

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT  
KEVIN D. MALECEK, COMMISSIONER  
JUDY MORAN, COMMISSIONER  
AMY ELSZASZ, CLERK

JASON W. BOYD, ADMINISTRATOR  
LEGAL COUNSEL  
JOEL DIMARE, BUDGET DIRECTOR  
NEWS MEDIA

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(Tape 2015-0226)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:05 a.m., February 26, 2015.

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

OPEN TO THE PUBLIC: Commissioner Troy asked if anyone in the audience wished to address the Board. A special presentation was made declaring March 2015 "Can Do Like You Month" in Lake County in recognition of developmental disabilities awareness month. Commissioner Troy read the proclamation in it's entirety. Students from the Lake Employment Experience Program at Broadmoor School were in attendance and presented the Commissioners with a small token of their appreciation. The students were Miranda Schauer, Kayla Taylor and Melissa Welch.

Ms. Lynnmarie Landwei-Phillips, Lake County Board of Developmental Disabilities/Deepwood Director of Marketing, reported that many events are happening throughout the County for Development Disabilities Month, such as a collaboration with local school districts for Read Across America Day, Deepwood Idol, a chili cook-off, Broadmoor Basketball and Strides of March Special Olympics. She encouraged the public to join her and the Commissioners in participating in the events being held this month.

Commissioner Troy thanked the students for their gifts and representatives for attending the meeting and stated that every citizen in Lake County matters and he is proud of the work they are doing.

RESOLUTIONS:

1. **RESOLUTION INCREASING APPROPRIATIONS FOR MAPLE AVE. & LAKESHORE WATERLINE 340-W AND TRANSFERRING CASH (20150226\U01)(UT-2)**

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

2. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$640,500.00 FOR MADISON TOWNSHIP WATERLINE REPLACEMENT (MAPLE AVE. AND LAKESHORE BLVD.) PROJECT NO. 340-W AND ADVERTISING FOR BIDS FOR SAME (Bid Opening: March 25, 2015)(20150226\U02)(UT-46)**

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

3. **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR EXCESS WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE WITH WELLS FARGO INSURANCE SERVICES OF USA, INC., AGENT FOR MIDWEST EMPLOYERS CASUALTY COMPANY, EFFECTIVE MARCH 1, 2015 THROUGH MARCH 1, 2016 (20150226\C01)(Worker's Comp)**

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

4. **RESOLUTION ACCEPTING A PROPOSAL AND AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN TYLER TECHNOLOGIES, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY AUDITOR'S OFFICE FOR PROPERTY TAX ACCOUNTING SOFTWARE, COMPUTER ASSISTED MASS APPRAISAL (CAMA) SOFTWARE AND IMPLEMENTATION SERVICES IN THE AMOUNT OF \$1,534,585(20150226\C02)(C-2)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Lake County Auditor Ed Zupancic, explained there are two financial software systems in Lake County . The tax software system was last updated in 2009 and the CAMA system was last updated in the 1990's. The two systems are difficult to work with and causes additional data entry. The new system will integrate the CAMA and tax systems into one combined system and eliminate double entry in both the Auditor's and Treasurer's office. Tyler Technologies provided the lowest bid and they are the owner vender with a fully-functioning system in Ohio. This is being paid for out of the Real Estate Assessment Fund. Mr. Matas and Mr. Yamamoto independently reviewed the bids and came to the same conclusion that this was the best bid and he asked the Commissioners for their approval. The new software will allow more flexibility, efficiency and training will be provided.

Commissioner Troy stated that this type of equipment is necessary for their statutory duties and he asked what is the life span of the software?

Mr. Zupancic answered that technology changes quickly and he is hopeful that it will be 5-7 years. He noted the importance of keeping up with technology.

Commissioner Troy replied that the Real Estate Assessment Fund is available to the Auditor's Office, which is a small percentage of taxes collected. The new software will enhance the Auditor's ability to make revaluations, triennial updates, appraise real property, issue new construction permits, and they can now pay for the Board of Revision functions. He explained that some counties are starved in their Real Estate Assessment Funds but Lake County is fortunate to have a valuation base and they are able to give back a minimal amount of funds to the political subdivisions in trying to manage and use the fund the best way they can for the taxpayers in the County. Commissioner Moran asked how long the new software will take to implement?

Mr. Zupancic replied that it will take 1-2 years because the new software will be phased into operations because of the two systems, the appraisal system and taxes. Formulas will not be changed.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

**5. RESOLUTION APPOINTING SONJA MAIER TO THE LAKETRAN BOARD OF TRUSTEES TO COMPLETE AN UNEXPIRED TERM ENDING MAY 15, 2017 (20150226\C03)(B-37)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy stated that this resolution is to fill a vacancy on the board of trustees. Ms. Maier has been extremely involved in the community and she served as a member of the MRDD Board and expressed an interest to be on the Laketrans Board to fill out the remainder of Commissioner Malecek's term.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran  
"NAYS": None

**6. RESOLUTION AUTHORIZING THE LAKE COUNTY BOARD OF COMMISSIONERS TO ENTER INTO A FEDERAL EQUITABLE SHARING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND THE UNITED STATES DEPARTMENT OF THE TREASURY ON BEHALF OF THE LAKE COUNTY NARCOTICS AGENCY TO RECEIVE FEDERALLY FORFEITED PROPERTY AND/OR FUNDS (20150226\C04)(CT-17a)**

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

**7. RESOLUTION REVISING THE LAKE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING SCHEDULE (20150226\C05)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy explained that the Commissioners try to set a four-month meeting schedule to the best of their ability but sometimes a change occurs. The previously scheduled March 3, 2015 Commissioners' Meeting has been canceled and is being replaced by a meeting on Monday, March 9, 2015 at 2:00 p.m. There is already a meeting scheduled for Thursday, March 12, 2015 at 2:00 p.m.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran  
"NAYS": None

**8. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND MCS CONSULTING SERVICES LLC IN AN AMOUNT NOT TO EXCEED \$76,351.04 TO CONDUCT RESEARCH AND TO DEVELOP A PLAN FOR USE OF SENIOR LEVY FUNDS (20150226\C06)(C-46)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

County Administrator Jason Boyd explained this proposed agreement with MCS Consulting Services is for a study of the Senior Levy as it exists today. There are currently 12 organizations who receive money from the levy since its existence in the mid-1990's. The Senior Levy Panel and recipients of the funds decided it was time to research if they are meeting the needs of Lake County seniors today, tomorrow and in the long-term sustainability of the funding mechanism in the future and identify any gaps in funding areas.

Commissioner Troy stated that the Commissioners created a Senior Citizen Advisory Panel to help recommend how to allocate the levy funds. The agencies receiving funds are the senior centers, RSVP and Council on Aging. Lake County has a rapidly aging population so it is important to make sure we are on track.

Mr. Boyd stated that property tax revenues have been flat but the demand for senior services has increased. This study and analysis will provide the recipe for the best use of levy funds.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran  
"NAYS": None

**9. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,507,435.42(20150226\BC01)(C-4)**

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

**10. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$657,522.56(20150226\BC02)(C-17)**

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

**11. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20150226\BC03)(C-111)**

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

**12. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20150226\BC04)(C-111)**

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

DEPARTMENTAL REPORTS:

UTILITIES - Mr. Rick Martin, Executive Director for the Department of Utilities, reported that there have been 38 waterline breaks this month and 88 emergency call outs since the last meeting, the majority for frozen meters. There are some issues with sewers because fats, oils and grease solidify in the lines when the temperatures are cold.

Commissioner Moran asked about the new waterline project in front of Monro Muffler, Brake and Service on Vine Street in Willowick and asked if there were any regulations when putting in a new waterline or making repairs to an existing line about keeping the road the same grade.

Mr. Martin that the Utilities Department did raise an objection and was told that we need to adapt to the change in road grade. When road work gets close to the pipes, they claim it is our expense that we need to bear since they are our waterlines.

Commissioner Troy stated that they tried to get the law changed to require that any relocation of a waterline should be considered part of the project cost, but we were not successful, that if the road is lowered or raised and something has to be done with the lines it is at the County's cost.

JOB AND FAMILY SERVICES - none

COUNTY ADMINISTRATOR - Mr. Boyd thanked Mr. Randy Rothlisberger and the Utilities Department for working on the waterline break outside of our facility. There is water pressure in the building.

FINANCE - none

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Troy reported that he will be attending a CCAO Task Force Meeting on Lake Erie Water Quality on Monday, March 2, 2015 at the University of Toledo. He recently returned from the NACo Legislative Conference and Vice President Biden spoke to the group. A big issue that was discussed is the threat against tax exempt municipal bonds, which are used to build local infrastructure projects. The President's budget proposes a 28% cap on the amount of interest. The thought is that this will greatly increase the cost of construction projects for counties. The Marketplace Fairness Act, which requires online retailers to collect sales tax where they are selling the product, is being discussed in the House of Representatives. This hurts the main street retailers because they have to collect sales tax. A Waters of the U.S. issue would mean that every drainage ditch would be declared a navigable waterway. Another topic discussed was payment in lieu of taxes. He explained that one-third of the United States is owned by the Federal Government especially in the West. It is tax exempt land. The Highway Trust Fund will be out of money in May and it is primarily funded by the 18.3 cents federal gas tax, which has not increased since 1991. Congressman Joyce agrees that the concept of repatriation, where the big corporations are not paying taxes and hiding assets off shore and the idea is to decrease their tax rate to 14% instead of 28% to bring their money back. This money would then be dedicated to the Highway Trust Fund. He does not think this will work because it is one-time money and they would like to see something more long range. It will continue to be monitored. There are many infrastructure upgrades that need to be addressed.

PUBLIC COMMENT:

Mr. John Muzik, 45 Coventry Drive in Painesville Township, asked about resolution #3 regarding excess workers' compensation and employers liability insurance and he asked what does this mean? Commissioner Troy explained that the County is self-insured. This resolution is for stop-loss insurance over \$1 million. The County has been managing this very well and subsequently the premiums have decreased.

Commissioner Troy stated that the Commissioners are seeking a member to appoint to the Lake County Ohio Port and Economic Development Authority Board because there is a vacancy. There are also three appointments expiring in March on the Lake Health System Board that need to be filled and some ADAMHS Board member positions that will expire in June, and he encouraged anyone interested to please inform the Commissioners.

The next regular Commissioners Meeting will be Monday, March 9, 2015 at 2:00 p.m. in Chambers and then again on Thursday, March 12, 2015 at 2:00 p.m.

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Malecek, the Board adjourned the meeting at 10:47 a.m., with the vote as follows:  
"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

Minutes approved this ninth day of March, 2015.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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DANIEL P. TROY, PRESIDENT

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KEVIN D. MALECEK, COMMISSIONER

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JUDY MORAN, COMMISSIONER

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AMY ELSZASZ, CLERK