

CONVENED: _____

2017-11

ADJOURNED: _____

**LAKE COUNTY COMMISSIONERS' MEETING
MARCH 9, 2017
10:00 A.M.**

JERRY C. CIRINO, PRESIDENT
JOHN R. HAMERCHECK, COMMISSIONER
DANIEL P. TROY, COMMISSIONER

JASON BOYD, ADMINISTRATOR
JENNIFER BELL, CLERK
LEGAL COUNSEL

-
- ROLL CALL
 - PUBLIC COMMENT:
-

RESOLUTIONS:

UTILITIES DEPARTMENT - Randy Rothlisberger

1. RESOLUTION AWARDING A BID CONTRACT IN THE AMOUNT OF \$909,000.00 TO DIAL ELECTRIC FOR BACON ROAD WATER TREATMENT PLANT EMERGENCY BACKUP POWER SYSTEM PROJECT 379-W (20170309\U01)(UT-4)

JOB AND FAMILY SERVICES DEPARTMENT – Matt Battiato

2. RESOLUTION AUTHORIZING THE SIGNING OF THE REGIONAL AND LOCAL WORKFORCE PLAN ASSURANCES AND CERTIFICATIONS (20170309\JFS01)(B-77)

COMMISSIONERS' OFFICE

3. RESOLUTION APPROVING, SOLELY FOR THE PURPOSE OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, THE ISSUANCE BY THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY NOT TO EXCEED \$8,200,000 DEVELOPMENT REVENUE BONDS, SERIES 2017 (LAKE COUNTY YMCA PROJECT) (20170309\C01)(B-192)
4. RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN WOOLPERT, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY GIS DEPARTMENT FOR AERIAL IMAGERY FOR LAKE COUNTY (20170309\C02)(C-154a)

FINANCE DEPARTMENT – Mike Matas

5. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$755,844.07(20170309\BC01)(C-4)
6. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$200,304.83(20170309\BC02)(C-17)

**The Resolutions are in draft
form until the meeting, therefore
are subject to change
without notice**

DEPARTMENTAL REPORTS

- UTILITIES
 - JOB AND FAMILY SERVICES
 - COUNTY ADMINISTRATOR
 - FINANCE
 - CLERK
 - LEGAL
- OLD BUSINESS
 - NEW BUSINESS
 - PUBLIC COMMENT

EXECUTIVE SESSION

_____	MOTION TO CONVENE EXECUTIVE SESSION:	_____	SECOND _____
TIME			
_____	RECESSED:	RETURN TO EXECUTIVE SESSION:	_____
TIME		TIME	
_____	MOTION TO END EXECUTIVE SESSION:	_____	SECOND _____
TIME			
_____	MOTION TO ADJOURN THE MEETING:	_____	SECOND _____
TIME			

NEXT MEETING: 2:00 P.M., THURSDAY, MARCH 9, 2017

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION AWARDING A BID CONTRACT IN THE AMOUNT OF \$909,000.00 TO DIAL ELECTRIC FOR BACON ROAD WATER TREATMENT PLANT EMERGENCY BACKUP POWER SYSTEM PROJECT 379-W

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the Lake County Sanitary Engineer recommended that the Board of Lake County Commissioners advertise for bids for Bacon Road Water Treatment Plant Emergency Backup Power System Project 379-W; and

WHEREAS, bids were received by the Board on January 18, 2017 and said bids have been reviewed by the Lake County Sanitary Engineer and he is recommending that the Board award said bid, it being the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby awards a bid contract to Dial Electric for Bacon Road Water Treatment Plant Emergency Backup Power System Project 379-W in the amount of nine hundred nine thousand dollars (\$909,000.00).

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; to the Lake County Sanitary Engineer; to Terri Lange, Commissioners' Office; to AECOM, 1300 East 9th Street, Suite 500, Cleveland, Ohio 44114 and to Dial Electric, 30685 Solon Industrial Pkwy #E, Solon, Ohio 44139

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: *(com)

"NAYS":

Resolution adopted,
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on March 9, 2017, and recorded in the Water and Sewer Journal, Volume 2017.

WITNESS my hand this ninth day of March, 2017, in Painesville, Ohio.

Jennifer Bell, Clerk
Board of Commissioners, in and
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION AUTHORIZING THE SIGNING OF THE REGIONAL AND LOCAL WORKFORCE PLAN ASSURANCES AND CERTIFICATIONS

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, Lake County is Ohio's Local Workforce Area 5 for the purpose of organizing the various workforce development programs that are operated in Lake County under the Workforce Innovation and Opportunity Act (WIOA) and other Acts; and

WHEREAS, the Lake County Board of Commissioners is the Chief Elected Officials (CEO) having responsibilities and authority to perform all functions and duties delegated to them under WIOA and the laws of the State of Ohio; and

WHEREAS, per the terms of the WIOA/WORKFORCE MULTI-FUNCTION GOVERNANCE AGREEMENT executed January 26, 2016, the Lake County Workforce Development Board has the responsibility to create and approve local and regional planning documents under WIOA and to present the same to the CEO; and

WHEREAS, said regional and local plans contain assurances and certification that must be signed by the WDB Chair, the WDB Director and the CEO; and

WHEREAS, the WDB respectfully requests the Board of Lake County Commissioners to authorize the Board President to sign the designated signature page for the submission of the plan(s) to the Ohio Office of Workforce Development.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby authorizes Jerry C. Cirino, President of the Board of Lake County Commissioners to sign the planning documents as required for their submission.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Commissioners' Office; Matthew Battiato, Job and Family Services Director; Robert J. Dawson, Executive Director, Lake County Workforce Development Board; and to Mr. Allen Weaver, Chair, Lake County Workforce Development Board c/o ERIEBANK, 7402 Center Street, Mentor, Ohio 44060.

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: *(com)

"NAYS":

Resolution adopted,
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on March 9, 2017, and recorded in the Commissioners' Journal, Volume 2017.

WITNESS my hand this ninth day of March, 2017, in Painesville, Ohio.

Jennifer Bell, Clerk
Board of Commissioners, in and
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION APPROVING, SOLELY FOR THE PURPOSE OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, THE ISSUANCE BY THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY NOT TO EXCEED \$8,200,000 DEVELOPMENT REVENUE BONDS, SERIES 2017 (LAKE COUNTY YMCA PROJECT)

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the County of Lake, Ohio, an Ohio county and political subdivision (the "County") has heretofore, by resolution of its Board of County Commissioners (the "Board"), created the Lake County Ohio Port and Economic Development Authority, a port authority and body corporate and politic (the "Port Authority"); and

WHEREAS, the Port Authority proposes to issue its Project Revenue Bonds, Series 2017 (Lake County YMCA Project) pursuant to Chapter 4582, Ohio Revised Code, and Sections 13 of Article VIII, Ohio Constitution, in one or more series in an aggregate principal amount not to exceed \$8,200,000 (the "Bonds") the proceeds of the sale thereof to be loaned to the Lake County Young Men's Christian Association, an Ohio non-profit corporation (the "Borrower") for the purpose of acquiring, constructing, furnishing, equipping and improving a two story indoor recreational facility (the "Project") of approximately 38,000 square feet to be owned and operated by the Borrower, located at 36909 Ridge Road, Willoughby, Ohio 44094 and to pay all or a portion of the costs of issuing the Bonds:

WHEREAS, the Bonds will be special obligations of the Port Authority and will not constitute a debt or pledge of the faith and credit or the taxing power of the Port Authority or the County, and the Board of Directors of the Port Authority adopted on February 22, 2017 a resolution approving the issuance of the Bonds (the "Port Authority Resolution"); and

WHEREAS, the Executive Director of the Port Authority has represented to this Board that a public hearing concerning the issuance of the Bonds on January 25, 2017 was held on behalf of the Port Authority, evidence of publication of which has been submitted to this Board, all in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and all comments were received by the Port Authority from the public at or prior to such public hearing with respect to the Project or the Bonds; and

WHEREAS, Section 147(f) of the Code requires, as a prerequisite to the issuance of the Bonds, that this Board approve the issuance of the Bonds as the "applicable elected representative" for the Port Authority under, and solely for the purpose of satisfying, the requirements of Section 147(f) of the Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Lake, Ohio, that:

Section 1. Public Approval. This Board, as the "applicable elected representative" with respect to the Port Authority for purposes of Section 147(f) of the Code, and in reliance on the findings and determinations of the Port Authority and representations of the Borrower contained in the Port Authority Resolution, hereby approves the issuance of the Bonds in an aggregate principal amount not to exceed \$8,200,000, for purposes of assisting the Borrower in financing costs of the Project, as more particularly described in the Port Authority's notice of its public

hearing, a copy of which is attached as Exhibit A. The foregoing approval is given in accordance with and solely to satisfy the requirements of Section 147(f) of the Code and does not obligate the County in any way with respect to the Bonds or the Project.

Section 2. No Findings With Respect to Compliance with Legal Requirements. This resolution does not constitute a finding of this Board as to the compliance or noncompliance by the Port Authority or the Borrower with respect to any legal requirements imposed upon them in connection with the issuance of the Bonds or the Project.

Section 3. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. Effective Date. This Resolution will take effect and be in force immediately upon its adoption.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget Director; Prosecutor's Office; Lake County Administrator; Kip Wahlers, Ice Miller Legal Counsel, 250 West Street,, Suite 700, Columbus, Ohio 43215; and to the Lake County Ohio Port and Economic Development Authority.

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: *(com)

"NAYS":

Resolution adopted,
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on March 9, 2017, and recorded in the Commissioners' Journal, Volume 2017.

WITNESS my hand this ninth day of March, 2017, in Painesville, Ohio.

Jennifer Bell, Clerk
Board of Commissioners, in and
for Lake County, Ohio

**EXHIBIT A
NOTICE OF PUBLIC HEARING**

The Lake County Ohio Port and Economic Development Authority (the "Authority") will hold a public hearing at 3:00 pm., local time, on Wednesday, January 25, 2017, with respect to the issuance by the Authority of its Development Revenue Bonds (Lake County YMCA Project), Series 2017 (the "Bonds"), in one or more series, with a maximum aggregate principal amount not to exceed \$8,200,000, the proceeds of the sale thereof to be loaned to the Lake County Young Men's Christian Association, an Ohio non-profit corporation (the "Borrower") for the purpose. The Project will be constructed by the Borrower on property presently owned by the Willoughby-Eastlake City School District that will be ground leased to the Borrower. The Borrower will own and operate the Project, subject to such ground lease. The Bonds will be issued pursuant to the provisions of Section 13 of Article VIII of the Ohio Constitution and Sections 4582.21 through 4582.99 of the Ohio Revised Code, as enacted from time to time (collectively, the "Act"). The Bonds will not constitute a debt, liability or obligation of the Authority, the County of Lake, Ohio, the State of Ohio or a pledge of the faith and credit of the Authority, the County of Lake, Ohio or the State of Ohio, but shall be payable solely from the funds pledged to the payment thereof. The Bonds will be issued as "qualified 501(c)(3) bonds" pursuant to Section 145 of the Internal Revenue Code of 1986, as amended (the "Code") and will be issued as tax-exempt bonds.

The public hearing will be held on behalf of the Authority at One Victoria Place, Suite 265A, Painesville,, Ohio 44077. The public is invited to attend or to submit written comments to the Executive Director of the Authority One Victoria Place, Suite 265A, Painesville, Ohio 44077 on or before 3:00 p.m., January 25th, 2017. This public hearing is being held pursuant to the provisions of Section 147(f) of the Code.

Dated: January 11, 2017.

LAKE COUNTY OHIO
PORT AND ECONOMIC DEVELOPMENT AUTHORITY

/s/ Mark Rantala, Executive Director

Commissioners' Office, Lake County
Painesville, OH, March 9, 2017

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN WOOLPERT, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY GIS DEPARTMENT FOR AERIAL IMAGERY FOR LAKE COUNTY

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the Director of the Lake County GIS Department is recommending execution of a Contract between Pictometry International Corp., a subcontractor to Woolpert, Inc., and the Lake County Board of Commissioners for aerial imagery for Lake County via the Ohio Statewide Imagery Program in the amount of \$212,454.00 for two flights with the first being in the spring of 2017 and the second in 2020. Said Agreement is incorporated herein by reference and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby authorizes the execution of a Contract between Woolpert, Inc. and the Lake County Board of Commissioners on behalf of the GIS Department for aerial imagery of Lake County available through the Ohio Statewide Imagery Program.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Budget Director; Jim Branch, GIS Department; Brenda Willis, Lake County Engineer's Office; Brian Stevens, Project Manager, Woolpert Inc., 4454 Idea Center Blvd, Dayton, OH 45430; and to the District Manager Ohio/Michigan, Pictometry International Corp., 25 Methodist Hill Drive, Rochester, NY 14623.

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: *(com)

"NAYS":

Resolution adopted,
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on March 9, 2017, and recorded in the Commissioners' Journal, Volume 2017.

WITNESS my hand this ninth day of March, 2017, in Painesville, Ohio.

Jennifer Bell, Clerk
Board of Commissioners, in and
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$755,844.07

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, bills against Lake County have been presented to this Board for payment and this Board has examined said bills and approves them for payment. Said bills incorporated herein by reference and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, in and for Lake County, Ohio, that the bills against Lake County are hereby approved, allowed and ordered paid; said bills incorporated herein by reference and made a part of this resolution. The County Auditor is hereby authorized and instructed to issue his warrants in varying amounts totaling \$755,844.07.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget Director; and to the Lake County Treasurer.

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": *(com)

"NAYS":

Resolution adopted,
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on March 9, 2017, and recorded in the Commissioners' Journal, Volume 2017.

WITNESS my hand this ninth day of March, 2017, in Painesville, Ohio.

Jennifer Bell, Clerk
Board of Commissioners, in and
for Lake County, Ohio

Commissioners' Office, Lake County
Painesville, OH, March 9, 2017

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$200,304.83

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, purchase orders against Lake County have been presented to this Board for approval and this Board has examined said purchase orders and approves them.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, in and for Lake County, Ohio, that the purchase orders against Lake County are hereby approved and the County Auditor is hereby authorized and instructed to certify and encumber these purchase orders in varying amounts totaling \$200,304.83.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget Director; and to the Lake County Treasurer.

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": *(com)

"NAYS":

Resolution adopted,
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on March 9, 2017, and recorded in the Commissioners' Journal, Volume 2017.

WITNESS my hand this ninth day of March, 2017, in Painesville, Ohio.

Jennifer Bell, Clerk
Board of Commissioners, in and
for Lake County, Ohio