

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT
 KEVIN D. MALECEK, COMMISSIONER
 JUDY MORAN, COMMISSIONER
 AMY ELSZASZ, CLERK

JASON W. BOYD, ADMINISTRATOR
 LEGAL COUNSEL
 JOEL DIMARE, BUDGET DIRECTOR
 NEWS MEDIA

 (Tape 2015-0514)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:03 a.m., May 14, 2015.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Moran, seconded by Commissioner Malecek, the minutes of the regular meeting of May 5, 2015, were approved as follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

OPEN TO THE PUBLIC: Commissioner Troy asked if anyone in the audience wished to address the Board. No one present wished to address the Board.

RESOLUTIONS:

1. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE MORLEY ROAD STREAM RESTORATION IN CONCORD TOWNSHIP, OH AND ADVERTISING FOR BIDS FOR SAME (BID OPENING: June 10, 2015)(20150514\E01)(E-2)**

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

2. **RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR SALT AND CINDERS FOR 2015 FOR THE LAKE COUNTY ENGINEER'S ROAD DEPARTMENT (BID OPENING: June 10, 2015)(20150514\E02)(E-2)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy was hopeful that the bids would come in at a more reasonable price this year.

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

3. **RESOLUTION AWARDDING A BID CONTRACT TO OSBORNE CONCRETE & STONE CO. FOR ROADWAY MATERIALS - 2015 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$86,087.50 (Limestone) AND \$57,300.00 (Plant Mix Pavement)(20150514\E03)(E-3)**

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

4. **RESOLUTION TRANSFERRING CASH FROM LCDU SEWER DISTRICT TRANSFER OUT TO VARIOUS GENERAL OBLIGATION BOND RETIREMENT FUNDS TRANSFER IN (20150514\U01)(UT-2)**

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

5. **RESOLUTION ESTABLISHING AN APPROPRIATION LINE ITEM TO BE KNOWN AS EAGLEWOOD DRIVE WATERLINE REPLACEMENT 361-W CONTRACT PROJECTS AND INCREASING APPROPRIATIONS AND TRANSFERRING CASH FROM LCDU WATER DISTRICT(20150514\U02)(UT-2)**

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

6. **RESOLUTION REJECTING ALL BIDS RECEIVED ON APRIL 22, 2015, APPROVING THE REVISED ESTIMATE OF COSTS IN THE AMOUNT OF \$2,119,754.32 AND AUTHORIZING RE-ADVERTISING FOR BIDS FOR LAKE SHORE BOULEVARD WATERLINE REPLACEMENT PROJECT NO. 332-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (Bid Opening: June 17, 2015)(20150514\U03)(UT-8)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy reported that the reason the bids are being rejected is because the bids received were all 10% higher than the engineer's estimate.

Sanitary Engineer, Mr. Randy Rothlisberger, explained that the bid opening occurred later in the year and there were only a few bids received. There was also some confusion about the pipe specifications that has been cleared up. The intent is to finish the project this summer.

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

7. **RESOLUTION AWARDDING A BID CONTRACT IN THE AMOUNT OF \$479,086.75 TO CIR, INC. FOR MADISON TOWNSHIP WATERLINE REPLACEMENT (MAPLE AVE. AND LAKESHORE BLVD.) PROJECT 340-W (20150514\U04)(UT-8)**

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

8. **RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR(20150514\U05)(UT-7)**

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

9. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF**

\$26,959.46 FOR KEYSTONE DRIVE SANITARY SEWER EXTENSION IN CONCORD TOWNSHIP (JOB NO. 14-78) FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES AND AUTHORIZING CONSTRUCTION IN ACCORDANCE WITH R.C. 307.73(20150514\U06)(UT-9)

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

10. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT May 22, 2015, IN THE AMOUNT OF \$446,037.30(20150514\JFS01)(JFS-14)

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

11. RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A SUBGRANT AGREEMENT BETWEEN THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO ESTABLISH THE TERMS AND CONDITIONS FOR RECEIPT OF FUNDING (20150514\JFS02)(JFS-2)

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Mr. Matt Battiatto, JFS Director, explained that this is an annual grant agreement for two years. The State requires this resolution in order to receive state funding. The dollars of this grant go toward all areas of the Job & Family Services Department child and adult protective services, public assistance and workforce investment.

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

12. RESOLUTION AUTHORIZING ADVERTISING TO ACCEPT STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL DESIGN SERVICES FOR THE CONSTRUCTION/RENOVATION OF THE LAKE COUNTY ADMINISTRATION CENTER (20150514\C01)(C-107)

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy reported this resolution authorizes advertising for statement of qualifications for design plans for the expansion and renovation of the County Administration Center. Architectural and Engineering firms are asked to submit Qualification Statements by June 19, 2015, to the County Administrator. The firms will be evaluated and ranked according to their qualifications. This project will take place on the current site of the Painesville Area Senior Citizens Center, which will be torn down in conjunction with the Nolan Building being renovated, and a number of departments will be consolidated in the building. This resolution begins the process. The City of Painesville is pleased because it brings additional income tax into the City.

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

13. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,816,354.37(20150514\BC01)(C-4)

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

14. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$554,117.58(20150514\BC02)(C-17)

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

15. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20150514\BC03)(C-111)

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

16. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20150514\BC04)(C-111)

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

17. RESOLUTION SUPPORTING THE "STEPPING UP" INITIATIVE TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS(20150514\F01)(C-126)

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy explained that NACO began this initiative this month and requested counties to join the call to action to reduce the number of people in jails with mental illness. There is much evidence that a significant portion of the population in jails suffers from mental illness. It is more expensive to deal with it in a jail setting than a more appropriate setting. There are approximately 2 million people with serious mental illness in jails across the country. Many local groups have come together in support of this issue, such as the Sheriff's Department and the ADAMHS Board. This is the first step to support this effort.

Lake County Chief Deputy Sheriff Frank Leonbruno stated that the Sheriff's Department is supportive of this initiative, and has been proactive since the early 1990's. Over the past 40 years, they have been struggling with mental health issues at the jail like many other county jails across the country. Mental health hospitals and facilities are over-burdened and there are also problems with health insurance companies and many of these people end up in jail. Thanks to the ADAMHS Board, the jail has two mental health professionals from Beacon Health working as counselors in the jail. Mentor Municipal Court Judge Trebets established the first drug court and mental health court in Lake County. This is a complex problem. He reported that 50% of people going into the jails have some drug- or alcohol-related issue to their crime, then add mental health issues and it increase to 75%. County-wide courts, treatment centers, and law enforcement have all been active in addressing this issue.

Commissioner Troy stated it is important to share the best practices out there for other counties. From a county perspective, it is cost counter-productive to deal with mentally ill people in jails.

Ms. Kim Fraser, Executive Director of the ADAMHS Board, also stated that the ADAMHS Board is in support of this initiative. They invest \$1.3 million to divert people out of the criminal justice system and there are two mental health professionals working in the jails. They have one of the State's only jail treatment programs and it is very successful and they hope to expand the program. They are fortunate that local police departments partner with them. They offer an extensive CIT training program for law enforcement and other first responders who

encounter someone so they can be diverted to outpatient services. They are committed to looking at new and inventive ways to improve care for these people.

Commissioner Troy stated that traditional treatment was to institutionalize people but it has changed over time and it is now being handled at a local community level. There are not enough resources to deal with mentally ill people so they end up in jail.

Ms. Fraser stated that five state mental hospitals have closed in the past two decades and there has been a 62% cut in federal funding since 2002. Today, 75% of ADAMHS funding comes from local levies.

Chief Leonbruno stated that CIT (Crisis Intervention Team) Training is offered for law enforcement to handle people on the street. These people are provided more resources to connect them early before something criminal occurs in order to keep them out of the system. They are already seeing a reduction in mental health populations in the Lake County facility. Most counties do not have programs like these to try to keep people with low-level offenders with mental illnesses out of jails and reduce costs.

Commissioner Troy stated that Lake County is committed to the following: assembling a diverse group of leaders from involved agencies, assessing needs based on the prevalence of inmates with mental illness in the county jail, examining service capacity and policy, and funding barriers adding to that capacity, developing a plan to get those services to more people who need them, implementing research-based approaches that advance the plans, and developing program evaluation processes. He stated that it sounds like Lake County has some things to teach other counties about this initiative. A national summit is planned for the spring of 2016 for counties who have signed the call of action to advance their efforts of this issue.

Commissioner Moran stated that Lake County is ahead of the curve when compared with other counties. Judge Trebets opened the 4th mental illness court in the State of Ohio. It is thinking outside the box that gets results. When mentally ill people are in jail, it sometimes does not help them but makes matters worse. The ADAMHS Board and the Sheriff's Office partner in order to help people with mental health and drug issues and they do a phenomenal job.

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

DEPARTMENTAL REPORTS:

UTILITIES - Mr. Rick Martin, Executive Director of the Department of Utilities, reported that along with the warmer weather there is a potential for algae blooms, which is caused by bacteria and it can be toxic and cause issues for operations at the plants. The EPA issued health advisory values for this type of bacteria and they are looking into what it means for the County. A 2013 analysis shows that the County's values are way below the World Health Organization's standards, which is good. The plants are vigilant and test for algae and bacteria weekly as well as "taste and odor" testing. The airplanes will be back this summer taking images of algae blooms in the lake. During the winter, the Utilities Department developed a standard operating procedure that is being implemented. The procedure takes into account background information, how to monitor and sample for toxins, and to determine how to best use the water plants in the event of a bloom. They also purchased some new high tech microscopes.

Commissioner Troy stated that the legislature has language in the budget bill regarding phosphorus pollution from the Maumee River due to agricultural practices. CCAO has a task force on this issue. The County makes sure that before the water is sent out that all the proper checks were done.

Commissioner Troy reported that the County received notice that Aqua Ohio, which serves Mentor, Kirtland and Mentor-on-the-Lake, applied for authority to collect a system improvement charge and it would now go in front of the Public Utilities Commission. The County does not do this because it is included in the basic rate.

Mr. Martin stated that a private utility company can ask for a 3% system improvement charge per year. The county has a very extensive water improvement program that is in place. The County has one rate for everything. If a neighborhood wanted more replacement projects they would have to pay a little more.

JOB AND FAMILY SERVICES - Mr. Matt Battitato explained the Medicaid re-determination process and explained that the State created a new way to notify people this year and because of this some advocacy groups filed a lawsuit and won. There were 153,000 people whose benefits were terminated throughout the State and they are now being reinstated. It will be the responsibility of the local JFS to re-determine if these people can continue to receive their benefits.

Commissioner Troy asked if people are in harm's way because they cannot access services?

Mr. Battitato replied that through January, February and March their benefits were terminated. This affected common people and the disabled the most. Senior citizens in long-term care facilities were not affected as much. Commissioner Moran asked if they received notice that their benefits were being terminated?

Mr. Battitato answered that if the people chose to appeal then they would continue to receive benefits until their hearing.

Commissioner Troy stated that it was the State that decided to handle this instead of at the local level.

Mr. Battitato replied that it was the State's idea that those receiving benefits must take responsibility for receiving those benefits. The notification process handled by the local JFS worked but when the State got involved it became more complex.

COUNTY ADMINISTRATOR - none

FINANCE - none

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Troy reported that the Board of Lake County Commissioners will be sending a letter to the Secretary of State's Office in support of legislation for online voter registration, which will save Lake County approximately \$45,000 to \$90,000 per year. This has been passed in 25 states and has bipartisan support. Commissioner Troy stated that an amendment is being asked to be placed in the budget bill regarding the use of electronic poll books. There was a 6% voter turnout for the special election last week and the County is paying for elections and no one is participating.

Ms. Jan Clair, Board of Elections Director, thanked the Commissioners for the opportunity and stated that there are 50,000 voters in the County and under 5,000 people voted in the recent special election. These few voters

are deciding what your tax dollars will be used for in coming years. There has been talk over the years about eliminating special elections for this reason. The Election was posted on the website, a legal ad was printed in the newspaper, and the media has done outreach. Electronic poll books were used this past election and they were well-received. The Lake County Board of Elections is seeking funding for one poll book at all the precincts for the 2016 election since they will be consolidating precincts. There are 77 precincts now but she would like to purchase 80 and they cost around \$100 each and the cost includes training. It is around \$100,000.00. There is also legislation pending that allows voters to come into the BOE office to cast a vote on a poll book.

Commissioner Troy stated the proposed state budget amendment allows for reimbursement to those counties who act first if the money becomes available.

Commissioner Troy asked if the money for the poll books would come from the 2015 or 2016 budget?

Ms. Clair replied that it would come out of the 2015 budget. There are some funds that may be available in their budget to help with the cost.

Commissioner Troy replied that the Commissioners will discuss that issue. He stated that there is a considerable expense for special elections since 4 poll workers are required to be at each precinct and they had to be open at night and on the weekends.

Ms. Clair stated that she must present the reimbursement request by June 30, 2015. They have decreased workers by consolidating 51 precincts down to 27 locations in the County. This is a good year to implement the changes since there is not a presidential election.

Commissioner Malecek stated that he went to some polling locations and saw how the poll books worked and it is something that the County should strive for each precinct. There will be more access to voters.

Ms. Clair stated that the Lake County Board of Elections has been streamlining their operations. Voters are now able to change their address online and 10,000 voter registrations were downloaded from the BMV. Staffing is down but they are entirely capable of implementing the proposed changes. Ms. Clair stated that she would appreciate any consideration the Commissioners can give to this issue.

Commissioner Troy reported that NACO and CCAO asked the County about the federal regulation imposed on us since we are in an ozone non-attainment designation and they are taking a look at those federal regulations imposed on counties like us. Every time the County reaches compliance with the ozone standards the Federal Government often changes the standard. The EPA has proposed to tighten the standards again. Commissioner Troy turned this over to the Health Department for a response to send back to NACO.

PUBLIC COMMENT: Commissioner Troy asked if anyone in the audience wished to address the Board?

Mr. John Muzik, 45 Coventry Drive in Painesville Township, stated that he has been inundated with people asking him to sign the petition for legalizing marijuana in the State of Ohio. He asked if the County was prepared if this issue passes and what impact it would have on the County?

Commissioner Troy stated that the some people think that this will generate revenues. If they get enough signatures, then it will be on the ballot for the voters to decide. No one has asked the Commissioners to support or oppose this issue. CCAO is not contemplating this issue at this time.

Ms. Clair reported that the petition is in the process of being checked for the appropriate amount of signatures needed to be placed on the ballot. It is her understanding that it would be a local option single site. The voters would have to vote on it if it was at a specific address.

Mr. Muzik asked if drug enforcement would come out against this issue because it is a gateway drug. The proposed issue stated that people could grow three or four plants. Some of these people then start selling it and he is concerned it would be a burden for law enforcement.

Ms. Becky Lynch, 8040 King Memorial Drive in Mentor, asked about resolution #12 authorizing advertising to accept statements of qualifications for professional design services for the construction/renovation of the Lake County Administrative Center and thanked the Commissioners for planning to consolidate county government offices and she requested a copy of resolution #17 relating to the support of the "Stepping Up" initiative to reduce the number of people with mental illnesses in jails.

Ms. Lynch asked about the people who were notified about Medicaid. Some people filed appeals and some did not and she asked for further explanation.

Mr. Battiato explained that those who did not appeal will now be handled locally for Medicaid re-determination. Commissioner Troy stated that once people are certified for Medicaid they have to keep that certification up to date and qualify for it every year. It was not an appeal process. The State is still responsible for notifying people about the re-determination process. Those who lost their benefits can come to the local JFS to be re-determined.

Ms. Lynch asked who is responsible for the Boulevard of 500 flags in Eastlake?

Commissioner Moran stated that they have a cleanup day every year. The City of Eastlake has a citizen's initiative and fundraiser that takes care of the memorial, along with the assistance of the VFW.

Mr. David Radachy, Director of Planning and Community Development, mentioned that they are accepting CDBG applications until 4:00 p.m. on Monday, May 18, 2015. He is expecting quite a few applications this year. Once the applications are reviewed they will be presented to the Commissioners for their recommendations.

The Commissioners presented News-Herald reporter, Mr. John Hutchison, with a token of their appreciation since he will no longer be covering the Commissioners meeting because he has taken a new job with Congressman David Joyce's office. Mr. Simon Husted will be the new reporter covering Lake County Commissioner's meetings. Mr. Hutchison was congratulated and thanked for doing a great job. He received an award from the ADAMHS Board for his work in making people aware of mental illness in the County. He is a good reporter and good contributor to the community.

Mr. Hutchison thanked everyone for their support and well wishes.

Commissioner Troy stated that the Commissioner will go into executive session to discuss personnel matters and then they will go back into an open session with JFS to discuss the designation to the State of who will be responsible for Workforce Investment activity. The next regular Commissioners Meeting will be held on Thursday, May 28, 2015 at 10:00 a.m.

EXECUTIVE SESSION:

- Personnel - employment

EXECUTIVE SESSION: On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board convened an Executive Session at 11:20 a.m. to discuss personnel matters related to employment the vote as

follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 11:20 a.m.

The Lake County Board of Commissioners reconvened Executive Session at 11:25 a.m.

On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board returned to open session at 11:45 a.m., with the vote as follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

Discussion focused on the designation to the State for the responsibilities of the Workforce Investment Board.

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Malecek, the Board adjourned the meeting at 12:45 p.m., with the vote as follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

Minutes approved this twenty-eighth day of May, 2015.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

KEVIN D. MALECEK, COMMISSIONER

JUDY MORAN, COMMISSIONER

AMY ELSZASZ, CLERK