

December 29, 2011

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

RAYMOND E. SINES, PRESIDENT
DANIEL P. TROY, COMMISSIONER
ROBERT E. AUFULDISH, COMMISSIONER
AMY ELSZASZ, CLERK
LEGAL COUNSEL
JOEL DIMARE, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2011-1229)

CALL TO ORDER: Commissioner Sines called the meeting to order at 10:25 am, Thursday, December 29, 2011.

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 meeting of December 20, 2011 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. No one present addressed the Board.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN BURGESS & NIPLE, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN AN AMOUNT NOT TO EXCEED \$64,000.00 (20111229\E01) (E-3)

- Tim Miller, Stormwater Director briefly discussed that this agreement is being recommended to provide relief for Hunting Trail Drive Waterfowl Way Storm Sewer in Concord Township, which has been experiencing substantial flooding to the point of three to four feet deep. Burgess & Niple is to identify why the existing system is not functioning and recommend improvements. The Stormwater Department is proposing to remove the existing system from private property and move it into the right-a-way.
- Brief discussion took place whether residential development should have taken place in this area.
- Brief discussion took place that as additional phases were added it appears Waterfowl Way was compromised.
- Mr. Miller explained that this is a regionally defined storm sewer system.
- Brief discussion took place whether there is any liability on part of the developers, builders, homeowners association or Concord Township.
- Brief discussion took place in terms of prevention, so that this does not happen with future development.
- Jack Nettis, Concord Township Administrator briefly discussed that the design and engineering of any subdivision is not the townships responsibility because they rely on others to do this.

On a motion of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish and Troy "NAYS": Commissioner Sines

2. RESOLUTION APPROVING FINAL ESTIMATE NO. 3 (RELEASE OF RETAINER) IN THE AMOUNT OF \$12,034.20 WITH GEORGE KOUNTOUPES PAINTING CO. AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$276,550.00 FOR ORTON ROAD TANK PAINTING PROJECT NO. 325-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20111229\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

3. RESOLUTION DECREASING APPROPRIATIONS FOR LCDU WATER DISTRICT VARIOUS ACCOUNTS (20111229\U02) (UT-2)

On a motion of Commissioner Aufuldish, seconded by Commissioner Troy, the foregoing resolution

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

4. RESOLUTION DECREASING APPROPRIATIONS FOR LCDU SEWER DISTRICT VARIOUS ACCOUNTS (20111229\U03) (UT-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

5. RESOLUTION DECREASING APPROPRIATIONS FOR LCDU SOLID WASTE/RECYCLING DISTRICT VARIOUS ACCOUNTS (20111229\U04) (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

6. RESOLUTION DECREASING APPROPRIATIONS FOR LCDU CAPITAL PROJECT FUNDS (20111229\U05) (UT-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 RENEWAL AGREEMENT BETWEEN BUSINESS STORAGE COMPANY AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN THE AMOUNT OF \$11,250.00, EFFECTIVE JANUARY 16, 2012 THROUGH JANUARY 15, 2013 (20111229\C01) (209z-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

8. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF AND NEIGHBORING MENTAL HEALTH SERVICES, INC. TO PROVIDE PSYCHIATRIC AND MEDICAL SERVICES TO INMATES OF THE LAKE COUNTY JAIL, EFFECTIVE JANUARY 1, 2012 THROUGH DECEMBER 31, 2012 (20111229\C02) (CT-10a)

Commissioner Troy: This is an annual agreement for this service.

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 RE-APPOINTING MAYOR DAVID ANDERSON AS A MEMBER OF THE LAKE COUNTY NARCOTICS EXECUTIVE BOARD FOR A THREE YEAR TERM COMMENCING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2014 (20111229\C03) (B-17)

Commissioner Aufuldish: The Mayors and Managers Association has recommended that the mayor be reappointed to the board.

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 APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,919,107.78 (20111229\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

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11. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$200,032.72 (20111229\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

12. RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20111229\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

13. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON GENERAL FUND ACCOUNTS (20111229\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

14. RESOLUTION APPROVING THE 2012 TEMPORARY APPROPRIATION MEASURE FOR THE GENERAL FUND (20111229\BC05.TGF) (C-111)

Commissioner Troy: This is our temporary general fund budget, which authorizes spending for the first three months of the new year. A permanent budget must be passed by April 1, 2012. We are anticipating the 2012 revenue to be significantly less than 2011, due to changes in state law, continued flattening of interest rates, and the fact that certain costs such as hospitalization have increased. It is necessary for all of the department heads and elected officials to understand that it can't be business as usual in January, February and March because of the reality of our revenue picture. This temporary budget allows us to operate, but certainly not as we would like to operate. This is probably the lowest temporary appropriation general fund resolution that we have passed in the last seven or eight years.

Commissioner Aufuldish: Unfortunately some jobs will be impacted by the passing of this resolution.

Commissioner Sines: This is probably one of the lowest budgets in ten years. To meet the budget constraints the employment levels of the county have been reduced since 2007 by 20% in the general fund. That alone is a huge impact on the services and going forward there has to be additional cuts in the budget, which could be as many as 100 county employees. It is not a bright picture in looking at our responsibility in order to balance the budget. Not that long ago, our investment income was at \$8 million per year, and this year we are looking at less than \$1 million. Along with reductions from the state level for different taxes is another several million from the local government fund as well as an economy that is struggling from real estate valuations to sales tax receipts. We will balance the budget and we will do the things that we need to do to meet our responsibilities. But, it is not going to be pretty. I believe we have the cooperation of the elected officials to move forward.

Commissioner Troy: The Commissioners will continue to look at all aspects and ask the state for changes in state law in terms of our ability to be more efficient and economical. We are going to be asking the County Budget Commission to revisit the alternative local government fund formula that exists in Lake County that was agreed upon back in 1982. Under the statutory non-alternative formula the county general fund automatically receives 30% of the undivided local government fund before it is divided between the political subdivisions. For some reason, rather than taking the statutorily permissible 30% of the undivided local government, the people who sat in these three seats back in 1982 agreed to take only 11%, which has been to the benefit of the other political subdivisions in this county who divide 89% of the local government fund. **On a motion** of Commissioner Troy, seconded by Commissioner

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

UTILITIES: None

STORMWATER: None

JOB AND FAMILY SERVICES: Matt Battiato, Director introduced his daughter Morgan, a Senior at Wickliffe High School who was volunteering at Job and Family Services to earn some community service hours.

ADMINISTRATIVE SERVICES: None

FINANCE: None

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: There was no new business.

PUBLIC COMMENT: None

EXECUTIVE SESSION: On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 10:50 am to discuss personnel compensation and real estate matters, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 10:50 am.

The Lake County Board of Commissioners reconvened Executive Session at 10:55 am.

On a motion of Commissioner Troy, seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 11:44 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 11:44 am, with the vote as follows:

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

Minutes approved this 5th day of January, 2012.

BOARD OF LAKE COUNTY COMMISSIONERS

RAYMOND E. SINES, PRESIDENT

DANIEL P. TROY, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK