

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

(Tape 2018-0329)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:05 a.m. Thursday, March 29, 2018.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Cirino, seconded by Commissioner Troy, the minutes of the regular meeting of March 1, 2018 and the March 13, 2018 were approved as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

OPEN TO THE PUBLIC: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. John Muzic of 45 Coventry Drive in Painesville Township, referred to item #11 on the agenda pertaining to the appointment of Mr. Walter Siegel to the Port Authority Board. Mr. Muzic stated his opinion and asked that the Commissioners make a decision of some kind on this resolution.

Mr. Robert Dawson, Perry resident and Perry Township Trustee, agreed with Mr. Muzic and stated that he had written a letter of support for Mr. Siegel. He stated that he has had the opportunity to work with Mr. Siegel on the JEDD and that he was very dedicated to the job. Mr. Dawson, in his capacity as a Trustee, stated that he has worked with Mr. Siegel for the past four years, and he is an excellent employee and dedicated family man. Speaking as a resident, he stated that Mr. Siegel is an excellent planner. He listed several of Mr. Siegel's accomplishments and highly recommends him for the vacant position on the Port Authority Board.

Ms. Mary Platko, former Perry Township clerk, stated that she knows Mr. Siegel quite well and he is an excellent family man. She supports his appointment and agrees with both Mr. Muzic and Mr. Dawson. She feels his experience will benefit the Port Authority Board.

RESOLUTIONS:

**1. RESOLUTION APPROVING THE AMENDMENT TO THE OHIO DEPARTMENT OF TRANSPORTATION LPA PROJECT AGREEMENT NO. 31578 FOR LAK-CR PM/RPM VAR FY 2018 (PID 104803)(20180329\E01)(E-3)**

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 THE AMENDMENT TO THE OHIO DEPARTMENT OF TRANSPORTATION LPA PROJECT AGREEMENT NO. 31577 FOR LAK-CR GR VAR FY 2018 (PID 104802) (20180329\E02)(E-3)**

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 AWARDDING A BID CONTRACT TO CHAGRIN VALLEY PAVING FOR THE CARTER ROAD WIDENING AND SAFETY IMPROVEMENT PROJECT AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$900,512.70(20180329\E03)(E-3)**

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 AWARDDING BID CONTRACT TO OSBORNE CONCRETE & STONE COMPANY FOR LIMESTONE FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20180329\U01)(UT-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

**5. RESOLUTION AWARDDING BID CONTRACTS TO ARMS TRUCKING COMPANY FOR SAND FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20180329\U02)(UT-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

**6. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIIN LAKE COUNTY DEPARTMENT OF UTILITIES WATER OPERATING FUND(20180329\U03)(UT-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

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**7. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$1,181,405.00 FOR BLISSFIELD BEECHWOOD WATERLINE REPLACEMENT PROJECT 405-W AND ADVERTISING FOR BIDS FOR SAME (BID OPENING: April 25, 2018) (20180329\U04)(UT-8)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Sanitary Engineer, Mr. Randy Rothlisberger, was present and explained that this is a part of the Capital Improvement Plan, in their budget, and is on the priority list for this year. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**8. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR(20180329\U05)(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

**9. RESOLUTION AUTHORIZING AN AMENDMENT TO THE LAKE COUNTY PREVENTION, RETENTION, AND CONTINGENCY PLAN THROUGH SEPTEMBER 30, 2018; CERTIFYING COMPLIANCE WITH CHAPTER 5108 OF THE OHIO REVISED CODE IN ADOPTING THE PLAN; AND AUTHORIZING EXECUTION OF THE PLAN (20180329\JFS01)(JFS-16)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Director of Job and Family Services, Mr. Matthew Battiato, explained that the original plan was approved September, 2017 and that this amendment fills in the gaps. He explained that this program is funded by TANF (Temporary Assistance for Needy Families) through a Federal Grant and explained the criteria. He stated this program will assist individuals in maintaining their jobs or schooling and cited several examples. Since the plan was approved five months ago, the volume to the program has gone up significantly to the point where it has become necessary to amend the plan and lower the funds available in order to sustain it through October, 2018.

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

**10. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT APRIL 6, 2018, IN THE AMOUNT OF \$250,238.12 (20180329\JFS02)(JFS-14)**

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 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 (TABLED 1/16/18) (20180329\C01)(B-192)**

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck to remove the resolution from the Table, the foregoing motion to remove the resolution from the table was approved with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

On a motion by Commissioner Cirino, to adopt the resolution. No second was received to Commissioner Cirino's motion to adopt.

**12. RESOLUTION AWARDING A BID CONTRACT FOR A GAS CHROMATOGRAPH/MASS SPECTROMETER WITH AUTOSAMPLER FOR THE LAKE COUNTY CRIME LABORATORY(20180329\C02)(CT-18)**

On a motion by Commissioner Hamercheck, seconded by Commissioner Troy. Ms. Linda Erdei, Director of the Lake County Crime Lab, explained the importance of this piece of equipment.

Mr. Doug Rohde also explained how important this piece of equipment is for the Crime Lab and stated that they are receiving an Opioid Grant from the Ohio Attorney General's Office to fund this piece of equipment. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**13. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,275,793.46 (20180329\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

**14. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$480,274.99 (20180329\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

**15. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20180329\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

**16. RESOLUTION TRANSFERRING CASH WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20180329\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

**17. RESOLUTION RECOGNIZING THE WEEK OF APRIL 9-13, 2018 APPRECIATION FOR THE LAKE COUNTY ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES(ADAMHS) BOARD(20180329\F01)(C-126)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Ms. Kim Fraser, Executive Director of the ADAMHS Board, was present to explain the appreciation and emphasize the extreme importance of first responders, (such as Police and Fire Departments, the EMT's and emergency workers) in dealing with the opiate epidemic. She expressed her thanks to the Police and Fire Departments, the EMT's and emergency workers for their hard work attempting to battle this horrible epidemic. She stated that during the week of April 9<sup>th</sup> through the 13<sup>th</sup>, her Department will be visiting each community to personally thank them for their hard work. Commissioner Troy stated that recently, there have been many unfortunate incidents occurring in schools. He asked if there was a relationship within the ADAMHS network to assist in identifying individuals with mental illness and how to recognize red flags. Ms. Fraser replied that through Crossroads, they are in every school system in Lake County and provide programs and ongoing training to their educators. Commissioner Troy asked if there was any legislative authority that would allow ADAMHS to act as a type of watchdog to prevent someone with mental illness from obtaining a weapon. Ms. Fraser replied that, at this time, there is no legislative authority for them to do so, however, they provide educators throughout the County with ongoing training to recognize child abuse, domestic abuse, bullying and suicide prevention and the necessary resources to assist them. Commissioner Troy asked about adults with mental illnesses. She replied that if they are a danger to themselves or others, there are laws to bring someone into custody as well community groups to address this. Commissioner Troy encourage residents of Lake County to support the ADAMHS Board Levy that will be on the ballot in May. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**18. RESOLUTION PROCLAIMING APRIL 2018 CHILD ABUSE PREVENTION MONTH IN LAKE COUNTY(20180329\F02)(C-126)**

On a motion by Commissioner Hamercheck, seconded by Commissioner Troy. Mr. Battiato stated that, while child abuse prevention is important year-round, April is designated as the month to shine a spotlight on the issue. He invited everyone to wear blue to work and attend the April 11<sup>th</sup> ceremony for Child Abuse Prevention Month and where the Child Advocate of the Year award will be presented. Pinwheels will be placed in the green space of the Job and Family Services Department in honor of the children that Jobs and Family Services has served during the last year. Commissioner Troy also recognized the Foster Parents Association and said he had the pleasure of attending their annual event. He thanked the foster parents for their dedication in providing stability to these children. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES – Sanitary Engineer, Mr. Randy Rothlisberger, updated the Board on their investments and infrastructure. He reported that currently there are twelve projects under contract (8 water projects and 4 wastewater) totaling \$11.5 million. Of that, they are receiving \$2 million in grants with the balance being financed with 0% interest loans. Commissioner Hamercheck asked for an update on the Madison Village partnership. Mr. Rothlisberger stated that it is moving along and they are currently performing a leak survey. Commissioner Troy stated that the Governor along with the Director of the EPA have declared part of Lake Erie as "impaired status". He asked if there would be a need for new requirements promulgated on water filtration and wastewater treatment plants to determine the phosphorus content coming into plants and if this would be something we need to begin. Mr. Rothlisberger replied that the department has been testing for phosphorus for several years at the request of the EPA to be used as a data gathering mechanism. His understanding is that they may be required to remove more phosphorus from the wastewater facility. He stressed that it is still significantly less than what is currently in the lake.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: - Commissioner Cirino stated that ethical questions regarding Mr. Walter Siegel's nomination to the Port Authority Board were mentioned at a previous Commissioner's Meeting. Investigation and of the claims nothing was substantiated. He thinks that Mr. Siegel is an upstanding member of the community and that this is terrible treatment of this nominee. This Board elected to take the resolution of appointment off the table and voted it down. Commissioner Cirino voiced his disappointment with the process and personally apologized to Mr. Siegel and his family. Commissioner Cirino expressed his and deep dissatisfaction with this process of nomination. He did not understand why with, signature, this resolution did not move forward. Commissioner Hamercheck stated that the legal review scope is limited to this Board's perspective only and Assistant Prosecuting Attorney Dave Hackman agreed. Commissioner Cirino further stated that there is no documentation provided from the Port Authority's legal counsel to suggest a Commissioner should not accept this nomination. Commissioner Hamercheck asked Commissioner Cirino to review the email chain regarding the issue of compatibility.

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Commissioner Troy stated that he never signed off on this nomination. Four people were interviewed for this position on the Port Authority Board and he felt that a woman who was interviewed was the most qualified candidate. He further stated that he has nothing against Mr. Siegel, and in fact, voted for his appointment on the Planning Commission multiple times; a position that Mr. Siegel currently holds.

Commissioner Cirino replied that he understands Commissioner Troy's decision but not Commissioner Hamercheck's decision. It seemed to Commissioner Cirino that there is no apparent reason for that decision.

Commissioner Troy clarified that there was a motion to appoint Mr. Siegel but it died due to a lack of a second so it did not get to a vote.

Commissioner Hamercheck stated that the process is consistent with what the Commissioners are allowed to do and with custom of the Board.

Commissioner Troy stated that he and Commissioner Hamercheck had an opportunity to meet with Mr. David Radachy, of the Planning Commission and a representative from the United States Census Bureau. The US census is a constitutional requirement that occurs every ten years with the next one to be completed in 2020. Mr. Radachy and other local officials will be working with the census bureau to put together full count committees. The primary reason for the census is to determine congressional representation. In the past, Commissioner Troy has witnessed Ohio's representation reduced from 25 representatives to 16 and it will be determined in 2020, if Ohio will lose more. He explained that it is important to get everyone counted not only for representation but because some funding streams (local government funds and some federal funding) are determined by population as well.

Commissioner Hamercheck referred to item #12 on the agenda; the Crime Lab's purchase of new equipment. He stated that this purchase will continue to keep the Crime Lab at the forefront, well-tuned and very responsive to the needs of the County. Ms. Linda Erdei, Director of the Crime Lab, explained that this piece of equipment is extremely useful due to the opioid epidemic and the varied (sometimes unknown drugs) that are brought in to the lab. Commissioner Hamercheck stated that Lake County is lucky to have one of the finest labs available and he emphasized the importance of the Crime Lab Levy that will be on the ballot in May. Ms. Erdei stated that the Crime Lab is internationally accredited and has not had a levy on the ballot since 1999. Commissioner Hamercheck stated that he had an opportunity to hear a presentation by Mr. David Green, crime scene investigator. Mr. Green spoke of the effectiveness and efficiency in the Crime Lab. He added that their services are free to all law enforcement agencies in Lake County. Commissioner Hamercheck and Ms. Erdei discussed the many ways that crimes have been solved because of the equipment available at the Crime Lab.

Mr. Doug Rohde, Supervisor of Chemistry and Toxicology at the Crime Lab, explained that since January in Lake County, the Lab has identified at least six new fentanyl analog drugs. He thanked the Board for their approval of the resolution and explained that the Crime Lab desperately needed this new piece of equipment. Mr. Rohde further discussed the opioid crisis and the unknown drugs coming into the lab for testing.

**NEW BUSINESS:** - Commissioner Cirino reported that FirstEnergy Solutions gave formal notice to FERC of its plans to decommission 3 of its nuclear power plants over the next three years. Two of those plants are in Ohio; the Perry Nuclear Power Plant and Davis-Besse. He stated that he believes that FirstEnergy Solutions will be filing for bankruptcy protection in the very near future because they will have a \$100 million bond payment due in early April. The next step is hoping that there will be a buyer for the Perry Plant. Commissioner Troy said that one of the worst things to happen to the county was when the State deregulated the electric industry about 20 years ago. First Energy has wanted to get out of the power generation business for some time. Legislation in Columbus has stalled but there seems to be a renewed effort taking place in Washington to maintain the plants for purposes of national security. He stated that he remains hopeful that there may be some relief from the federal government. However, if the plants do stay open, the tax value will drop considerably. One of the biggest concerns is saving the jobs of the more than 700 employees at the Perry Plant. Commissioner Hamercheck added that these three plants represent four thousand megawatts of generating capacity (the 2 Ohio plants produce 11% of that power). Adding in the Beaver Valley Plant brings into question resiliency and reliability. He addressed Commissioner Cirino asking for his view from a business perspective. Commissioner Cirino responded that, not knowing how the bankruptcy will be handled, he remains cautiously optimistic with regard to the Perry Plant. The Board continued to discuss how local businesses feel about the Perry Plant closure and various solutions for this problem. Commissioner Troy stated that the County had two major electric generating facilities (Perry and the coal-fired plant in Eastlake which closed in 2015). Commissioner Troy stated that the Solid Waste Management Policy District is required by State law to update the plan with the EPA. There is a proposed Solid Waste update that would be effective from 2018 through 2032 and he explained the process necessary to comply with State Law. Commissioner Hamercheck complimented Mr. Matthew Armand on the recent article he had published and commended the Utilities Department on their hard work.

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

Ms. Mary Platko of Perry Township, voiced her concerns as a resident of Perry. She asked the Board to vote on the Port Authority appointment and reiterated her support of Mr. Siegel. Commissioner Hamercheck explained that there were several reasons and concerns that each member of the Board had with regard to Mr. Siegel's appointment.

Ms. Ellen Chamberlin of Kirtland, pointed out that while April is Child Abuse Prevention Month, the Board of Commissioners displays the blue pinwheels as year-round support of the importance of Child Abuse Prevention. She stated that should the Perry Plant shut down, she hopes that there would be someone from the County monitoring the closure for proper safety procedures. Commissioner Cirino assured Ms. Chamberlin that if the closure should occur, it is highly regulated and a very detailed process. Commissioner Troy explained that the process would be heavily regulated and that the decommissioning process can take as long as ten years to complete. On behalf of the Board, Commissioner Cirino assured Ms. Chamberlin they would be committed to the safety of Lake County residents should the closure occur.

EXECUTIVE SESSION: On a motion Commissioner Troy, seconded by Commissioner Cirino, the Board convened an Executive Session at 11:25 a.m. to discuss Personnel-Compensation, Personnel-Collective Bargaining, Personnel-Employment, and Real Estate-Disposition with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None  
Commissioner Hamercheck stated that there would be a work session held on the 5<sup>th</sup> floor for the Board after executive session.

The Lake County Board of Commissioners adjourned to Executive Session at 2:10 p.m.

ADJOURN: On a motion by Commissioner Cirino, seconded by Commissioner Troy, the Board adjourned the meeting at 2:10 p.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None  
Minutes approved this twelfth day of June, 2018.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN R. HAMERCHECK, PRESIDENT

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JERRY C. CIRINO, COMMISSIONER

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DANIEL P. TROY, COMMISSIONER

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KATHLEEN RUSSO, ASSISTANT CLERK