

APRIL 18, 2019

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

JERRY C. CIRINO, COMMISSIONER
JOHN R HAMERCHECK, COMMISSIONER
RON YOUNG, COMMISSIONER
JENNIFER BELL, CLERK

JASON W. BOYD, ADMINISTRATOR
LEGAL COUNSEL
MIKE MATAS, BUDGET DIRECTOR
NEWS MEDIA

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(Tape 2019-0418)

CALL TO ORDER: Commissioner Cirino called the Meeting to order at 10:03 a.m. Thursday, April 18, 2019.

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

OPEN TO THE PUBLIC: Commissioner Cirino asked if anyone in the audience wished to address the Board. Ms. Ellen Chamberlin of Willoughby, stated that she attended the Soil and Water Conservation plant sale. She stated that the prices were good, it was very well run, and everyone she dealt with was very pleasant. Ms. Chamberlin encouraged Lake County residents to attend this sale.

Mr. Brian Massie of 8196 Rainbow Drive in Painesville, referred to an article he read that stated there does not seem to be a market for recycling of plastics. He contacted the company Major's about their recycling program and visited a recycling center in Geauga County. He was concerned the recyclables are ending up in our landfill. He asked the Board if they could explain Lake County's recycling program and if taxpayer money is being well spent. Commissioner Cirino stated that perhaps Sanitary Engineer, Mr. Rothlisberger, could give a more detailed explanation on Lake County's recycling program during his departmental report.

RESOLUTIONS:

1. RESOLUTION TRANSFERRING CASH WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES WATER OPERATING FUND AND PROJECT FUND 595 AND INCREASING APPROPRIATIONS IN PROJECT 410-W-WALDMER DRIVE WATERLINE REPLACEMENT(20190418\U01)(UT-2)

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

2. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR HOUSEHOLD HAZARDOUS WASTE COLLECTIONS (20190418\U02)(UT-4)

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 Young "NAYS": None

3. RESOLUTION APPOINTING JERRIE LEE RISPOLI TO THE LAKELAND COMMUNITY COLLEGE BOARD OF TRUSTEES FOR A FIVE YEAR TERM EXPIRING MARCH 6, 2024 (20190418\C01)(B-51)

On a motion by Commissioner Young, seconded by Commissioner Cirino. Ms. Rispoli was present and thanked the Board for this appointment. She stated that it will be an honor and privilege to serve on the Lakeland Community College Board. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, and Young. "ABSTAIN": Commissioner Hamercheck. "NAYS": None

4. RESOLUTION APPOINTING ALICE CABLE TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE YEAR TERM EXPIRING MAY 15, 2022 (20190418\C02)(B-37)

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

5. RESOLUTION DECLARING AN UNUSED PORTION OF PARCEL OF REAL PROPERTY KNOWN AS 01-B-092-0-00-016-0 LOCATED ON MIDDLE RIDGE ROAD IN MADISON TOWNSHIP, OHIO NO LONGER NECESSARY FOR COUNTY PURPOSES AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PUBLIC SALE OF SAME, ACCORDING TO SECTIONS 307.09 AND 307.10 OF THE OHIO REVISED CODE, AND DECLARING NO MINIMUM BID REQUIRED (Bid Opening May 29, 2019)(20190418\C03)(210)

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

6. RESOLUTION APPOINTING KENNETH BOYD, III, TERRY SIMONIAN, AND JOSEPH SOLNOSKY TO THE CITY OF KIRTLAND TAX INCENTIVE REVIEW COUNCIL (20190418\C04)(B-195)

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 Young "NAYS": None

7. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$830,090.15(20190418\BC01)(C-4)

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 Young "NAYS": None

8. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$371,854.50 (20190418\BC02)(C-17)

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

9. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20190418\BC03)(C- 111)

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 Young "NAYS": None

10. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND (20190418\BC04)(C-111)

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

DEPARTMENTAL REPORTS:

UTILITIES – Sanitary Engineer, Mr. Randy Rothlisberger, addressed Mr. Massie’s concerns regarding recycling. He explained that each community in Lake County has the ability to hire a recycling company of their choice and that every company handles the way they process the recyclables differently. He also stated that the Lake County landfill has a recycling drop-off for residents. Mr. Rothlisberger explained that there is no way for communities to monitor where or how the recyclables are handled once they are picked up. He added that the County makes sure they are handled properly. Mr. Rothlisberger announced that the first electronics collection of the year will be held on Saturday, April 27th. This is for electronics only, a separate television collection has been scheduled for a later date and they will not be accepted at the electronics collection.

JOB AND FAMILY SERVICES –none.

COUNTY ADMINISTRATOR –Mr. Jason Boyd gave an update on the new Administration Building Project and explained that he will be meeting with the City of Painesville to discuss the details of the streetscape Project. There will be traffic and pedestrian restrictions for approximately 60 days and he will update further as details are confirmed. He has been attending quarterly meetings with the Department Heads. All looks good and is as projected.

Mr. Boyd stated that the new administration building is progressing nicely and plans are beginning to be made regarding the transition to new building. He reported once this transition is complete, the window replacement in this building will begin.

FINANCE – none.

CLERK –Commissioners Clerk, Ms. Jennifer Bell reported that the 2019 Clean and Green poster contest winners will be attending next week’s Commissioners Meeting. The next Commissioners Meeting will be held on Thursday, April 25th at 10:00 AM.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: Commissioner Cirino stated that he was in Columbus to testify before the Natural Resources sub-committee on the new House Bill 6; the Clean Energy Bill. The Bill would create a new authority and provide rewards and recognition for green energy production and electricity. He spoke for approximately 35 minutes. He feels he made a strong case for not only the energy policy question but also for the financial and economic impact it would have on Lake County and the State should the Perry Nuclear and Davis-Besse Plants close. He stressed that this is not a “bail-out bill” but it will recognize and reward clean energy production. 90% of Ohio’s clean energy production comes from the two nuclear plants in Ohio. If the Perry Nuclear Plant and the Davis-Besse Plant were to shut down, the State would immediately be out of compliance with a number of requirements.

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

Mr. Brian Massie of 8196 Rainbow Drive in Painesville, expressed his dissatisfaction with the Port Authority and the Better Flip Project voicing that this project is extremely over budget. Commissioner Young stated that he understands Mr. Massie’s apprehension on the project. He explained that this project is an attempt to change the neighborhood for the better.

Commissioner Cirino explained that this is an issue that he (Mr. Massie) has brought to the Port Authority Board. He stated that Mr. Massie’s issues with this project should be addressed to the Board as it is their project.

Ms. Faith Andrews of Prouty Road in Concord, stated that the Board of Commissioners have oversight of the Port Authority Board and have the ability to restrict funding if the Board does not agree with what is happening. She stated that they have been using non-licensed contractors without permits on the Better Flip Project and that the project is \$150,000 over budget. She expressed her frustration with the Port Authority Board meetings.

Mr. John Muzik of 45 Coventry Drive, Painesville and Commissioner Cirino discussed the detailed process it may take for House Bill 6 to pass.

Mr. Muzik discussed his opinion regarding both the LandBank and the Port Authority being involved in “house flipping” and the use of taxpayer dollars for these projects.

Commissioner Young stated he respects Mr. Muzik’s thoughts with regard to the LandBank and Port Authority projects. He also addressed Ms. Andrews and Mr. Massie, offering to meet with them to discuss their concerns further.

Commissioner Hamercheck explained House Bill 6 is a fundamental shift away from the bail-out model. He stated that this would keep the energy dollars in Ohio for clean energy production and use. This includes solar, wind, and clean coal technology.

Ms. Ellen Chamberlin of Willoughby also discussed House Bill 6. She stated that she understands it creates an authority but she is unclear what the relationship will be with First Energy Solutions and the bankruptcy Court. Commissioner Cirino explained that First Energy’s bankruptcy is a restructuring bankruptcy and is unrelated to House Bill 6.

For clarification purposes, Commissioner Hamercheck clarified with Assistant Prosecutor, Mr. David Hackman, the following information pertaining to the Lake County Port Authority Board: 1) The Board of Commissioners appoints members to the Port Authority Board.

2) The Port Authority has its own legal counsel.

3) The Port Authority has its own Executive Director and staff that the Board of Commissioners have no control over.

4) Once Board appointments are made the Commissioners do not set Board policy.

5) The Board of Commissioners has no legal (statutory) authority to govern or guide the direction of the Port Authority.

Mr. Hackman confirmed Commissioner Hamercheck’s statements are correct and added that the Board of Commissioners has no control over the day to day business dealings and operations of the Port Authority.

Commissioner Hamercheck added (and Mr. Hackman agreed) that should any members of the Board of Commissioners attend a Port Authority Board meeting, they would be attending the meeting as a guest only.

Commissioner Cirino stated that the next regular Commissioner’s Meeting is scheduled for Thursday, April 25, 2019 at 10:00 a.m.

EXECUTIVE SESSION: On a motion by Commissioner Hamercheck, seconded by Commissioner Cirino, the Board convened Executive Session at 10:43 a.m. to Legal-Pending Litigation and Personnel-Discipline with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Young "NAYS": None

The Lake County Board of Commissioners adjourned to Executive Session at 12:06 p.m.

APRIL 18, 2019

ADJOURN:

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 12:06 p.m. with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Young "NAYS": None

Minutes approved this thirteenth day of June, 2019.

BOARD OF LAKE COUNTY COMMISSIONERS

JERRY C. CIRINO, PRESIDENT

JOHN R. HAMERCHECK, COMMISSIONER

RON YOUNG, VICE PRESIDENT

JENNIFER BELL, CLERK