

SEPTEMBER 2, 2021

**LAKE COUNTY COMMISSIONERS' MEETING MINUTES**

JOHN R HAMERCHECK, COMMISSIONER	JASON W. BOYD, ADMINISTRATOR
JOHN PLECNIK, COMMISSIONER	LEGAL COUNSEL
RON YOUNG, COMMISSIONER	MIKE MATAS, BUDGET DIRECTOR
JENNIFER BELL, CLERK	NEWS MEDIA

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(Tape 2021-0902)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 2:20 p.m., Thursday, September 2, 2021.

ROLL CALL: Upon roll being called, Commissioners Young, Plecnik and Hamercheck were present.

APPROVAL OF MINUTES:

Upon a motion by Commissioner Young, seconded by Commissioner Plecnik, the minutes of the Regular Meetings of April 29, 2021, August 5, 2021, August 12, 2021 and August 17, 2021 were approved with the vote as follows: "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

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

Brian Massie, on behalf of David Black, regarding his request to nullify a vaccine law he believes is unconstitutional, asked the Board, and David Hackman, Assistant Prosecutor, if they could do anything. Mr. Hackman replied that this is outside of the Board of Commissioners scope of work. As a creature of statute, they do not have the authority to aid in his quest for a redress of grievances. They can only enforce the ORC (Ohio Revised Code) and cannot impact/change anything at State level by issuing a resolution. Commissioner Hamercheck suggested they contact Congress, State Representatives, etc.

Tim O'Keeffe of 38661 Edward Walsh Drive in Willoughby again asked the Board to rescind their emergency resolution from March of 2020 as he believes there is no compelling reason to maintain it as it does not apply today. Commissioner Hamercheck replied that we are still in a recovery phase, financially speaking. It allows first responders, EMTs, paramedics, etc. to administer vaccines and also allows the County Administrator a higher spending threshold. It does not mandate the use of masks or reference social distancing guidelines, etc. The Board and Mr. O'Keeffe discussed the approval of expenditures (i.e. previously versus after the passing of this resolution). For additional clarification, Commissioner Hamercheck read from the resolution in question. He added that the County is still awaiting final ARP (American Rescue Plan) guidance so we are unable to spend any of that money until we have a sense of the rules/restrictions.

Christopher Galloway, County Auditor, reiterated that, in regards to the ARP there is no final guidance yet. Some of the language seems to indicate it may be possible that those monies could be used to offset a tax cut to taxpayers. This Board could rescind, for a period of 3 years, the 1 mill inside millage that is used for county operations and subsidize it with ARP funding. Over that 3-year period, that would represent about a 19.4 million dollar usage toward a tax cut. He recommends enacting this as the current housing market has driven prices through the roof resulting in an increase in property tax. His office has sent out notifications to all parcel owners (as they are required to do every 3 years) what their new evaluations are for 2021 based on the current market. The State has to approve the numbers first and once they have done so, the parcel owners are notified. Residents can go to the Auditors website at lakecountyohio.gov/auditor for more information or give them a call. There are directions in the mailer on how to request an informal review which can be submitted completely online through their SmartFile portal if someone so chooses or they can request an in-person meeting by calling the office. The informal review process is from September 1<sup>st</sup> through September 30<sup>th</sup>. After the November election, once the results of the levies are known, then they can begin to calculate taxes. The County Treasurer will send them out in January of 2022. There will be a Board of Revision process next year to appeal valuations.

**12. RESOLUTION PROCLAIMING SEPTEMBER 2021 PROSTATE CANCER AWARENESS MONTH IN LAKE COUNTY, OHIO (20210902\F01)(C-126)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**13. RESOLUTION PROCLAIMING THE WEEK OF SEPTEMBER 12TH-18TH DIRECT SUPPORT PROFESSIONAL RECOGNITION WEEK (20210902\F02)(C-126)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

Ann Mahler, Assistant Superintendent, from Deepwood was present in regards to item #13 on the agenda. She explained what a DSP (Direct Support Professional) does and how there are approximately 1,300 DSPs in Lake County. Diane McClusky, Residential Director, explained how it goes much deeper than just assistance with daily living. Tierra Rouse, a DSP, spoke on how these are real people who just require a little more care than most. The Board expressed their appreciation to all (3) individuals and presented them with a certificate.

**1. RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES SEWER OPERATING FUND AND PROJECT FUND 596, PROJECT 454-S-ARCOLA CREEK/BENNETT ROAD TRUNK SEWER IMPROVEMENT (20210902\U01)(UT-2)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**2. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR (20210902\U02)(UT-7)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**3. RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES WATER OPERATING FUND AND PROJECT FUND 595, ORCHARD ROAD WATERLINE REPLACEMENT 432-W (20210902\U03)(UT-2)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**4. RESOLUTION APPROVING FINAL ESTIMATE NO.5 (RELEASE OF RETAINAGE) IN THE AMOUNT OF \$20,395.48 WITH DAVIS DIGGERS, INC. AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$51,626.95 FOR GREEN DRIVE WATERLINE REPLACEMENT PROJECT 423-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20210902\U04)(UT-12)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young. Randy Rothlisberger, Sanitary Engineer, stated that this is part of the Capital Improvement Plan and is for a brand-new waterline that should last 75-100 years. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**5. RESOLUTION REJECTING THE BIDS RECEIVED ON AUGUST 4, 2021, FOR HAZEL AVENUE SANITARY SEWER REHABILITATION-PROJECT 402-S (20210902\U05)(UT-8)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Randy explained that this project is an example of fluctuating material costs. The bids came in significantly higher than the Engineer's estimate. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**6. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT SEPTEMBER 10, 2021, IN THE AMOUNT OF \$109,389.21 (20210902\JFS01)(JFS-14)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**7. RESOLUTION REVISING THE LAKE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING SCHEDULE (20210902\C01)(C-107)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**8. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$953,484.26 (20210902\BC01)(C-4)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**9. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$701,718.46 (20210902\BC02)(C-17)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**10. RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20210902\BC03)(C-111)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**11. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS NON-GENERAL FUND ACCOUNTS (20210902\BC04)(C-111)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

DEPARTMENTAL REPORTS:

UTILITIES – Mr. Rothlisberger spoke about the “dead zone” event impacting Lake Erie and how it is a naturally occurring phenomenon resulting from specific weather related issues that happens every few years. No boil alert is in place and the water is safe for human and pet consumption. This is just a temporary situation that should last between 24-48 hours.

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JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – Jason Boyd stated that, in regards to the 2020 census data, only 33 of 88 counties experienced a population increase with our county being one of the 33. Dave Radachy, Director of Planning and Community Development, will provide an update to the Board in a future meeting. Jason also added that the SID (Shoreline Improvement District) is up and running. It is a voluntary program for landowners located on the shoreline of Lake Erie. He reported how all (13) communities have signed on.

FINANCE – none.

CLERK –Commissioners Clerk, Ms. Jennifer Bell, stated that the next Commissioner’s Meeting will be held on Thursday, September 16, 2021 at 10:00 a.m. The changes indicated in the resolution adopted this meeting include the cancellation of the September 9, 2021 meeting and the cancellation of the October 14 meeting. A meeting was added on Tuesday, October 12, 2021 at 10:00 a.m. The changes will posted online.

LEGAL – none.

OLD BUSINESS: Commissioner Plecnik referenced how the Board is trying to better organize the meetings so department heads, etc. can return to work without being there for the duration of the entire meetings. He proposed a time limit on the first public portion section of the meetings with unlimited time allowed in the second public portion. They are in the process of drafting something up now and hope to have it ready very soon. Commissioner Hamercheck wanted to verify that, in regards to the resolution for additional deputies for Perry, that the Board was complying with the maintaining the peace requirements of the ORC. Dave Hackman agreed that they are. Painesville Township requested some modifications they would like to see in the contract but, as this is the program that was proposed to all the townships, it will remain as it stands. Perry was the first to express interest and has signed off on the contract as drafted. Sheriff Leonbruno stated that the grant proposal was to supply temporary funding to townships in need of help with policing at this current time with the objective that alternative funding will be found to pay for the additional deputies. Commissioner Hamercheck thanked the Sheriff for his work in maintaining peace and stated how grateful he is for his partnership and the extraordinary group effort by all involved in this grant. He clarified with Mr. Hackman that Sheriff Leonbruno was meeting his statutory obligation to maintain peace and Mr. Hackman concurred.

NEW BUSINESS:

Commissioner Hamercheck joined Commissioner Plecnik and Congressman Joyce at a meeting with U.S. Representatives from the Department of Homeland Security and he is pleased to report that they are readily available to local government as well as local businesses. They discussed ransomware issues and how prevalent they can be. Commissioner Plecnik added that they were warned that local government is being targeted and they offer services that we can take advantage of and he passed along the information to our County I.T. Department.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board.

John Muzik of 45 Coventry Drive in Painesville reminded everyone that we are coming up on the anniversary of 9/11 20 years ago. On Saturday September 11<sup>th</sup>, there will be a memorial held in Veterans Park. He invited everyone to attend.

Brian Massie, on behalf of “Lobbyists For Citizens”, will be reviewing the upcoming property tax levies on the November ballot. He has made some public records requests from Lake Metroparks and Lakeland Community College who responded in a timely fashion. Since the Commissioners appointed some of its Board members, he suggested they take a look at Lakeland’s financial statements as their enrollment has steadily decreased. Also, as of June 30<sup>th</sup>, their net equity position is at a negative 27 million dollars. He feels this is a real red flag and something the Board should be concerned about.

ADJOURN: On a motion by Commissioner Plecnik, seconded by Commissioner Young, the Board adjourned the meeting at 4:35 p.m. with the vote as follows "AYES": Commissioners: Young, Plecnik and Hamercheck “NAYS”: None.

Minutes approved this sixteenth day of September, 2021.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN R. HAMERCHECK, PRESIDENT

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RON YOUNG, COMMISSIONER

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JOHN PLECNIK, COMMISSIONER

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JENNIFER BELL, CLERK