

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

JERRY C. CIRINO, COMMISSIONER	JASON W. BOYD, ADMINISTRATOR
JOHN R HAMERCHECK, COMMISSIONER	LEGAL COUNSEL
DANIEL P. TROY, COMMISSIONER	MIKE MATAS, BUDGET DIRECTOR
JENNIFER BELL, CLERK	NEWS MEDIA

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(Tape 2017-1017)

CALL TO ORDER: Commissioner Cirino called the Meeting to order at 1:33 p.m. Tuesday, October 17, 2017.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Hamercheck, seconded by Commissioner Troy, the minutes of the regular meeting of October 5, 2017 were approved as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

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

Commissioner Troy introduced County Auditor, Mr. Ed Zupancic, and asked him to speak on the recent property tax valuation report of First Energy. Lake County Auditor, Mr. Ed Zupancic, was present and explained that real property and public utility properties are appraised differently. Real property is done through the county auditor’s office. Public utilities companies file tax returns with the Department of Taxation in Columbus and are not public record. Commissioner Troy stated that the County has no recourse regarding the appraisal because it is not a public record and public utilities are the only tangible tax left in Ohio. Mr. Zupancic stated that this devaluation will cost many political subdivisions in Lake County thousands of dollars and letters have been sent to the affected political subdivisions. Commissioner Troy stated that Perry Schools will lose the most (over \$2 million dollars) and that Willoughby-Eastlake Schools would lose \$1,489,343. Of that amount, however, \$597,770 is from emergency and debt levies and those dollars will be shifted to all the other taxpayers. The Lake County Board of Developmental Disabilities will lose \$258,350, the Perry Fire District will lose \$334,681 and the City of Eastlake will lose \$200,673. Commissioner Troy stated that he has never seen any entity expend more effort into lowering their tax valuations so they can pay less in taxes than First Energy. He explained that this is a significant hit for the County and many will need to plan their next years’ budget based on this, in fact there are school districts that are in the middle of their fiscal year. Mr. Zupancic stated that the schools will be billed with these new figures in January 2018. Commissioner Cirino asked Mr. Zupancic if he had ever experienced such a large change. Mr. Zupancic responded that he has never seen a devaluation as significant as First Energy’s. Commissioner Cirino stated that he has spoken with Ottawa County and they stand to lose \$140 million should First Energy close the Nuclear Plant located there. Commissioner Troy stated that the legislation before the General Assembly is asking for more money from rate payers. He explained the levy in the Willoughby-Eastlake School District and how it would become the responsibility of the residents and other property owners to cover the loss from taxes paid by First Energy. Commissioner Cirino stated that this is a pitiful coincidence that First Energy is asking for relief through ZEN legislation and other means. He stressed that we must do whatever is possible to prevent the nuclear plant closures. Commissioner Troy stated if First Energy gets what they want out of the legislature, though highly unlikely, First Energy has not denied that they would sell these plants off to another party.

Connie Mismus, of Eastlake, asked who the representatives of the legislation before the General Assembly were that Commissioner Troy spoke of. Commissioner Troy responded that Senator Eklund presented the first ZEN bill and the new bill introduced in the House is being cosponsored by Representative Young. Commissioner Cirino stated that the Senate will be adopting the Zen bill language from the House.

Carol Pred, of Mentor, asked for clarification regarding Perry Schools and Willoughby-Eastlake Schools losing a lot of money due to the lowered valuation of First Energy and how it becomes the responsibility of the residents to make up that loss. Commissioner Troy explained in detail that it is only Willoughby-Eastlake and why they would be responsible for the loss. Commissioner Hamercheck stated for clarification purposes that there is no way to appeal the lowered tax valuation. Mr. Zupancic stated that there are only 2 counties in the State that will be affected by the nuclear plant closures.

RESOLUTIONS:

**1. RESOLUTION APPROVING SCOPE OF SERVICES AND BID DOCUMENTS FOR THE HOPKINS ROAD BRIDGE REPLACEMENT (PID 93498) OVER MARTIN OHM DITCH IN THE CITY OF MENTOR, OHIO AND ADVERTISING FOR BIDS OF THE SAME (Bid Opening November 22, 2017)(20171017\E01)(E-2)**

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

**2. RESOLUTION TRANSFERRING APPROPRIATIONS AND TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 289-S TO THE SEWER OPERATING FUND. THE PROJECT IS COMPLETE AND THE CASH IN THE PROJECT FUND IS REDUCED TO ZERO(20171017\U01)(UT-2)**

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

October 17, 2017

**3. RESOLUTION AUTHORIZING THE LAKE COUNTY SANITARY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR ST. JAMES RELIEF SEWER PROJECT 403-S IN THE CITY OF MENTOR (20171017\U02)(UT-4)**

On a motion by Commissioner Hamercheck, seconded by Commissioner Troy. Commissioner Troy asked if this project was on the cusp of the OPWC list and asked if there was a better loan configuration available. Sanitary Engineer, Mr. Randy Rothlisberger, responded that is the plan for this project. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**4. RESOLUTION AUTHORIZING THE LAKE COUNTY SANITARY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR MANTLE ROAD WATERLINE REPLACEMENT PROJECT 407-W IN PAINESVILLE TWP.(20171017\U03)(UT-4)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy stated this project is above the line and definitely going forward. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**5. RESOLUTION INCREASING APPROPRIATIONS WITHIN THE LAKE COUNTY DEPARTMENT OF UTILITIES WATER PROJECT FUND 595, WELLNER ROAD WATERLINE REPLACEMENT PROJECT 392-W(20171017\U04)(UT-2)**

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

**6. RESOLUTION ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$5,460.40 FOR CRILE ROAD SANITARY SEWER EXTENSION JOB NO. 17-9 IN CONCORD TOWNSHIP (20171017\U05)(UT-12)**

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

**7. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$249,314.45 FOR SANITARY SEWERS FOR LAKESHORE HIGHLANDS SUBDIVISION, JOB NO. 17-33, IN THE CITY OF MENTOR (20171017\U06)(UT-9)**

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

**8. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT OCTOBER 20, 2017, IN THE AMOUNT OF \$497,427.85 (20171017\JFS01)(JFS-14)**

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

**9. RESOLUTION REAPPOINTING CYNTHIA BROOKS AS A MEMBER OF THE LAKE METROPOLITAN HOUSING AUTHORITY BOARD OF COMMISSIONERS FOR A FIVE YEAR TERM EXPIRING NOVEMBER 12, 2022 (20171017\C01)(B-54)**

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

**10. RESOLUTION EXPRESSING SUPPORT FOR OHIO HOUSE BILL 123 WHICH WILL CLOSE AN EXISTING LOOPHOLE AND CAP THE ANNUAL INTEREST RATE FOR PAYDAY LOAN LENDERS, AND URGING THE OHIO LEGISLATURE AND GOVERNOR KASICH TO SUPPORT THE SAME(20171017\C02)(C-107)**

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck. Commissioner Troy explained that this resolution endorses a bi-partisan bill to close an existing loophole in Ohio law and cap the interest rates and fees of payday loan lenders. He stated that short-term lenders in Ohio are charging more than anywhere else in the U.S.; an average annual percentage rate of 591%. The proposed bill would establish a maximum interest rate of 28% plus a maximum monthly fee of \$20.00. Commissioner Troy explained that Ohioans spend an estimated \$145 million dollars on fees annually and noted that most of these fees flow out of Ohio because two-thirds of the parent loan stores that are actually operated here are located out of state. If the bill becomes a law, it will save Ohioans an estimated \$75 million each year. Commissioner Hamercheck stated that he has done research on both sides of this issue and he completely supports this resolution and encourages others to support the closing of this loophole and help people from being exploited by these lenders. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**11. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,618,050.64(20171017\BC01)(C-4)**

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

**12. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$864,551.99 (20171017\BC02)(C-17)**

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

**13. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20171017\BC03)(C-111)**

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

**14. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL FUND ACCOUNTS  
(20171017\BC04)(C-111)**

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

DEPARTMENTAL REPORTS:

UTILITIES – none.

JOB AND FAMILY SERVICES – Mr. Matthew Battiato, Director of Job and Family Services, stated that the Department will lose \$37,000 of funding from a Perry Nuclear Power Plant closure and should the Children’s Services Levy not pass, the Department will lose an additional \$450,000.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: -none.

NEW BUSINESS: - Commissioner Hamercheck stated that Icebreaker Windpower will be holding a public hearing on Wednesday, November 8<sup>th</sup> at 6:00 p.m.. The Ohio Power Siting Board will receive public testimony on the Icebreaker Wind Project and read a public announcement provided by LeedCo.

PUBLIC COMMENT: Commissioner Cirino asked if anyone in the audience wished to address the Board. Mr. Brian Massie of 8196 Rainbow Drive, Concord Township, expressed his concern about the ever-escalating real estate taxes and believes that soon it will price people out of their homes. He stated that he has asked each political subdivision to justify their request for County taxpayer dollars. Mr. Massie read, discussed, and provided the Board with a copy of the responses he received from several agencies to date. Mr. Massie asked Commissioner Troy if a public records request would be necessary to receive financial statements from the ADAMHS Board. Commissioner Troy responded that they are a public entity and are not required to generate a work product but are required to provide what public records they have available and he referred Mr. Massie to Mr. Hackman from the Prosecutor’s office for further assistance.

Lake County Assistant Prosecutor, Mr. David Hackman, stated that he would be happy to meet with Mr. Massie after the meeting and direct him to the correct attorney for the ADAMHS Board.

Commissioner Cirino stated the next Regular Commissioners’ Meeting is scheduled for Thursday, October 26, 2017 at 10:00 A.M.

ADJOURN: On a motion by Commissioner Hamercheck, seconded by Commissioner Cirino, the Board adjourned the meeting at 2:11 p.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None  
Minutes approved this second day of November, 2017.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JERRY C. CIRINO, PRESIDENT

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JOHN R. HAMERCHECK, COMMISSIONER

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DANIEL P. TROY, COMMISSIONER

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JENNIFER BELL, CLERK