

SEPTEMBER 23, 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 2021-0923)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:06 a.m., Thursday, September 23, 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 September 16, 2021 were approved with the vote as follows: "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

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

Brian Massie of 8196 Rainbow Drive in Concord told the Board he wanted to make them aware of a court case that was settled between Lakeland Community College and Steve Oluic since they appoint some of Lakeland's board members. It references ADA discrimination in regards to Mr. Oluic who is a former Lakeland employee. Mr. Massie submitted a records request to Lakeland and he will report back when he receives further details. He also mentioned how the State Board of Education is made up of (19) people; (11) who are elected by citizens and (8) who are appointed by the Governor. He wanted to make the Board aware that HB 298 would strip the (8) that are appointed by the Governor.

August A. Landsmann of Augies Avenue Automotive at 100 Madison Avenue in Painesville Township stated that he has been a mechanic for over 50 years. He believes E-Check is an unconstitutional, discriminatory, ineffective program and he would like to see it abolished. The tests have now changed to testing computer components and not actual emissions. With suicide victims succumbing to carbon monoxide and lack of nitrogen and oxygen in the past, the exhaust systems today are not putting out carbon monoxide anymore. He remembers when Commissioner Young was a State Rep, he helped draft Resolution 85. The vote was 82-25 to get rid of the program. He said currently only 7 out of Ohio's 88 counties have E-Check and it can be voted on at a county level to get rid of it. Commissioner Hamercheck replied that he is not aware of any statutory authority allowing the Board to abolish it and Legal Counsel concurred. Commissioner Plecnik explained that, since our county resides along the lake and the weather pattern blows west to east, our county is in the path of pollution coming from Chicago, Detroit, Cleveland, etc. He added that they have lobbied in Columbus regarding this issue and will continue to do so. Commissioner Young said this program disproportionately impacts the poor as they typically own older model vehicles. Sometimes, they have no choice but to discard their vehicle even when it operates perfectly well. He agrees this program should be abolished.

1. RESOLUTION AWARDDING A BID CONTRACT TO THE AERO-MARK COMPANY LLC FOR LAKE COUNTY ROADS PAVEMENT MARKINGS – 2021, AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$146,562.85 (LCE) Project No. 2021-005 (20210923\E01)(E-3)

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 AUTHORIZING CHANGE ORDER NO. 3 FOR THE LAK-MADISON AVENUE (CR 306) RESURFACING PROJECT WITH KARVO COMPANIES, INC. IN THE AMOUNT OF \$1,019,019.34, PID 112490, FEDERAL AID NO. FAN E200(649), OPWC NO. DGX05, LCE PROJECT NO. 2019-022 (20210923\E02)(E-3)

On a motion by Commissioner Plecnik, seconded by Commissioner Young. County Engineer, Jim Gills, explained that this change is a result of the wall on Madison Ave in Painesville. After the project had begun, the western portion had moved substantially requiring a re-design. They are shooting for the end of October for the road to re-open. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

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 DIVISION/BANK/ATWATER WATERLINE REPLACEMENT PROJECT 446-W-2021 IN MADISON TOWNSHIP (20210923\U01)(UT-4)

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Randy Rothlisberger, Sanitary Engineer, stated that this is an annual resolution allowing him to submit an application. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "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 TRUNK SEWER REHABILITATION PHASE 2 PROJECT 452-S IN THE CITY OF MENTOR (20210923\U02)(UT-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.

5. RESOLUTION AUTHORIZING ADVERTISING FOR REQUESTS FOR PROPOSALS FOR SCALE HOUSE POINT OF SALE SYSTEM UPGRADE FOR THE LAKE COUNTY SOLID WASTE FACILITY (Open Requests for Proposal on October 13, 2021)(20210923\U03)(UT-8)

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Randy Rothlisberger, Sanitary Engineer, explained that this project will offer a more efficient way to move traffic across the scales, especially during busy times. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

6. RESOLUTION APPROVING FINAL ESTIMATE NO. 8 (RELEASE OF RETAINAGE) IN THE AMOUNT OF \$11,750.43 WITH V.L. CHAPMAN ELECTRIC, INC. AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$27,718.74 FOR LAKE COUNTY SOLID WASTE FACILITY CELL C4 PHASE VI EXPANSION PART B-ELECTRICAL RELOCATION IMPROVEMENT PROJECT 421-L FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20210923\U04)(UT-12)

On a motion by Commissioner Plecnik, seconded by Commissioner Young. Mr. Rothlisberger explained that this is an expansion project to provide more space. The project is now complete and should last about 20 years. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

7. RESOLUTION TRANSFERRING APPROPRIATIONS AND TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 595 TO THE WATER OPERATING FUND (20210923\U05)(UT-12)

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 PROVIDING FOR \$990,000 NOTE RENEWAL FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT 408-S (20210923\U06)(UT-15)

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.

9. RESOLUTION PROVIDING FOR \$2,250,000 NOTE RENEWAL FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT 336-S (20210923\U07)(UT-15)

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.

10. RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR (20210923\C01)(C-9)

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Mike Matas, Budget Director, explained that the Finance Department has been preparing the 2022 tax budget as required by the ORC (Ohio Revised Code). In summary, 2022 estimated revenues total \$56,885,875 and department requests total \$62,255,999.92. The department requests exceed estimated revenues by \$5,370,124.92. The tax budget for 2022 was prepared on the premise that the Commissioners would only approve expenditures up to the estimated revenues for 2022 for the General Fund.

Funds receiving property tax are (Gross Mills):

- a. General Fund (1.00 mills)
- b. Child Welfare (JFS) (1.10 mills)
- c. Board of DD (4.90 mills)
- d. ADAMHS Board (1.60 mills)
- e. Narcotics Agency (.30 mills)
- f. Crime Lab (.70 mills)
- g. Senior Citizens Levy (.80 mills)

The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

11. RESOLUTION TO RENAME THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY THE LAKE DEVELOPMENT AUTHORITY (20210923\C02)(C-24)

On a motion by Commissioner Plecnik, seconded by Commissioner Young. Commissioner Plecnik stated that he recently attended the newly renamed announcement meeting and how this is the economic development arm of the Commissioner's Office. Patrick Mohorcic, Deputy Director of Planning & Development at Lake Development Authority, explained how the previous name was fairly cumbersome and having the word "port" in the name was confusing as some folks thought it was a reference to water. Their new tagline is "Accelerating Economic Growth". The BOC expressed their hope to see more lakefront trails and an increase in lake access in the near future. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

12. RESOLUTION DECLARING THE INTENTION OF LAKE COUNTY TO ACCEPT PAYMENTS FOR COUNTY EXPENSES BY FINANCIAL TRANSACTION DEVICES AND DESIGNATING THE LAKE COUNTY TREASURER AS THE ADMINISTRATIVE AGENT TO SOLICIT AND RECEIVE PROPOSALS FOR FINANCIAL TRANSACTION DEVICE SERVICES AND TO MAKE RECOMMENDATIONS ON THE PROPOSALS TO THE BOARD (PROPOSAL OPENING: OCTOBER 13, 2021) (20210923\C03)(C-40c)

SEPTEMBER 23, 2021

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Mike Zuren, County Treasurer, stated he is honored to accept the Board's appointment as Financial Transaction Device Agent in order to solicit proposals and receive recommendations to be used by numerous departments and he thanked the Board, Clerk of Courts, Probate, Juvenile Court, Records Office, and the Chief Building Official for all their hard work. He feels this project will be of great benefit to county residents. Mike DeLeone, Assistant Prosecutor, added that this has happened twice in Lake County history. He also echoed how this was a true team effort. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

13. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,251,403.35(20210923\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.

14. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$548,897.17 (20210923\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.

15. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20210923\BC03)(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.

16. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20210923\BC04)(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.

DEPARTMENTAL REPORTS:

UTILITIES – Mr. Rothlisberger reported that the last Special Collections for the year is this Saturday for Household Hazardous Waste and how this is an important collection as it keeps these items out of the landfill, storm sewers, etc. Commissioner Plecnik asked about the possibility of an additional tire collection event for next year. Also, in reviewing the rate schedules for the next few years, he learned how we have the ability, under the ORC, to lower utility rates for senior citizens so Mr. Rothlisberger is working on a proposal to present to the Board. It will probably have some requirements, like an income qualifier for example, but the details should be worked out soon.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – Jason Boyd referenced how much traffic our 30 miles of lakefront brings from Memorial Day to Labor Day every year; Headlands gets north of 2 million people, Fairport gets nearly 300,000 people, and Painesville Township Park gets just under 50,000 people. Plans are currently underway for a new 2.2 mile lakefront trail and he is hoping we will be able to use some ARPA (American Rescue Plan Act) funds for it as this is an amenity that will draw people to Lake County. He has been working on lakefront improvements since 2005 when he worked in the county Planning Department. We are continuing to research the amenities we can offer in order to draw new residents, businesses, and tourists. He announced he will be attending an ARPA summit next week and is hoping to have more information on funding after that.

FINANCE – none.

CLERK –Commissioners Clerk, Ms. Jennifer Bell, stated that the next Commissioner's Meeting will be held on Thursday, September 30, 2021 at 10:00 a.m.

LEGAL – none.

OLD BUSINESS: none.

NEW BUSINESS:

Commissioner Hamercheck mentioned how Item #12 showcases the civil division of the Prosecutors Office who is the legal counsel for the county. He praised Mike DeLeone, Assistant Prosecutor, and his team on the statewide impact their work has made. Although it has only been the 1st year of her 1st term, they took the concerns of Faith Andrews, Clerk of Courts, seriously in order to resolve some significant challenges she faced. He is proud how our county offices/departments truly work together. Ms. Andrews added that our legal counsel has saved the county millions of dollars. Commissioner Plecnik echoed the praise for Mr. DeLeone and Ms. Andrews by explaining that the revenue/profit generated by Clerk of Courts is actually going back into the county. He also reminded everyone that the new public comments protocol is in effect and department heads are free to exit the meeting as they see fit.

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

John Muzik of 45 Coventry Drive in Painesville thanked Commissioner Plecnik for his concern about seniors in regards to their utility bills and reminded the Board to continue to spend taxpayers money wisely since many senior citizens are on a fixed income. Commissioner Plecnik added that inflation can be deadly to people in that situation and the

Board is mindful of our growing senior population. The federal government has driven pricing and a consequence of printing money is inflation. As far back as 2009, he believed we were well on our way to hyperinflation.

EXECUTIVE SESSION: On a motion by Commissioner Young, seconded by Commissioner Plecnik, the Lake County Board of Commissioners adjourned to Executive Session at 11:30 a.m.

ADJOURN: On a motion by Commissioner Young, seconded by Commissioner Plecnik, the Board adjourned the meeting at 1:16 p.m. with the vote as follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

Minutes approved this thirtieth day of September, 2021.

BOARD OF LAKE COUNTY COMMISSIONERS

JOHN R. HAMERCHECK, PRESIDENT

RON YOUNG, COMMISSIONER

JOHN PLECNIK, COMMISSIONER

JENNIFER BELL, CLERK