

October 27, 2011

## LAKE COUNTY COMMISSIONERS' MEETING MINUTES

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

ROBERT E. AUFULDISH, COMMISSIONER

LEGAL COUNSEL

JOEL DIMARE, BUDGET  
DIRECTOR

AMY ELSZASZ, CLERK

NEWS MEDIA

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(Tape 2011-1027)

CALL TO ORDER: Commissioner Sines called the meeting to order at 10:08 am, Thursday, October 27, 2011.

ROLL CALL: Upon the roll being called Commissioner Sines and Commissioner Troy were present.

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Sines, the minutes of the meeting of October 18, 2011, were approved as follows:

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

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

- Beth Falkner-Brown introduced her brother-in-law Derek Brown, a County Commissioner visiting from Louis and Clark County in Montana.

### RESOLUTIONS:

1. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO EXECUTE AN OPWC AGREEMENT FOR THE HOOSE ROAD RESURFACING PROJECT IN CONCORD TOWNSHIP (20111027\E01) (E-3)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Sines and Troy "NAYS": None

2. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO EXECUTE AN OPWC AGREEMENT FOR VROOMAN ROAD - STATE ROUTE 86 - ROUNDABOUT PROJECT IN LEROY TOWNSHIP (20111027\E02) (E-3)

Commissioner Troy: This project is long over due in terms of that challenging intersection, and hopefully it will be successfully approved for funding soon.

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Sines and Troy "NAYS": None

3. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO EXECUTE AN OPWC AGREEMENT FOR THE BLASE-NEMETH WIDENING PROJECT IN PAINESVILLE TOWNSHIP (20111027\E03) (E-3)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Sines and Troy "NAYS": None

4. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$552,000 FOR SR 174 & SR 84 BOOSTER STATION UPGRADE AND ADVERTISING FOR BIDS FOR SAME (Bid Opening: November 23, 2011)

October 27, 2011

(20111027\U01) (UT-8)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

5. RESOLUTION AWARDING A CONTRACT TO MARTIN PALLET, INC. FOR 20,000 CUBIC YARDS OF SAWDUST IN THE AMOUNT OF \$152,000 FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20111027\U02) (UT-4)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

6. RESOLUTION AWARDING A CONTRACT TO VAN CUREN SERVICES, INC. FOR 15,000 CUBIC YARDS OF WOOD CHIPS IN THE AMOUNT OF \$119,100 FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20111027\U03) (UT-4)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

7. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR ASPHALT COLD PATCH FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (Bid Opening: November 16, 2011) (20111027\U04) (UT-8)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

8. RESOLUTION AUTHORIZING THE BOARD OF LAKE COUNTY COMMISSIONERS TO ENTER INTO A SANITARY SEWER CAPACITY AGREEMENT WITH THE CITY OF KIRTLAND, OHIO FOR THE ALLOCATION OF SEWER CAPACITY FOR THE KIRTLAND SANITARY SEWER IMPROVEMENT PROJECT NO. 284S (20111027\U05) (UT-4)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

9. RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH GEORGE KOUNTOUPES PAINTING CO. FOR ORTON ROAD TANK PAINTING PROJECT NO. 325-W IN PAINESVILLE TOWNSHIP, FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES, INCREASING THE TOTAL CONTRACT AMOUNT BY \$19,305 (20111027\U06) (UT-4)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

10. RESOLUTION TO DELETE A WATER SUM CERTIFIED TO THE LAKE COUNTY AUDITOR (20111027\U07) (UT-7)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

11. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20111027\U08) (UT-7)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

12. RESOLUTION INCREASING APPROPRIATIONS FOR KIRTLAND CITY SEWERS 284S EASEMENTS (20111027\U09) (UT-2)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

13. RESOLUTION ACCEPTING THE RETIREMENT RESIGNATION OF FRANK ZALEK FROM HIS POSITION OF PROJECT ENGINEER III, LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE OCTOBER 31, 2011 (20111027\U10) (UT-3)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

14. RESOLUTION APPOINTING MICHAEL CODY TO THE LAKE COUNTY WORKFORCE INVESTMENT BOARD YOUTH COUNCIL, REPRESENTING LOCAL PUBLIC HOUSING AUTHORITIES, TO COMPLETE AN UNEXPIRED TERM ENDING FEBRUARY 14, 2013

October 27, 2011

(20111027\JFS01) (B-24)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

15. RESOLUTION PROCLAIMING NOVEMBER 2011 ADOPTION AWARENESS MONTH IN LAKE COUNTY, OHIO (20111027\JFS02) (JFS-11)

Shawn Douglas of Job and Family Services: During adoption month we will be focusing on children that we currently have in permanent custody. There are 11 children who are available for adoption in the county and there will be all kinds of different ways that people can learn about them. The age range is from three up to eighteen.

Commissioner Sines: In a county of our size, this seems to be a manageable number. We are fortunate that we have so many folks that are willing and able to adopt some of these children that are in very bad situations.

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

16. RESOLUTION ACCEPTING AN EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$120,395.00, EFFECTIVE THROUGH JUNE 30, 2012 (20111027\C01) (504)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

17. RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE VILLAGE OF LAKELINE FOR STORMWATER SERVICES (20111027\C02) (UT-46a)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

18. RESOLUTION AUTHORIZING EXECUTION OF AN AMENDED AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND CUYAHOGA COUNTY FOR THE FY09 INTEROPERABLE EMERGENCY COMMUNICATION GRANT PROGRAM (20111027\C03) (404-a13)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

19. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR AN ELEVATOR MAINTENANCE CONTRACT FOR LAKE COUNTY BUILDINGS FOR THE LAKE COUNTY BUILDINGS AND GROUNDS DEPARTMENT (Bid Opening: November 16, 2011) (20111027\C04) (C-7)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

20. RESOLUTION AUTHORIZING EXECUTION OF THE FY 2011 CDBG AND HOME GRANT AGREEMENTS WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (20111027\C05) (C-46)

Jason Boyd, Federal Grants Administrator: This is our official award letter. Our funding for CDBG is about \$1.3 million and Home Funds are about \$467,000 give or take a 16%-18% reduction from fiscal year 2010.

- Brief discussion that the vast amount of projects use the money within the allocated time period.

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

21. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,838,442.00

October 27, 2011

(20111027\BC01) (C-4)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

22. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$439,021.03 (20111027\BC02) (C-17)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

23. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON GENERAL FUND ACCOUNTS (20111027\BC03) (C-111)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

24. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20111027\BC04) (C-111)

**On a motion** of Commissioner Troy, seconded by Commissioner Sines, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Sines and Troy “NAYS”: None

UTILITIES: Commissioner Troy briefly discussed the request from the Utilities Department for a sewer rate increase and comments from customers regarding their concern about flat rate billing. Commissioner Troy requested that the Utilities Director put out a public statement with an explanation of the county's thought process as to why flat rate billing on a quarterly basis is the best option, rather than basing it on water consumption.

Rick Martin, Director: Certainly, the outcome is that we maintain one of the lowest rates and that would be the message across the board.

STORMWATER: Tim Miller, Director: I would like to mention that the Stormwater Department co-hosted a training session for service department personnel that was funded by Lake Erie Protection Fund, which was well attended by over 60 road department personnel from Lake and Geauga County.

- Commissioner Troy briefly discussed that with the weather this year new stormwater management needs have been identified just about every week, and he would like the Stormwater Department to start spending some money on needed projects out there. The economy would also benefit from the work.

- Brief discussion that projects are being identified and prioritized with the member communities in order to move forward.

Commissioner Sines: With the sewer rate increase as we have discussed it is my recommendation to reduce the stormwater user fees and give back to the taxpayer. I think this would be a great message to send out from this Board that we are spending the dollars wisely.

Commissioner Troy: Again, these are user fees and the problem is that people that are served by our wastewater treatment system (Mentor being the biggest customer) are not part of the Stormwater Management Agency. To say that we want to offset the sewer rate increase by a drop in the stormwater user fees won't do anything for customers in Mentor.

JOB AND FAMILY SERVICES: None - Shawn Douglas was present on behalf of Matt Battiatto.

ADMINISTRATIVE SERVICES: None

FINANCE: None

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

October 27, 2011

NEW BUSINESS: Commissioner Troy: We are watching the actions of the legislature in terms of next year's budget and at this time the law says there will be three full blown elections in March, June, and November. It sounds like folks may be coming to their senses and that this may be adjusted when they go back into session in November. It is indicated that the June primary will be paid for with a \$15 million appropriation and the question is will that be reimbursement money or up front money. We will be hard pressed as with all counties to advance the costs of three full elections and wait for reimbursement from the State of Ohio. It wouldn't be a bad idea to have the election officials in here at an upcoming meeting to let us know what the forecast looks like and what we can do to manage the costs.

PUBLIC COMMENT: John Muzik of Painesville Township briefly discussed an article in the newspaper regarding undercover video taken in various Jobs and Family Services where an individual is inquiring about screening and intake policies for public assistance.

- Shawn Douglas of Jobs and Family Services explained Lake County's Job and Family Services procedure for public assistance. Due to the volume in Lake County, an individual has to formally submit an application and does not offer a free screening unit where someone can just breeze in and ask a bunch of questions to entertain eligibility.

EXECUTIVE SESSION: On a motion of Commissioner Troy, seconded by Commissioner Sines, the Board convened an Executive Session at 10:40 am to discuss litigation and personnel matters, with the vote as follows:

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

The Lake County Board of Commissioners will go back into Open Session after executive session to discuss employee healthcare.

The Lake County Board of Commissioners recessed Executive Session at 10:40 am.

The Lake County Board of Commissioners reconvened Executive Session at 10:57am.

On a motion of Commissioner Troy, seconded by Commissioner Sines, the Board terminated the Executive Session at

11:20 am with the vote as follows:

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

OPEN:

- Representatives from the Senior Citizen Centers Levy Coalition briefly discussed future placement of a levy on the ballot with the Commissioners.

- Discussion took place regarding employee healthcare for 2012.

ADJOURN: On a motion of Commissioner Troy, seconded by Commissioner Sines, the Board adjourned the meeting at

12:37 pm, with the vote as follows:

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

Minutes approved this 10<sup>th</sup> day of November, 2011.

## **BOARD OF LAKE COUNTY COMMISSIONERS**

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RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

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AMY ELSZASZ, CLERK