

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

JERRY C. CIRINO, COMMISSIONER
JOHN R HAMERCHECK, COMMISSIONER
DANIEL P. TROY, COMMISSIONER
JENNIFER BELL, CLERK

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

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(Tape 2017-0425)

CALL TO ORDER: Commissioner Cirino called the Meeting to order at 10:06 a.m. Tuesday, April 25, 2017

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.

Commissioner Cirino congratulated and welcomed the students who won the Clean and Green Lake County! Logo Contest. Middle School Winner Autumn Farrar, Grade 8 from Willoughby Middle School, Elementary and Overall Winner Kaitlyn Valentic, Grade 5, from All Saints, High School Winner Lindsey Rich, Grade 12, of Lake Catholic. Ms. Beth Bollas, from the OSU Extension Office, explained that as part of Clean and Green Lake County, the Lake County Board of Commissioners, in cooperation with the OSU Extension Office, hosts an annual poster contest and this year over 900 students from 24 schools in Lake County entered the contest. The winning poster will be the symbol for the 2017 Clean and Green Program. Commissioner Troy congratulated the winners and stated that he chairs the Solid Waste Policy Committee and explained our goal in Lake County is to make sure that waste is disposed of properly. The intention of the annual special collection days is to keep hazardous items out of the landfill or to recycle them in order to keep our County a clean and environmentally-conscious place today and in the future. Commissioner Cirino stated it was very difficult to make a decision and well worth the effort.

RESOLUTIONS:

- 1. **RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR THE AUBURN & HARDY ROADS RESURFACING AND SAFETY IMPROVEMENT PROJECT, PHASE II: RESURFACING AND SAFETY IMPROVEMENT, CONCORD TOWNSHIP AND PAINESVILLE TOWNSHIP, OHIO - OPWC NO. CG12T/CG13T FOR THE LAKE COUNTY ENGINEER'S DEPARTMENT PROJECT NO. 15-025-02 (Bid Opening: May 17, 2017)(20170425\E01)(E-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

- 2. **RESOLUTION AWARDDING A BID CONTRACT FOR THE SR 283 (LAK SR 283-03.95) IMPROVEMENT PROJECT, EASTLAKE OHIO-LPA PID #84403, FEDERAL AID PROJECT #FAN E 161 (083)(20170425\E02)(E-3)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy asked when construction of this project would begin. County Engineer, Mr. Jim Gills, was present and stated that a preconstruction meeting with the contractor is scheduled. The project must be completed by the end of summer 2017. 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 FERGUSON WATERWORKS AND HD SUPPLY WATERWORKS, LTD. FOR COLD WATER METERS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20170425\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

- 4. **RESOLUTION AWARDDING BID CONTRACTS TO HD WATERWORKS & SUPPLY, WINNSUPPLY OF CLEVELAND AND FERGUSON WATERWORKS, FOR FITTINGS, REPAIR PARTS, SERVICE EQUIPMENT AND TOOLS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20170425\U02)(UT-4)**

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

- 5. **RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES WATER AND SEWER FUNDS (20170425\U03)(UT-2)**

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck. Commissioner Hamercheck asked if these were usual and customary movement of funds. Budget Director, Mr. Michael Matas, explained that this is the Utilities Department portion of the Administration Center. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

- 6. **RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR(20170425\U04)(UT-7)**

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

7. RESOLUTION REJECTING THE PROPOSALS RECEIVED ON MARCH 15, 2017 FOR CONTRACTED PSYCHOLOGICAL CLINICAL SERVICES FOR THE LAKE COUNTY JUVENILE COURT (20170425\C01)(CT-3C)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. County Administrator, Mr. Jason Boyd, explained that the Juvenile Court received two proposals for clinical services and are formally requesting to reject those bids. Commissioner Troy asked if they were going to continue to seek outside clinical services as they discussed during budget hearings. Commissioner Hamercheck asked if this were possibly a warning sign that they may want to revisit their budget. Mr. Boyd responded that he could not speak for the Juvenile Court regarding their budget, but Mr. Simon has always been very transparent with the Board over the years. They would like to go back and take another look at their options for providing these services. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

8. RESOLUTION AUTHORIZING EXECUTION OF A PURCHASE AGREEMENT FOR REAL PROPERTY LOCATED IN CONCORD TOWNSHIP, OHIO TO IMPLEMENT THE JORDAN CREEK MITIGATION PROJECT THROUGH THE UNIFIED HAZARD MITIGATION PROGRAM OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY PRE-DISASTER MITIGATION GRANT WITH THE INTENT OF TRANSFERRING THE PROPERTY TO CONCORD TOWNSHIP(20170425\C02)(UT-46)

On a motion by Commissioner Hamercheck, seconded by Commissioner Cirino. Director of Storm Water Management, Mr. Tim Miller, was present and stated that this is the final property to be acquired for the Jordan Creek Mitigation Project, and that the home will be demolished. He explained that the property went into foreclosure and was purchased from the bank with funding from FEMA, OPWC and Concord Township. There will be no funding from the County. Commissioner Hamercheck asked if all of the contractual requirements have been addressed and are in order. Mr. Miller stated that the Prosecutors has reviewed the necessary documents and they are currently being reviewed by the title company. The approval of the Board of Commissioners is the final step in the process before being submitted for signature. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

9. RESOLUTION APPOINTING MARK T. FREEMAN TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS TO FILL A NEW MEMBERSHIP POSITION FOR A TERM EXPIRING DECEMBER 31, 2019(20170425\C03)(B-192)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Cirino stated that the Board had an opportunity to meet with Mr. Freeman and he feels Mr. Freeman will bring a lot of good experience to the Port Authority. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

10. RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE CITY OF WICKLIFFE TO PROVIDE A TELEPHONE SYSTEM AND THE NECESSARY CONNECTIVITY (20170425\C04)(404g-1)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck. County Administrator, Mr. Jason Boyd, explained that the County is nearing completion of the new phone system. Several communities are interested in partnering with the County which would be mutually beneficial for all parties. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

11. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$564,442.07(20170425\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

12. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$150,622.86(20170425\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

13. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20170425\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

14. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20170425\BC04)(C-111)

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck. Commissioner Hamercheck asked if transferring cash and appropriations is a usual and customary action. Budget Director, Mr. Michael Matas stated it is. Commissioner Troy explained that this is the final step for approval of a compilation of requests from various departments requiring a pre-approval from the Board. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES– Mr. David Schick, Public Service Coordinator, reported that there will be a special hazardous waste collection for computers this Saturday, April 29, 2017 from 9:00 a.m. to 1:00 p.m. at the Lake County Fairgrounds. He stated that last year's computer collection served 550 vehicles and brought in 20

tons of materials. Mr. Schick explained the process followed for safe and secure disposal of personal information on the computers. He also stated that there will be a scrap tire collection on Saturday, May 6th from 8:00 a.m. to 1:00 p.m. at the Lake County Fairgrounds.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – Mr. Boyd reported that he and Chief Building Official, Mr. David Strichko met with a West end community regarding the County Building Department providing services to them in the future.

FINANCE – none.

CLERK – none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - Commissioner Troy announced the passing of prominent long-time Lake County resident and business man, Mr. Jim Zampini. He explained that Mr. Zampini has left a positive imprint on Lake County with all he had done to promote the nursery industry and his dedication to serving on many boards throughout the years.

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

Mr. John Muzik of 45 Coventry Drive in Painesville Township, asked for clarification of resolution #10 on the agenda pertaining to the City of Wickliffe telephone agreement with the County. County Administrator, Mr. Jason Boyd, explained that several communities throughout the County have taken advantage of joining the updated telephone system. Wickliffe approached the County to link into the system. He stated that there is no additional cost to the County and any necessary repairs and/or maintenance issues are invoiced to the community. Commissioner Hamercheck explained the benefits and cost savings associated with more communities joining the County phone system.

Ms. Ellen Chamberlin of Kirtland, asked for clarification of resolution #7 on the agenda pertaining to the rejection of psychological services proposals for the Juvenile Court, and asked whether these services were included in the current budget. County Administrator, Mr. Jason Boyd, explained that these services were included in the 2017 budget and that submitted proposals were significantly higher than anticipated. He stated that the Juvenile Court will look into other options to provide the services. Ms. Chamberlin expressed her concerns regarding the meeting of April 20th and asked if legal counsel had an opinion on non-county related meetings and if there are existing guidelines regarding such. Additionally, Ms. Chamberlin asked if these nonpublic meetings were listed on a calendar, if there was a public calendar, and if the calendar was available to the public. Assistant Prosecuting Attorney, Mr. David Hackman, stated that the public calendar is available to the public and stressed that informational meetings are permissible by law provided there are no deliberations, decisions, or discussions regarding City, Township, Village, or County business. He stated that informational meetings do not have to be advertised in advance to the public, and that it is good government to meet with constituents in local and neighboring communities. Commissioner Cirino thanked Ms. Chamberlin for sharing her concerns and stated that the Board has mutual respect for each other. He stated that it is good government for the Board to conduct informational business meetings with constituents. Ms. Chamberlin stated she hopes that the Board will remain cordial and professional. Commissioner Troy responded that he appreciates Ms. Chamberlin's opinion and stated that the Board strives to conduct themselves in a cordial and professional manner. He explained his concerns regarding the meeting held between his fellow Commissioners and the CEO of the Cleveland Clinic, and the Lake Health Board Appointments. Commissioner Troy explained the legalities of several forms of meetings. Ms. Chamberlin asked if the newest members of the Board have attended a sunshine law training session. Commissioner Hamercheck stated that he has received training having served twelve years for Madison Village Council and, most recently, through the County Commissioners Association of Ohio (CCAO). Commissioner Hamercheck addressed Assistant County Prosecutor, Mr. David Hackman, and asked for the record if it is a black and white issue that one, two or even three Commissioners can have a meeting for informational purposes only. Mr. Hackman replied that was correct. Commissioner Hamercheck stated that it is a black and white issue, there is no gray area. He stated that he is currently reviewing the Attorney General's sunshine law guidelines. Commissioner Cirino stated they are committed to following the laws to the letter and spirit in which they were passed.

Commissioner Cirino explained as an example of an informational meeting, that the Board was invited to tour the Perry Nuclear Power Plant. Mr. Muzik shared several in-person and online sunshine law training sessions available from the Attorney General's Office.

Commissioner Cirino stated the next Regular Commissioners' Meetings are scheduled for Thursday, May 4, 2017 at 10:00 A.M.

EXECUTIVE SESSION:

Personnel – discipline

Personnel – compensation

EXECUTIVE SESSION: On a motion Commissioner Troy, seconded by Commissioner Cirino, the Board convened an Executive Session at 11:07 a.m. to discuss Personnel – compensation and Personnel – discipline with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

The Lake County Board of Commissioners adjourned Executive Session at 11:07 a.m.

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck, the Board returned to open session at 11:10 a.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

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

Minutes approved this eleventh day of May, 2017.

BOARD OF LAKE COUNTY COMMISSIONERS

JERRY C. CIRINO, PRESIDENT

JOHN R. HAMERCHECK, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

JENNIFER BELL, CLERK