPORATION FOR THE FY-2008 NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FUNDS (20100916\C05) (C-46)

Commissioner Troy: This is a federal government foreclosure driven program to address and stabilize neighborhoods where there has been abandonment or foreclosed properties. The county is using those funds to enter into an agreement with the Western Reserve Community Development Corporation for the acquisition, rehab, construction, and resale of up to seven single family dwellings. I do want to thank Mike Matas and Jason Boyd for getting all of the information together before the deadline in order to utilize these dollars.

**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 AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND EXTENDED HOUSING, INC., FOR THE FY-2008 NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FUNDS (20100916\C06) (C-46)

Commissioner Troy: This is also a federal government program where we are entering into an agreement with Extended Housing for the acquisition of property that may have been abandoned or foreclosed upon for the new construction of rental units primarily for folks with disabilities. Again, I want to thank Mike and Jason for all of the hours they have put in over the last week or so, we appreciate it.

**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 APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$979,686.18 (20100916\BC01) (C-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

10. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$467,617.78 (20100916\BC02) (C-17)

**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 INCREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20100916\BC03) (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

12. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL FUND ACCOUNTS (20100916\BC04) (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

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UTILITIES: Commissioner Troy and Rick Martin, Utilities Director briefly discussed there will be a Household Hazardous Waste Collection on Saturday, October 2, 2010 from 9am -3pm at the Lake County Fairgrounds.

STORMWATER: None

JOB AND FAMILY SERVICES: None

ADMINISTRATIVE SERVICES: None

FINANCE: Mike Matas, Budget Director reported that the sales tax numbers are right on pace with the budget. We are at 76.86% of the budget, which is a shade better than what was estimated through September.

CLERK: None

LEGAL: None - Eric Condon was present on behalf of Pat Nocero.

OLD BUSINESS: There was no old business.

NEW BUSINESS: There was no new business.

PUBLIC COMMENT: None

EXECUTIVE SESSION: None

Commissioner Troy: The next Commissioners' Meeting is Thursday, September 23, 2010 at 10am.

ADJOURN: On a motion of Commissioner Sines, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 10:36 am, with the vote as follows:

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

Minutes approved this 23<sup>rd</sup> day of September, 2010.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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DANIEL P. TROY, PRESIDENT

RAYMOND E. SINES, COMMISSIONER

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ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK