

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 2017-0615)

CALL TO ORDER: Commissioner Cirino called the Meeting to order at 10: 12 a.m. Thursday, June 15, 2017.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the minutes of the regular meetings of MAY 4, 11, and 16, 2017 were approved as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

OPEN TO THE PUBLIC: Commissioner Cirino 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 TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES SEWER DISTRICT TRANSFERS-OUT TO OWDA BOND RETIREMENT TRANSFERS-IN(20170615\U01)(UT-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

2. RESOLUTION INCREASING APPROPRIATIONS IN THE LAKE COUNTY DEPARTMENT OF UTILITIES SEWER OPERATING ACCOUNT 51000761-760 EASEMENTS(20170615\U02)(UT-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

3. RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES SEWER OPERATING FUND TO SEWER PROJECT FUND 336-S MENTOR MARSH SANITARY SEWER INTERCEPTOR(20170615\U03)(UT-2) 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

4. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH BURGESS & NIPLE, INC. FOR PROJECT MANAGEMENT OFFICE SERVICES FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20170615\U04)(UT-2) On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck. Commissioner Troy stated that this is a continuation of a 2014 agreement between the Department of Utilities and Burgess & Niple to provide capital project management. He explained that the Utilities Department would like to maintain their ability to replace eight miles of pipe replacement or repair annually. Sanitary Engineer, Mr. Randy Rothlisberger, stated that Burgess & Niple has been a great asset to their department and they look forward to continuing to work with them in the future. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

5. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR(20170615\U05)(UT-13) 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

6. RESOLUTION REVISING WATER RATES IN THE LAKE COUNTY DEPARTMENT OF UTILITIES (20170615\U06)(UT-19) On a motion by Commissioner Troy, seconded by Commissioner Cirino. Sanitary Engineer, Mr. Randy Rothlisberger, stated that the last increase was in 2005. He explained that in 2002 residents saw a significant 27% rate increase and the Department of Utilities has since pledged to not allow significant rate increases to occur again. He stated that they perform a bi-annual assessment and if an increase is necessary, it will not exceed 5%. He explained that the funds raised by the increase will be applied to the Department's infrastructure replacement program. Commissioner Troy stated that he had authored that policy and the County has been fortunate to go this long without an increase. This increase is less than 1/2 of 1% per annum if calculated since the last rate adjustment. Commissioner Troy saluted the Utilities Department for their fiscal management of the department. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

7. RESOLUTION AUTHORIZING EXECUTION OF A SUBGRANT AGREEMENT BETWEEN THE LAKE COUNTY WORKFORCE DEVELOPMENT BOARD AND THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO SERVE AS THE DELIVERER OF ADULT AND DISLOCATED WORKER CAREER SERVICES FOR THE OHIO MEANS JOBS (OMJ) LAKE COMPREHENSIVE CAREER CENTER (20170615\JFS01)(JFS-15) On a motion by Commissioner Troy, seconded by Commissioner Hamercheck. Mr. Battiato stated that it is a requirement that Job and Family Services be designated by the Workforce Development Board to deliver 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 SERVICE AGREEMENT BETWEEN LAKETRAN AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE TRANSPORTATION SERVICES TO ELIGIBLE MEDICAID CLIENTS UNDER THE NON-EMERGENCY TRANSPORTATION (NET) PROGRAM IN AN AMOUNT NOT TO EXCEED \$564,300.00, EFFECTIVE JULY 1, 2017 THROUGH JUNE 30, 2018 (20170615\JFS02)(JFS-2) On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy explained that this was implemented more than 10 years ago to provide transportation for Medicaid eligible clients and it has created an additional funding stream to LakeTran utilizing Medicaid funding. Job and Family Services Director, Mr. Battiato, explained this resolution

is a mandated service to provide transportation for Medicaid eligible clients for Medicaid covered medical appointments. He stated, that according to the Governor's budget, the State would take over brokering agreements for these services and the local Job and Family Service Department would no longer negotiate these agreements. At this time, neither the House nor Senate has taken the provision out and 2018 may be a different situation. Commissioner Troy stated that Medicaid may be block granted meaning some programs may be cut. Mr. Battiato explained in detail the negotiation process involved with LakeTran. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**9. RESOLUTION DECLARING THAT THE AMOUNT OF TAXES WHICH MAY BE RAISED WITHIN THE TEN-MILL LIMITATION WILL BE INSUFFICIENT TO PROVIDE AN ADEQUATE AMOUNT FOR THE SUPPORT OF CHILDREN'S SERVICES AND THE CARE AND PLACEMENT OF CHILDREN IN LAKE COUNTY, DETERMINING THAT IT IS NECESSARY TO LEVY A TAX IN EXCESS AND OUTSIDE OF THE TEN-MILL LIMITATION FOR THE SUPPORT OF CHILDREN'S SERVICES AND THE CARE AND PLACEMENT OF CHILDREN IN LAKE COUNTY, SAID LEVY BEING A RENEWAL OF AN EXISTING SEVEN-TENTHS (.70) OF ONE MILL AND AN INCREASE OF FOUR-TENTHS (.40) OF ONE MILL, TO CONSTITUTE ONE AND ONE -TENTH (1.10) OF ONE MILL FOR A PERIOD OF TEN YEARS FOR CHILDREN'S SERVICES AND THE CARE AND PLACEMENT OF CHILDREN, AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF LAKE COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE ONE AND ONE-TENTH OF ONE MILL (1.10) TAX LEVY FOR SUCH PURPOSE (20170615\JFS03)(JFS-11)**

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck. Mr. Battiato stated the current levy generates approximately \$3.5 million per year, which is \$450,000 less than the levy that had been passed in 2008. He explained that this reduction is due to the reduction or elimination of support from the State. He stated that the last renewal occurred in 2013 and due to cuts in the State budget and the ongoing opiate epidemic, it is necessary to ask for a renewal and an increase of four-tenths of one mill. He also stated that the department has seen a 38% increase in the number of children placed into the department's custody. Mr. Battiato explained that if the levy does not pass, there will be a need to cut programs to abused and neglected children. Commissioner Cirino expressed his full support and the importance of this levy. Commissioner Troy stated he fully supports this very important levy and feels it is absolutely necessary as Ohio is currently ranked 50<sup>th</sup> for funding of children's services. He stated that Lake County is very fortunate to have voters who realize the importance of protecting some of our most vulnerable citizens. He explained that this is a 10 year levy and will not be collected until calendar year 2019. He thanked Mr. Battiato and his department for their hard work and dedication. Commissioner Hamercheck expressed his endorsement for this levy and stated the work they provide to children and families in need is commendable. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**10. RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND VARIOUS ENTITIES AND ORGANIZATIONS FOR THE FY-2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (20170615\C01)(C-46)**

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck. Commissioner Troy stated that this resolution reflects CDBG FY-2014 and FY-2015 unexpended dollars. Commissioner Troy explained that the funds will be awarded to the Miracle League in Eastlake to assist in an adaptive playground for handicapped children and to the Madison YMCA to assist them in becoming ADA compliant. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**11. RESOLUTION DECLARING A REAL AND PRESENT EMERGENCY UNDER OHIO REVISED CODE 307.86 (A)(2) AND DETERMINING THE NECESSITY TO PROCEED WITH THE REPLACEMENT OF THE DIESEL FUEL TANK AND OIL/WATER SEPARATOR REQUIRED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AT THE EMERGENCY OPERATIONS CENTER DUE TO A FUEL LEAK AND AUTHORIZING EXECUTION OF CONTRACTS TO ALLEVIATE THE THREAT TO PUBLIC SAFETY (20170615\C02)(504T)**

On a motion by Commissioner Hamercheck, seconded by Commissioner Cirino. Buildings and Grounds Director, Mr. Chuck Klco, explained that although the replacement of the tank is not covered by insurance, the clean-up from the spill is partially covered. He stated that the replacement of the tank will be an above ground tank and will fuel the dual EMA backup generators. Commissioner Troy stated that all inspections have been performed and approved by the Ohio EPA and we will follow their recommendations for the completion of this project. Commissioner Hamercheck added the importance of replacing the temporary fuel tank with a permanent tank as soon as possible. Mr. Klco estimated that the project should be at or near completion by the beginning of October, 2017. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**12. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,363,530.69(20170615\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

**13. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$676,338.43 (20170615\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

**14. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20170615\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

**15. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20170615\BC04)(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 Troy "NAYS": None

**16. RESOLUTION DECLARING JUNE 15, 2017 WORLD ELDER ABUSE AWARENESS DAY IN LAKE COUNTY (20170615\F01)(C-126)**

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

DEPARTMENTAL REPORTS:

UTILITIES – none.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK – none.

LEGAL – none.

OLD BUSINESS: - Commissioner Troy explained that the Board of Elections is preparing to file the requirements to be in full compliance with the state according to the Ohio Secretary of State’s advisory directives regarding the voting machine replacement. The county currently has 864 machines in use and according the current statute will require about 650 machines, a number that would be reduced if the statute is changed. He explained the voting machine details per the request is non-binding and will carry a full 10 year warranty at a cost of approximately \$5.5 million. It is hoped that the costs would be covered by an 85% state and 15% county share. He reported that the State is in the final stages of the budget process and that the Medicaid Managed Sales Tax is still in discussion. An additional \$6 million will be added to address the ongoing opiate crisis. Commissioner Troy stated that Senator Dolan continues to work on an amendment to the Medicaid Managed Sales Tax shortfall. Commissioner Troy stated that the Senate maintained the House provision that reimburses Counties 45% for indigent defense and 100% for capital cases. As of July 1, 2018, the 10 largest counties in the State will be mandatorily required to house F-5 inmates in their County, and we escaped this mandate by being 11th. The remaining 78 Counties may choose to voluntarily participate. Commissioner Hamercheck stated that housing these inmates would be quite costly to the County.

NEW BUSINESS: - none.

PUBLIC COMMENT: Commissioner Cirino asked if anyone in the audience wished to address the Board. Eastlake Mayor, Dennis Morley, thanked the Board of Commissioners and Ms. Rhea Benton for their support of the Miracle League stating that the funds will be used for an adaptive playground. Commissioner Troy stated that Eastlake had previously received funding for the kiddie pool and asked if it had opened. Mayor Morley stated that the pool was inspected, received its license and is now open and operational. Commissioner Cirino congratulated Mayor Morley on the passage of the safety levy.

Commissioner Cirino stated the next Regular Commissioners’ Meetings are scheduled for Thursday, June 22, 2017 at 10:00 A.M.

EXECUTIVE SESSION:

Real Estate-acquisition

EXECUTIVE SESSION: On a motion Commissioner Troy, seconded by Commissioner Cirino, the Board convened an Executive Session at 11:03 a.m. to discuss Real estate- acquisition with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

The Lake County Board of Commissioners adjourned Executive Session at 11:23 a.m.

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck, the Board returned to open session at 11:24 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 11:24 a.m., with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

Minutes approved this sixth day of July, 2017.

**BOARD OF LAKE COUNTY COMMISSIONERS**

\_\_\_\_\_  
JERRY C. CIRINO, PRESIDENT

\_\_\_\_\_  
JOHN R. HAMERCHECK, COMMISSIONER

\_\_\_\_\_  
DANIEL P. TROY, COMMISSIONER

\_\_\_\_\_  
JENNIFER BELL, CLERK