

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 2018-0510)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:03 a.m. Thursday, May 10, 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. Brian Massie, 8196 Rainbow Drive in Concord, thanked Budget Director Matas for providing information on the local government funds and how the depletion of these funds affect local communities. Since 2009 to 2017, there was a depletion of \$70 million to Lake County.

Mr. Dave Lima, 7774 Litchfield Drive in Mentor, stated that a proclamation for gun violence awareness is appropriate coming from the Board of Commissioners but one on abortion is not appropriate in his opinion because it is extremely controversial. We must be careful not to inject religious views in county government. He also stated that a moment of silence at the beginning of a public meeting would be more appropriate than a prayer.

RESOLUTIONS:

**1. RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR FAIRWAY PINES SUBDIVISION PHASE 1A AND FAIRWAY PINES SUBDIVISION PHASE 1B, IN PAINESVILLE TOWNSHIP (20180510\E01)(SD-424)**

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 TRANSFERRING FUNDS AND INCREASING APPROPRIATIONS WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES WATER OPERATING FUND AND PROJECT FUND 595, HAMANN PARKWAY WATERLINE REPLACEMENT PROJECT 404-W(20180510\U01)(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

**3. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$59,037.00 FOR A WATERLINE FOR FAIRWAY PINES SUBDIVISION PHASE 1A IN PAINESVILLE TOWNSHIP (JOB NO. 17-45) (20180510\U02)(UT-9)**

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 \$209,150.70 FOR SANITARY SEWERS FOR FAIRWAY PINES SUBDIVISION PHASE 1A IN PAINESVILLE TOWNSHIP (JOB NO. 17-45) (20180510\U03)(UT-9)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy asked if this area was part of the area with the famous sewer line capacity argument and are we using their guaranteed capacity or our capacity?

Mr. Randy Rothlisberger, Sanitary Engineer, explained that this area was indeed part of the litigation where they were guaranteed capacity, and that is what the developer will be using.

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

**5. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$328,183.37 FOR SANITARY SEWERS FOR FAIRWAY PINES SUBDIVISION PHASE 1B IN PAINESVILLE TOWNSHIP (JOB NO. 17-45) (20180510\U04)(UT-9)**

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

**6. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$200,178.00 FOR A WATERLINE FOR FAIRWAY PINES SUBDIVISION PHASE 1B IN PAINESVILLE TOWNSHIP (JOB NO. 17-45) (20180510\U05)(UT-9)**

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 AUTHORIZING EXECUTION OF AN ENGINEERING AGREEMENT WITH ENVIRONMENTAL DESIGN GROUP FOR THE WALDMERE DRIVE WATERLINE REPLACEMENT PROJECT 410-W-2018 FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20180510\U06)(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

MAY 10, 2018

**8. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR (20180510\U07)(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 APPOINTING DENNIS MONTRELLA TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE YEAR TERM EXPIRING MAY 15, 2021(20180510\C01)(B-37)**

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck.

Commissioner Troy stated that he was a participant in interviewing Mr. Montrella, and he is certainly a good candidate for this position. But, he will be replacing Mr. Paul Miller, who is presently the Vice Chair of the Board. Commissioner Troy stated that he did not participate in the interviews of current board members because he had interviewed the candidates previously. This agency seems to be doing well and has won awards so he has a problem changing people out, but again it is nothing personal against Mr. Montrella.

Commissioner Hamercheck stated that this appointment is nothing against Mr. Miller. Mr. Miller has a strong legal perspective whereas Mr. Montrella has a strong finance perspective.

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 \$3,334,974.87 (20180510\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 \$796,021.99 (20180510\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 TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20180510\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

DEPARTMENTAL REPORTS:

UTILITIES – Lake County Department of Utilities Sanitary Engineer, Mr. Randy Rothlisberger, updated the Board on a potential sanitary sewer project at the top of the hill in Kirtland. The City is requesting an assessment of the area. An informational meeting will soon be announced, and a public hearing will probably be scheduled in the next 5-7 months.

Commissioner Troy stated that SR 306 is scheduled for resurfacing and he asked if there would be coordination between the projects.

Mr. Rothlisberger stated there is only one connection between projects and it is at 306 and Eisenhower.

Mr. David Schick, Public Service Coordinator for the Lake County Department of Utilities presented an update on the special tire collection this past weekend. He explained that there was ideal weather and a record 490 residents participated. There was about a 10-15 minute wait which is normal. There were 38,000 social media impressions and 900 people clicked on the special collections brochure.

Commissioner Hamercheck stated that Madison had a waterline break on Main Street and he wondered how the Utilities Department handled the situation with their new relationship with Madison Village.

Mr. Rothlisberger explained that the Utilities Department participated minimally. The Department is learning where valves are, why breaks occur, and in what areas.

Commissioner Troy reported the next special collections is Saturday, June 9, 2018, for Household Hazardous Waste. Typically, it is one of the busiest collections.

Commissioner Cirino stated that he continues to receive odor complaints from residents living near the landfill. He requested a community meeting in Painesville Township with the residents and Trustees.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: - Commissioner Cirino stated that there was a recent article published in the *Wall Street Journal* titled "Can a Judge Solve the Opioid Crisis" regarding Judge Polster in Cleveland who is consolidating the opioid cases from all over the County. Apparently Cleveland is ground zero. Our lawsuit is being thrown in with hundreds of others. The Judge is focused on a quick resolution for financial reimbursement for those who have been damaged in order to help solve the problem. This is gaining national attention.

Commissioner Troy stated that at a NACo indicated meeting in December, it was pointed out that all of this litigation would end up in Northeast Ohio. There needs to be a long-range solution to the opioid crisis. Dealing with this crisis in its present form is not sustainable.

NEW BUSINESS: - Commissioner Troy stated that there are two signatures on the proclamation declaring National Gun Violence Awareness Day on June 1, 2018. The proclamation is issued by virtue of two signatures.

Commissioner Cirino explained his lack of signature on the proclamation. Upon conducting further research on the group behind the resolution he learned that they are very political and oppose the NRA, and he cannot back this proclamation given that it is politically motivated and against the second amendment as it stands. He does not believe this is the business of the County but he will stand by his colleague's signatures. He further explained that his comment regarding abortion was purely tongue-in-cheek. He was not actually suggesting a proclamation. It was more of an analogy.

Commissioner Troy stated that local citizens from the "Mom's Demand Action" group came in during the previous meeting and stated that they support the 2<sup>nd</sup> Amendment and we all must abide by the Constitution. This is only to help people become more aware of gun violence and to make sure that guns do not get into the hands of people who should not have guns.

Commissioner Troy stated that the voters just approved the Crime Lab levy. The County is spending a lot of money on dealing with crime, and gun violence is a significant component of crime.

Commissioner Hamercheck explained that his support of the proclamation is based on the origin of the group which was established by friends of a student who was killed because of gang violence. He believes this is the root; this evil act. He believes that the local group members are credible and sincere people.

Commissioner Cirino stated that he lost a relative to gun violence and he is sensitive to this issue. The problem that he has is the questionable motivation of this national group.

Commissioner Troy stated that one of the responsibilities of elected officials is to protect the safety and well-being of our citizens and there is a problem with gun violence out there in terms of that public safety.

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

Ms. Connie Mismas, 208 St. Lawrence in Eastlake, stated that the group is called "Mom's Demand Action for Gun Sense in America" and they coordinate with "Everytown for Gun Safety"; they are the two groups behind the proclamation. She has attended the Mom's meetings and believes that they are exceptionally good. They are focused on children not being harmed in schools in Ohio. She thinks they are doing a good job of raising awareness for gun violence.

Ms. Ellen Chamberlin, 8106 Eagle Road in Kirtland, stated that with different issues we must be responsible with the language that we choose because some words make conversations about difficult issues impossible. This group has always tried to frame an issue in a way that brings people together. It is okay to disagree but please be respectful and not be dismissive. It takes courage for people to come forward at a Commissioners meeting.

Commissioner Hamercheck agreed.

Commissioner Cirino stated that he encourages everyone to attend meetings and his characterization was meant to imply misinformation. He recognizes their courage. He is for gun safety and protection of all children. He has been a big supporter of the Crime Lab Levy.

Mr. Dave Lima stated that we can characterize acts as evil but we must be careful not to characterize people as evil. He stated that a person can be for the second amendment and for the regulation of guns.

Mr. Josh Pennock, 75 Bellmore Street in Painesville Township and a Township Trustee, stated that he routinely receives complaints about road conditions and who is responsible for which roads. He stated that the Engineer's Office asked the Commissioners to approve an additional \$5.00 vehicle license fee. He asked when the Commissioners would be taking action on this proposal.

Mr. Jason Boyd, County Administrator, explained that a general guideline in accordance with ORC has been proposed if and when the Board is prepared to proceed by the July 1st deadline. There will be two publications for two public hearings. The Board will need to make a decision in the next few weeks.

Commissioner Troy replied that there are previous authorizations for \$5.00 license plate fees on the community level and some of them have not utilized all of their statutory authority. The legislature has not dealt with this for about 14-15 years but allows us at the County level to raise fees to address road problems since the State is dropping the ball on this. This fee will generate approximately \$1.2 million a year. Mostly larger counties are implementing this fee. He is also concerned about whose responsibility are certain roads and that this money could very well go toward cost overruns of a certain bridge project and not for work on the roads. He added that it would be nice if the State Legislature did their job.

Commissioner Cirino stated there will be more activity on this in a week or so and Commissioner Hamercheck stated that just because there will public hearings does not mean it will be an automatic rubber stamp and that it will be approved.

Commissioner Cirino congratulated the Board of Elections staff and volunteers for a smooth election on Tuesday, May 8, 2018.

Commissioner Troy stated that there was a disappointing 23.4% turnout. He added that he is hopeful that the voting machine bill will be moving through the House soon.

Mr. Lima stated that he thinks that many citizens do not think that their vote counts and they are concerned about the amount of money being poured into elections which is why they do not vote. There needs to be a systematic change.

Ms. Mismas stated that it is the non-partisan voters who do not vote.

Commissioner Troy stated that the voter number is solely based on how people voted in one or both of the last primary elections. If campaigns are too nasty, studies have shown it impacts voter turnout by reducing it.

Commissioner Cirino stated that controversial issues bring people out to vote.

Ms. Chamberlain added that she thought encouraging 17-18 year olds to work the polls on Election Day to see democracy at work is a good idea.

MAY 10, 2018

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

The Lake County Board of Commissioners adjourned to Executive Session at 11:03 a.m.

ADJOURN: On a motion by Commissioner Cirino, seconded by Commissioner Troy, the Board adjourned the meeting at 11:27 a.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

Minutes approved this thirty-first day of May, 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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JENNIFER BELL, CLERK