

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 2018-0123)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 2:26 p.m. Tuesday, January 23, 2018.

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

OPEN TO THE PUBLIC: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. Brian Massie, of 8196 Rainbow Drive in Painesville Twp., asked what the County’s total investment was. Commissioner Cirino stated \$126 million and the return on those investments was \$1.67 million. Mr. Massie read a letter that he (on behalf of the Lobbyists for Citizens Group) had sent to Mr. Patrick Gareau, President and CEO of Catholic Charities, in its entirety and presented the Board with a copy. The letter asked that a donation of \$82,500 be made to the Lake County Council on Aging and/or to Lake County Children’s Services. They are requesting this donation as a taxpayer reimbursement for the demolition of the St. Mary Magdalene convent and rectory that was funded by the LandBank. Commissioner Cirino stated that this was a joint effort between the LandBank and the City of Willowick to take something that was effectively blighted and turn it into something that will be an improvement for the City of Willowick. He explained that the LandBank utilizes DTAC dollars to fund these projects and once redeveloped, they will get the money back. Executive Director of the LandBank, Mr. Rogers, has stated that he has a valid plan to redevelop this property which will make a vast improvement to the Vine Street area and the City of Willowick. Commissioner Troy explained that these funds are available due to delinquent taxes and are not the actual tax dollars that would be going to entities throughout the County. He stated that a percentage of the DTAC money goes to the Prosecutors Office and also the Treasurer’s Office. The mission of the LandBank is to eliminate blight in the County and increase the property’s value. Mr. Massie stated that he understands the LandBank has a solid purpose, he just does not feel taxpayers should finance the cost of this project. Commissioner Cirino suggested he contact the City of Willowick Mayor, Richard Regovich, for further discussion.

Ms. Connie Mismus, of 208 St. Lawrence, Eastlake, asked if the church had been cited by the City of Willowick for violations. Commissioner Troy responded that it is up to the City to choose whether or not they will cite properties and he stated that former Willowick Mayor, Richard Bonde, had been very interested in improving the Vine Street area and had hoped to have senior housing built in that particular area.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR THE CARTER ROAD WIDENING AND SAFETY IMPROVEMENT PROJECT, LEROY TOWNSHIP, OHIO - OPWC NO. DGU05, LCE PROJECT NO. 2016-015-02 FOR THE LAKE COUNTY ENGINEER’S DEPARTMENT (Bid Opening: February 14, 2018)(20180123\E01)(E-2)

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

2. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO ENTER INTO A LOCAL PUBLIC AGENT (LPA) AGREEMENT WITH THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO FOR THE LAK-CR GR VAR FY 2018 PROJECT (PID #104802) (20180123\E02)9E-3)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy asked Ms. Traci Salkiewicz, of the Lake County Engineers Office, if this agreement would be to repair various guardrails in the County. Ms. Salkiewicz responded that it was and the County would be refunded 100% for the repairs. The foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Cirino, Hamercheck, and Troy “NAYS”: None

3. RESOLUTION INCREASING APPROPRIATIONS WITHIN THE LAKE COUNTY DEPARTMENT OF UTILITIES WATER PROJECT FUND 595, ROGERS ROAD WATERLINE REPLACEMENT PROJECT 406-W(20180123\U01)(UT-2)

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

4. RESOLUTION APPOINTING WALTER R. SIEGEL TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS TO COMPLETE THE REMAINDER OF A TERM EXPIRING DECEMBER 31, 2020 (20180123\C01)(B-192) TABLED 1/16/18

On a motion by Commissioner Cirino to remove the resolution from the table. Commissioner Cirino presented letters of support for Mr. Siegel’s appointment to the Port Authority Board. Assistant Prosecuting Attorney, Mr. David Hackman, stated that the appointment to the Port Authority Board in and of itself is not a conflict of interest. Commissioner Cirino stated that the potential for a conflict of interest has been examined by the Prosecutor’s office and is unfounded. For clarification purposes, he asked Mr. Hackman if there would be a conflict to appoint someone to the Port Authority Board that utilizes the Lost Nation Airport as the Port purview over the airport. Mr. Hackman replied it would not and explained that if at some point a conflict of interest should arise, the individual should abstain from involvement in the decision.

Commissioner Cirino stated that since any question pertaining to a conflict of interest has been dismissed, there is no rationale for continuing to table this resolution and he asked that this be returned to the table. Commissioner

Troy stated that, as a point of order, the resolution is still tabled and therefore not up for discussion. Assistant Prosecuting Attorney, Mr. David Hackman, stated it may not be returned to the table without a second.

5. A RESOLUTION TO PLACE A RENEWAL TAX LEVY OF SEVEN-TENTHS OF ONE MILL (.7 OF 1 MILL) FOR TEN (10) YEARS ON REAL ESTATE WITHIN LAKE COUNTY FOR MENTAL HEALTH, ALCOHOL AND DRUG ADDICTION SERVICES, PROGRAMS, AND FACILITIES AS PROVIDED BY SECTION 5705.221 OF THE OHIO REVISED CODE, ON THE BALLOT AT THE MAY 8, 2018 PRIMARY ELECTION (20180123\C02)(C-5)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck. Commissioner Troy stated that this is the final step of the process in order to place the ADAMHS levy on the ballot for the May 8th election. He stated that this is a straight .7 mill renewal of an existing levy. He explained the importance of the ADAMHS Board is to continue to provide excellent mental health, alcohol, and drug addiction services in Lake County. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

6. A RESOLUTION DETERMINING THAT IT IS NECESSARY TO LEVY AN ADDITIONAL TAX OUTSIDE THE TEN-MILL LIMITATION IN ACCORDANCE WITH SECTION 5705.19(J) OF THE OHIO REVISED CODE FOR PROVIDING AND MAINTAINING POLICE EQUIPMENT AND PERSONNEL FOR THE LAKE COUNTY CRIME LABORATORY, AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF LAKE COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY FOUR-TENTHS OF ONE MILL (.4 OF 1 MILL) ADDITIONAL TAX LEVY FOR SUCH PURPOSE (20180123\C03)(C-5)

On a motion by Commissioner Hamercheck, seconded by Commissioner Cirino. Lake County Prosecutor, Mr. Charles Coulson, explained the increasing case load of the Crime Lab. He stated that the Crime Lab has not requested a levy be placed on the ballot since 1999 and it currently brings in approximately half of what is necessary to run it. The additional .4 mill is necessary just to keep it in operation. Mr. Coulson spoke to the Commissioners on the importance of the Lake County Crime Lab. He stated that the Crime Lab is one of the most important crime fighting tools available to law enforcement. The levy would guarantee approximately ten to twelve years of stable funding and allow them to continue to perform DNA testing and fight ever increasing crimes related to the opioid epidemic, etc. Commissioner Hamercheck stated that the Crime Lab needs to be properly funded now and in the future. On go forth basis, the Crime Lab will partner with law enforcement whenever possible. Mr. Coulson stated that there will be a need for additional personnel due to several senior investigators retiring in the near future. He continued to explain the need for stable funding and the importance of the additional levy funding. Commissioner Troy stated that they have had several discussion over the last couple of years and this is for less than was originally requested. He explained that the voters of Lake County decided a while ago to make an investment in the criminal justice system through a separate Crime Lab and it will be up to them if they wish to increase that investment. Commissioner Troy stated that this was the first of two resolutions necessary to place the levy on the ballot. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

7. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$3,034,628.53(20180123\BC01)(C-4)

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

8. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,393,438.17(20180123\BC02)(C-17)

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

9. RESOLUTION TRANSFERRING CASH WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20180123\BC03)(C-111)

On a motion by Commissioner Troy, 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 – Commissioner Hamercheck complimented Jobs and Family Services Director, Mr. Matthew Battiato, on his recent trip to Columbus to testify and his continued efforts. Mr. Battiato responded that the proposed bill has passed the House but must still be presented to and passed by the Senate. Commissioner Troy explained that this idea was brought to the attention of the legislature by a couple members of this Board of Commissioners, Mr. Battiato, and the Policy Administrator for the Ohio Department of Job and Family Services, Mr. Joel Potts. Commissioner Hamercheck stated the Mr. Battiato has shown dogged determination on behalf of all of the Jobs and Family Services Department's throughout the State. He thanked Commissioner Troy for getting him involved with the Health and Human Services Committee through CCAO.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: - Commissioner Cirino stated that he will have a number of comments when the minutes of the Organizational Meeting of January 4, 2018 are placed on the agenda.

NEW BUSINESS: - Commissioner Troy stated that he attended the CCAO Organizational Meeting last week where ten members were appointed. He will be participating in a conference call Thursday regarding the voting machine replacement. The recommendation for the Secretary of State is to include \$118 million in the capital bill. Senator LaRose has introduced legislation for the same amount. They continue to discuss what the \$118 million will cover and the idea is to be sure all counties have enough funds to cover base operations and that the remainder would be based on the number of registered voters in each individual County. Commissioner Troy reviewed several different voting equipment options and will continue to work toward all counties receiving the best partnership possible out of the capital bill. Commissioner Troy explained that CCAO intends to strongly interact with the Republican and Democratic nominee for Governor late this year on the importance of County government and how that partnership needs to be restored.

Commissioner Hamercheck recently attended a Policy Committee meeting at NOACA. He stated that there was lengthy discussion on the Vrooman Road Bridge Project funding, including the SIB loans and he explained in detail the topics discussed. He stated that a question was raised pertaining to the possibility of Lake County leaving NOACA and the issues that would bring forth. Commissioner Hamercheck stated that, speaking for himself, there is no desire to leave NOACA and asked Commissioners Troy and Cirino for their feelings on the matter. Commissioner Cirino stated that at the annual NOACA meeting in December, it was confirmed that Lake County has no desire to leave NOACA and that should be a part of their record. Commissioner Troy stated that as a two time Governing Board President of NOACA, he can attest to their value and that without their support, we would not have received \$200 million to resurface Lake County's main street, State Route 2, as well as various other projects including Route 91. He discussed the possibilities of where the misinformation may have originated.

Commissioner Cirino complimented Ms. Karen Tercek, of the Willoughby Western Lake County Chamber of Commerce, on several successful events she hosted last week such as the Wickliffe Corridor and Vine Street Corridor meetings and the Chambers Business awards luncheon.

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

Mr. Reichard, of Antioch Road in Madison, addressed the Port Authority resolution that had been tabled. He questioned why the resolution continues to be tabled when the County's legal counsel stated that there is no conflict with the appointment of Mr. Siegel.

Commissioner Hamercheck replied that he has not had an opportunity to engage in due diligence on the matter in order to make the most informed decision he can. Commissioner Cirino and Commissioner Hamercheck continued to discuss whether there is an issue of potential conflict of interest, the Prosecutor's opinion that there is not a conflict of interest, gender bias, and the qualified candidate recommended for appointment. Commissioner Troy stated as a point of personal privilege, that he, along with former Commissioner Sines, Congressman LaTourette, Mayor Anderson, Jim Brown, Harry Allen, and others, created the Port Authority Board eleven years ago. Initially, there were seven members and it was recently expanded to nine members when the City of Mentor joined the Lake County Port Authority. Since its inception, there has always been at least one female member. He stated that he has made it clear that he has nothing against any prospective candidate. Commissioner Troy explained his feeling is, if the seat was vacated by a female, it should be filled by a female. He discussed the four candidates that applied for the Port Authority vacancy, and felt that one female candidate was the superior applicant in his opinion. Commissioner Hamercheck explained that he would like to stay compliant with the open meetings act and not discuss the matter further at this time.

Mr. Reichard stated that he appreciates the comments of Commissioner Troy and does not disagree with a female Board member. He does have issue with the fact that there is a very well qualified candidate and sees no reason not to appoint him to the Port Authority Board. Commissioner Cirino reiterated the fact that he is a qualified candidate from the east end of the County and none of the female candidates were from the east end of the County.

Ms. Connie Mismas, of 208 St. Lawrence, Eastlake, stated that at the meeting of January 16th, 2018, Ed Klco questioned a potential conflict and gender issue of appointment and asked if the recording of the meeting could clarify the statement he made. Commissioner Cirino and Commissioner Hamercheck briefly discussed Ed Klco's statement.

Mr. John Muzic, of 45 Coventry Drive in Painesville Township, stated the importance of supporting the Crime Lab levy. He also referred to Mr. Massie's comments regarding his concern with the LandBank and the St. Mary Magdalene property. Mr. Muzic stated it was his understanding that some church properties are not subject to property tax assessments. He also asked for an update on First Energy. Commissioner Cirino referred to several articles in the paper and explained that First Energy went out to a private placement of equity, basically selling stock to three different hedge funds which have formed a group. The task of this group is to determine what the future will be for power generation (which includes the Perry Plant). First Energy Solutions is a subsidiary that owns and operates Perry Nuclear and David Bessie. There is a \$100 million debt deal coming due in April which they will probably not be able to repay. It is his opinion that First Energy Solutions is nearing a bankruptcy unless there is state or federal action taken. He stressed that the economic impact on the community would be significant.

Commissioner Troy addressed Mr. Muzic's question on what would happen to the reduction of taxes that would be paid to the entities. He explained that the recent reduction was the utilities tangible personal property tax. Utilities are the only entity that still pays these types of taxes. Currently there is no way for the local authority to challenge the reduced valuation agreed to be the Department of Taxation in Columbus. He stated that State Representative Ardnt has a bill draft prepared and if enacted by the legislature, it would require that tangible property valuation information be provided to the Auditor of that County, and also allow the opportunity to appeal the finding.

JANUARY 23, 2018

Mr. Brian Massie, of 8196 Rainbow Drive in Painesville Twp., asked if it was possible for his group to take a tour of the Crime Lab so they can more fully understand its operations. Prosecutor Coulson stated that Ms. Linda Erdei, Director of the Crime Lab, would set up the tour for Mr. Massie's group and tours are always encouraged.

Commissioner Troy stated that the last Port Authority appointment made was a fourth generation nursery owner from the east end of the County. He questioned why letters of support are only being addressed to one member of the Board. Commissioner Cirino stated that, regardless of their arrival, they were provided to all Board of Commissioners members for consideration.

EXECUTIVE SESSION: On a motion Commissioner Troy, seconded by Commissioner Cirino, the Board convened an Executive Session at 3:32 p.m. to discuss personnel - compensation with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

The Lake County Board of Commissioners adjourned Executive Session at 3:43 p.m.

ADJOURN: On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 3:43 p.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

Minutes approved this twenty-second day of February, 2018.

BOARD OF LAKE COUNTY COMMISSIONERS

JOHN R. HAMERCHECK, PRESIDENT

JERRY C. CIRINO, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

JENNIFER BELL, CLERK