

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 2018-03015)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:04 a.m. Thursday, March 15, 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. Tom deHaas, Agricultural and Natural Resources Educator from the OSU Extension Offices, thanked the Board for their continued support. He provided and reviewed an informational folder. Mr. deHaas invited the Commissioners to attend the upcoming Field Days at DeBonne Vineyards, the "Pinot Trail" and several Master Gardener programs. Mr. deHaas reviewed several programs offered by the OSU Extension Offices and gave an update on the positive progress the local nurseries have made. Mr. deHaas thanked Commissioner Troy for attending the Nursery Growers of Lake County meeting this past Tuesday. Commissioner Troy stated he has received numerous compliments about the work Mr. deHaas is involved in from the Nursery Growers of Lake County. Mr. deHaas responded how humbled he is to receive such a compliment.

RESOLUTIONS:

1. RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR QUAIL HOLLOW SUBDIVISION NO. 11 PHASE 1, IN CONCORD TOWNSHIP (20180315\E01)(SD-426)

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

2. RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR QUAIL HOLLOW SUBDIVISION NO. 11 PHASE 2, IN CONCORD TOWNSHIP (20180315\E02)(SD-427)

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

3. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$858,490.00 FOR HAMANN PARKWAY WATERLINE REPLACEMENT PROJECT 404-W-2017 AND ADVERTISING FOR BIDS FOR SAME (BID OPENING: April 11, 2018)(20180315\U01)(UT-8)

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

4. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$12,935.58 FOR A WATERLINE FOR QUAIL HOLLOW 11 PHASE 1 SUBDIVISION IN CONCORD TOWNSHIP (JOB NO. 17-49)(20180315\U02)(UT-9)

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

5. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR(20180315\U03)(UT-7)

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

6. RESOLUTION GRANTING A CONSERVATION EASEMENT TO THE CLEVELAND MUSEUM OF NATURAL HISTORY ON A 19.858 ACRE TRACT OF CERTAIN REAL PROPERTY LOCATED WITHIN MENTOR MARSH IN THE CITY OF MENTOR(20180315\U04)UT-11)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Sanitary Engineer, Mr. Randy Rothlisberger, explained that this conservation easement allows for wetland mitigation which is required by the Army Corps of Engineers permit for the Mentor Marsh Interceptor Replacement project. The sanitary sewer that crosses the marsh will be replaced. The replacement will cause slightly less than one acre of disturbance to the wetlands and must be mitigated with a 20 acre restoration of the area. This easement is north of the Wastewater Treatment Plan and will be maintained by the Museum of Natural History. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

7. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT MARCH 23, 2018, IN THE AMOUNT OF \$465,655.41 (20180315\JFS01)(JFS-14)

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 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 (20180315\C01)(B-192) TABLED 1/16/18

No action was taken on this resolution.

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9. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE CITY OF MENTOR FOR PARTICIPATION IN THE LAKE COUNTY TELECOMMUNICATIONS SYSTEM (20180315\C02)(404g-1)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Director of Telecommunications, Mr. Paul Stefanko, was present and explained that his department has been working with the Sheriff's Department and the City of Mentor's public safety officials to develop a replacement plan for the existing 911 answering services. 139,000 residents are impacted by the agreement which is approximately 60% of the county's population. He stated that the proposed system will be shared between the two Departments and provides a backup system for each facility. He explained that both Lake County and the City of Mentor will share in the maintenance and upgrade costs of the system going forward and the agreement will save money now and in the future. Commissioner Troy stated that the City of Mentor is the County's backup and asked if this was a new agreement, a continuation or an enhancement of services. Mr. Stefanko replied that it is a new agreement. The county will share in the upfront cost, ongoing maintenance costs and all software and firmware costs with Mentor. Lake County will own the equipment. Commissioner Hamercheck asked if this would enhance the Emergency Operations Centers ability to market themselves to other agencies. Mr. Stefanko stated that would be correct and it is a state of the art system with "next-gen" capabilities, including future texting 911 services built in. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

10. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$5,668,332.73(20180315\BC01)(C-4)

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

11. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,172,269.58(20180315\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

12. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20180315\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

13. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20180315\BC04)(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 – none.

COUNTY ADMINISTRATOR – Mr. Boyd stated that he and Director of Administrative Services, Mr. Joel DiMare, attended the Tax Incentive Review Council meeting this morning at the Port Authority. The topic of discussion was a review of the Painesville Township-Lubrizol Enterprise Zone Agreement and it will be recommended that the agreement continue after having met all of their goals.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: -none.

NEW BUSINESS: - Commissioner Troy stated that he will be attending a CCAO Board of Trustees meeting tomorrow, an Executive committee meeting this afternoon and he will be testifying at a hearing next Tuesday pertaining to the Elections Equipment Bill. He added there seems to be a relatively good response from the legislature to assist in the purchase of the machines. Commissioner Troy attended the NOPEC Board of Directors meeting and stated that a First Energy settlement was made in the amount of \$6 million due to First Energy cancelling their supply contract with NOPEC. NOPEC will add \$3 million to this amount. He stated that residents will be receiving an informational postcard explaining that they need to do nothing in order to have in the \$9 million customer give back that will be distributed to NOPEC's electric customers. It is estimated that residential customers would receive discounts of approximately \$18.00 and small business accounts approximately \$39. This is part of NOPEC's mission to keep electric rates as low as possible. Rate reductions should be reflected in the March to June bills. Commissioner Troy stated that after much discussion, NOPEC will prepare a letter to PJM indicating their support for PJM to develop some sort of appropriate market pricing mechanism to encourage continued operation of the Perry Nuclear Power Plant. NOPEC has always stated that a federal solution would be a better than a state solution as it would have a lesser impact on consumer notes. NOPEC has stated their continued concern for Lake County should the Perry Nuclear Power Plant close. Commissioner Troy stated that of all the counties in the NOPEC territory, there is almost universal membership in the electric and gas program in Lake

County with the exception of Painesville (which generates its own electric). Commissioner Hamercheck asked Commissioner Troy who is responsible to pay the \$6 million settlement. Commissioner Troy stated it is First Energy under a breach of contract settlement. Commissioner Cirino asked if Commissioner Troy thought that NOPEC would continue to lobby against a state solution. Commissioner Troy responded that he cannot speak for them and he is not sure how NOPEC might handle the issue. Their concern is to protect the rates of the consumers. Commissioner Hamercheck asked if funding for the new voting equipment is still based on optical scan machines. Commissioner Troy stated that as presented, it would fully fund optical scan machines for all 88 counties and would not fund Direct Recording Electronic (DRE) equipment or any type of hybrid equipment. He explained that Senator LaRose's proposal would appropriate between \$110 and \$118 million for counties to make the necessary upgrades and the Kasich administration at this time only supports \$91 million. Commissioner Troy stated that the funding will not be through the general fund but would be funded through "Certificates of Participation"; a form of short term bonding.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. John Muzic of 45 Coventry Drive in Painesville Township, stated that he attended a tax meeting with other Lake County residents. There was much discussion on the impact the Perry Power Plant closing would have on the County. He asked what the possible impact would be on property/real estate taxes if First Energy Solutions files for bankruptcy. Commissioner Cirino stated that it is his opinion that First Energy Solutions would file for bankruptcy by the end of the month, explaining that they will owe \$100 million in bond notes due in the beginning of April and they do not have the cash flow to pay them and he listed a few other issues that would indicate the possible bankruptcy filing. He explained if and when First Energy Solutions files for bankruptcy, the Court's will be deciding how the assets will be managed. There may be an opportunity through the Court to see costs significantly taken out and see some rate relief to keep the plant operating. PJM will remain a key player and they may offer some rate relief in terms of pricing adjustments through tariffs that could possibly make Perry Nuclear Plant attractive to a buyer. Commissioner Troy added that through all indications, if there is a bankruptcy filing, the Plant will continue to operate. School funding is based on property taxes and he cited the formula that funding is calculated by counties throughout the state and gave several examples. Commissioner Cirino stated that Perry Schools Superintendent, Mr. Jack Thompson, is very aware of the issues that could arise with a Plant closure. He explained that should Perry stay open during a bankruptcy, there would be an increase in the utility tax asset impairment with each successive year. Commissioner Troy clarified, for the record, that the Lake County Board of Commissioners do not have any involvement whatsoever in school funding or anything to do with the school funding formula in the State of Ohio. Mr. Muzic expressed his concern with individuals on fixed incomes, including senior citizens, should the taxes within Lake County go up. Commissioner Cirino explained that the County is doing its best to keep Perry operating and he believes it would benefit all Lake County residents. He stated that Perry spends \$65 million annually on tax revenue through local vendors for supplies and services, etc. Ms. Ellen Chamberlain of Willoughby asked the Commissioners to take their time before making a decision on the voting equipment replacement as she feels the process seems to be moving rather quickly. She feels that the public should have an opportunity to voice their thoughts and opinions and she expressed her concerns. Commissioner Hamercheck responded that our Board of Elections has been involved since the beginning and Commissioner Troy has been extremely involved in Columbus. Commissioner Troy clarified that the State is not dictating the type of equipment but they (the State) will provide enough funding (approximately \$110- \$118 million) to fund the optical scan machines. CCAO would like to see \$200 million allocated for the voting machine purchases and would allow each county in the state to choose the best machines for their individual county. Ultimately, the choice is going to be left up to each county, regardless of the funding amount provided by the state. Commissioner Hamercheck stated that this would be another example of the state pushing the local governments to provide the funding if they have the capacity to do so. Commissioner Cirino asked Ms. Chamberlain if she has had the opportunity to speak with the Board of Elections. Ms. Chamberlain stated she has but that the decisions seem to be happening quickly and she wanted an opportunity to express her concerns.

EXECUTIVE SESSION: On a motion Commissioner Cirino, seconded by Commissioner Troy, the Board convened an Executive Session at 11:02 a.m. to discuss Legal – pending litigation with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

The Lake County Board of Commissioners adjourned to Executive Session at 12:17 p.m.

ADJOURN: On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 12:17 p.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

Minutes approved this seventeenth day of April, 2018.

BOARD OF LAKE COUNTY COMMISSIONERS

JOHN R. HAMERCHECK, PRESIDENT

JERRY C. CIRINO, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

JENNIFER BELL, CLERK