

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 2018-0405)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:04 a.m. Thursday, April 5, 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. No one present wished to address the Board at this time.

RESOLUTIONS:

- 1. RESOLUTION AWARDDING A BID CONTRACT TO ARMS TRUCKING CO. FOR ROADWAY MATERIALS - 2018 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$102,690.00 (LIMESTONE)(20180405\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 AWARDDING A BID CONTRACT TO SPECIALIZED CONSTRUCTION FOR THE IMPROVEMENT OF VARIOUS ROADS WITH CHIP SEAL PROJECT, AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$595,507.25 (20180405\E02)(E-3)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Hamercheck asked if the chip seal was more of a permanent material. Chief Deputy Engineer, Mr. Bruce Landeg, was present and explained that this is a routine five year maintenance program that is traditionally used on the lower volume roads throughout the County. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

- 3. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN TERRACON CONSULTANTS, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN AN AMOUNT NOT TO EXCEED \$36,520.00 FOR THE HOOSE ROAD AND ANDREA DRIVE BRIDGE IMPROVEMENTS PROJECT (OPWC CG05U/CG06U) AND HOPKINS ROAD BRIDGE REPLACEMENT PROJECT (PID 93498)(20180405\E03)(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

- 4. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR THE SR 306 (LAK SR 306-00.00) RESURFACING PROJECT, KIRTLAND, OHIO – LPA PID #84401 FEDERAL AID PROJECT #FAN E170 (350)(Bid Opening: May 2, 2018) (20180405\E04)(E-2)**

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

- 5. RESOLUTION AUTHORIZING EXECUTION OF FY 2018 ADDENDUM TO THE COMMUNITY-BASED CORRECTIONS PROGRAM 407 SUBSIDY GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION AND CORRECTION ON BEHALF OF THE LAKE COUNTY ADULT PROBATION DEPARTMENT, EXPIRING JUNE 30, 2019 (20180405\C01)(CT-3)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. County Administrator, Mr. Jason Boyd, explained that in 2017, the Lake County Adult Probation Department was notified that this grant would be reduced by 20%. Once the State budget passed, they received notification that the grant would be restored to the original amount for 2018-2019. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

- 6. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$374,913.98(20180405\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

- 7. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$3,248,026.81 (20180405\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

- 8. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20180405\BC03)(C-111)**

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 TRANSFERRING CASH WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20180405\BC04)(C-111)**

April 5, 2018

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

10. RESOLUTION PROCLAIMING THE WEEK OF APRIL 2-6, 2018 NATIONAL COMMUNITY DEVELOPMENT WEEK IN LAKE COUNTY, OHIO(20180405\F01)(C-126)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Ms. Rhea Benton, CDBG Manager, gave a detailed history of the creation of CDBG funding. She explained that this proclamation celebrates the CDBG and the Home Programs. These programs fund local communities in the areas of housing, public services, public facilities, and infrastructure and economic development. She stated that their accomplishments over the past four years of their consolidated plan cycle can be found on the Planning and Community Development website and she discussed the involvement of national associations supporting their efforts. Ms. Marion Norman, Home Program Coordinator, was present and also gave a history of the home program. She stated that the previously 40% funding cut in has been reestablished. Both CDBG and the Home Program are accepting applications and are due by May 1st. Commissioner Troy stated that these two programs are extremely valuable to Lake County and they have helped improve the quality of life to the community. With the possibility of program cuts, as suggested by the President's proposed federal budget, he asked that anyone who has benefitted from the programs notify their congressperson on the importance of funding them. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

11. RESOLUTION PROCLAIMING THE WEEK OF APRIL 8 - 14, 2018 NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK (20180405\F02)(C-126)

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck. Lake County Sheriff's Department, Captain Michael Warner, was present to receive the proclamation. He thanked the Commissioners for recognizing and appreciating the very important and difficult jobs these unseen workers perform. Commissioner Troy stated that the County has ten public service answering points and yet all of the 911 wireless calls are answered through Central Communications. Captain Warner explained that Central Communications practices managed transfer, indicating that they stay on the line with the caller until the call is transferred, answered and dispatched. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES – Commissioner Troy referred to an article in the Statehouse news stating that the Kasich administration is preparing wide ranging legislation to tighten the regulations on phosphorus and he read several items found in the article. He clarified with Sanitary Engineer, Mr. Randy Rothlisberger, that our two Lake County plants have holding tanks and that there is no discharge into Lake Erie. Mr. Rothlisberger stated that was correct. He stated that there are some larger, older plants throughout the state that have combined systems which would discharge into the Lake. He explained the rigorous testing process Lake County performs on a daily basis before the water is discharged into the lake.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: -none.

NEW BUSINESS: - Commissioner Cirino gave an update on the First Energy Solutions bankruptcy (Chapter 11) filing. He explained that the first bankruptcy hearing was held this past Tuesday and First Energy Solutions motions were granted that would allow them to continue to operate (under the supervision of the Court) and continue paying taxes and fees. With the Chapter 11 filing, they are considered a 'debtor in possession'; meaning that they are able to retain their properties and still operate while the bankruptcy progresses. Commissioner Troy added that, under the law, taxes top the list to be paid before other creditors. FERC has been asked to act on the Department of Energy's proposal to enact support for nuclear plants. He stated that there is much pushback from the two largest associations representing businesses in Ohio. The hope would be for some sort of compromise and give and take with all parties. Commissioner Hamercheck reminded everyone that the Beaver Valley Nuclear Power Plant in Pennsylvania, is included in the First Energy Solution's Chapter 11 bankruptcy filing. The Board continued to discuss the numerous companies that fall under the First Energy Solutions filing and the possible consequences and solutions of the bankruptcy.

Commissioner Troy updated the Board on voting machine changes. Several proposals are being looked at as well as the creation of a chargeback situation for funding a future voting machine replacement fund. Representative Arndt has prepared legislation to set up a chargeback system for all political entities that go to the ballot to cover future voter equipment replacement.

Commissioner Hamercheck discussed the upcoming U.S. Census. He stated that, per the Constitution, all people in Lake County must be counted regardless of citizenship.

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

Mr. Ron Filson, 5700 Vrooman Road, stated that he continues to be in opposition of the new bridge design and read a prepared, very detailed letter of the history, inaccuracies reported in several news articles, mistakes and numerous other issues regarding the Vrooman Road Project. While he is not in opposition of a bridge replacement, he believes

the current design does not seem to be in the best interest of the people. Assistant Prosecuting Attorney, Mr. David Hackman, explained the settlement of the previous contractor’s lawsuit for the Vrooman Road Project and how the County is required by law to follow the settlement made by the Court. Commissioner Hamercheck reiterated that the current Board is obligated to proceed with the project and that settlement agreement that was reached. Mr. Hackman stated that should the Board not abide by the settlement, it may result in a breach of the settlement agreement. Mr. Landeg stated that he is not the project manager on the bridge project. He gave a brief statement on the materials, bridge closure, and retaining wall. Mr. Landeg stated that the information is public and available on the Engineer’s website. Commissioner Troy explained the County’s obligation on this project and that is on the Engineer’s responsibility to maintain all the bridges throughout the County. He expressed his concerns that this project has been going on since the early 2000’s. Regardless of the lawsuit settlement, the Board has a fiduciary responsibility to the taxpayers in Lake County which is the reason he did not vote in favor of the resolution pertaining to the County’s responsibility to pay for any future change-orders on the project. The Board, Assistant Prosecutor Hackman, and Mr. Filson continued to discuss the Vrooman Road Bridge Project and the issues that continue. Ms. Heather Shelton, Leroy Township Trustee, spoke on behalf of some residents that she represents in opposition of the current bridge design. She stated that they have been in favor of a mid-level design since the beginning. Ms. Shelton asked the Board to review the agreement for revisiting the design of the bridge. Commissioner Hamercheck reiterated that the Board has a responsibility to follow the previously approved settlement agreement.

EXECUTIVE SESSION: On a motion Commissioner Troy, seconded by Commissioner Cirino, the Board convened an Executive Session at 11:35 a.m. to discuss Personnel-Collective Bargaining, with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

The Lake County Board of Commissioners adjourned to Executive Session at 11:35 a.m.

ADJOURN: On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 11:46 a.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

Minutes approved this twenty-eighth day of June, 2018.

BOARD OF LAKE COUNTY COMMISSIONERS

JOHN R. HAMERCHECK, PRESIDENT

JERRY C. CIRINO, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

JENNIFER BELL, CLERK