

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

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| JUDY MORAN, PRESIDENT | JASON W. BOYD, ADMINISTRATOR |
| DANIEL P. TROY, VICE PRESIDENT | LEGAL COUNSEL |
| KEVIN D. MALECEK, COMMISSIONER | MIKE MATAS, BUDGET DIRECTOR |
| JENNIFER BELL, CLERK | NEWS MEDIA |

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 (Tape 2016-0616)

CALL TO ORDER: Commissioner Moran called the meeting to order at 10:05 a.m., June 16, 2016.

Commissioner Moran asked for a moment of silence for the victims of the Orlando shootings.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Malecek, the minutes of the regular meeting of June 9, 2016 were approved as follows: "AYES": Commissioners: Moran, Troy, and Malecek. "NAYS": None.

OPEN TO THE PUBLIC: Commissioner Moran asked if anyone in the audience wished to address the Board. Domestic Relations Judge, Colleen Falkowski, and handler Magistrate, Marie Umholtz, introduced 2-year old yellow lab Atticus to the public. Judge Falkowski thanked the Commissioners for their support in obtaining the service dog. Atticus will be utilized in all the Common Pleas courts as necessary to help calm people down who are going through stressful situations. Atticus was trained by the non-profit group Canine Companions for Independence.

Mr. John Muzic of 45 Coventry, Painesville Township, asked what defines inside millage. Commissioner Troy explained that the Ohio Constitution allows for 10 inside mills. Any amount above 10 mills is subject to voter approval. The citizens of Lake County only pay 8.9 mills; inside millage is not subject to HB920 and fluctuates with property valuation. Mr. Muzic inquired about the Riverside Schools Levy. County Budget Director, Mr. Michael Matas, stated schools do not partake in the millage and the Auditor's office would have more information.

Mr. Brian Massie of 8196 Rainbow Drive in Concord Twp., referred to the letter he submitted to the Board of Commissioners pertaining to the Department of Housing and Urban Developments new rule "Affirmatively Furthering Fair Housing" and what the citizen participation is. Commissioner Moran introduced Ms. Marian Norman from the Lake County Home Program. Ms. Norman explained they are beginning the process of compiling lists of possible participants and laying out the timeline. The meetings will be held as roundtable discussions, and these meetings will be open to the public. Mr. Massie asked if he could attend and be added to the list for notifications. Ms. Norman stated she would be happy to notify him when the discussions begin.

RESOLUTIONS:

- 1. RESOLUTION FINDING AND DETERMINING THAT THE TERRITORY TO BE USED BY STELLA B. SCHULTZ, TRUSTEE OF SCHULTZ FAMILY LIVING TRUST TO CONSTRUCT AN ARMOR STONE REVETMENT PER ODNR SPECIFICATIONS ALONG THE SHORELINE OF THE PROPERTY AT 5403 LAKE OVERLOOK DRIVE, MADISON TOWNSHIP, FOR EROSION PROTECTION IN LAKE ERIE IS NOT REQUIRED FOR USE BY LAKE COUNTY AND COMPLIES WITH REGULATION OF PERMISSIBLE LAND USE (20160616\E01)(C-93)**

On a motion by Commissioner Troy, seconded by Commissioner Malecek. Commissioner Troy stated this is a requirement by the Ohio Revised Code and the Board of Commissioners are required to pass a resolution regarding requests for submerged land leases in unincorporated areas. He explained these requests are mainly for erosion protection and control along the shoreline of the homeowners. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

- 2. RESOLUTION FINDING AND DETERMINING THAT THE TERRITORY TO BE USED BY ALEXANDER C. ZIMMERMAN AND LESLIE M. TRBOVICH TO CONSTRUCT AN ARMOR STONE REVETMENT PER ODNR SPECIFICATIONS ALONG THE SHORELINE OF THE PROPERTY AT 5425 LAKE OVERLOOK DRIVE, MADISON TOWNSHIP, FOR EROSION PROTECTION IN LAKE ERIE IS NOT REQUIRED FOR USE BY LAKE COUNTY AND COMPLIES WITH REGULATION OF PERMISSIBLE LAND USE (20160616\E02)(C-93)**

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

- 3. RESOLUTION FINDING AND DETERMINING THAT THE TERRITORY TO BE USED BY STEVEN AND JEAN GOKORSCH TO CONSTRUCT AN ARMOR STONE REVETMENT PER ODNR SPECIFICATIONS ALONG THE SHORELINE OF THE PROPERTY AT 5413 LAKE OVERLOOK DRIVE, MADISON TOWNSHIP, FOR EROSION PROTECTION IN LAKE ERIE IS NOT REQUIRED FOR USE BY LAKE COUNTY AND COMPLIES WITH REGULATION OF PERMISSIBLE LAND USE (20160616\E03)(C-93)**

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

- 4. RESOLUTION FINDING AND DETERMINING THAT THE TERRITORY TO BE USED BY JAMES M. AND MARY E. PELICH TO CONSTRUCT AN ARMOR STONE REVETMENT PER ODNR SPECIFICATIONS ALONG THE SHORELINE OF THE PROPERTY AT 5377 CHAPEL ROAD EXT, MADISON TOWNSHIP, FOR EROSION PROTECTION IN LAKE ERIE IS NOT REQUIRED FOR USE BY LAKE COUNTY AND COMPLIES WITH REGULATION OF PERMISSIBLE LAND USE (20160616\E04)(C-93)**

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

- 5. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR THE AUBURN & HARDY ROADS RESURFACING AND SAFETY IMPROVEMENT PROJECT, PHASE I: SCHOOL FLASHER UPGRADES, OPWC NO. CG12T/CG13T FOR THE LAKE COUNTY ENGINEER'S DEPARTMENT PROJECT NO. 15-025-02 (Bid Opening: July 6, 2016)(20160616\E05)(E-2)**

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

- 6. RESOLUTION ESTABLISHING ACCOUNTS WITHIN SEWER PROJECT FUND 596 TO BE KNOWN AS GLK WWTP TRICKLING FILTER IMPROVEMENTS PROJECT 384-S AND WATER PROJECT FUND 595 TO BE KNOWN AS E. 348TH & E 349TH STREET WATERLINE REPLACEMENT PROJECT 391-W AND WEST TUTTLE PARK & SHORE WATERLINE REPLACEMENT PROJECT 393-W. (20160616\U01)(UT-2)**

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

- 7. RESOLUTION TRANSFERRING CASH AND INCREASING APPROPRIATIONS FOR RICHMOND ROAD & RIVER STREET PUMP STATION IMPROVEMENTS PROJECT 358-S-CONTRACTS-PROJECTS AND PROFESSIONAL SERVICES-CONSULTANTS(20160616\U02)(UT-2)**

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

- 8. RESOLUTION TRANSFERRING CASH AND INCREASING APPROPRIATIONS FOR MENTOR MARSH SANITARY INTERCEPTOR PROJECT 336-S PROFESSIONAL SERVICES-CONSULTANTS(20160616\U03)(UT-2)**

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

- 9. RESOLUTION TRANSFERRING CASH FROM LCDU SEWER DISTRICT TRANSFERS -OUT TO OWDA BOND RETIREMENT TRANSFERS-IN(20160616\U04)(UT-2)**

On a motion by Commissioner Troy, seconded by Commissioner Malecek. Commissioner Troy asked what the current rates are on the OWDA bonds. Budget Director, Mr. Matas stated rates have been recently lowered to between 3%-5% for many communities. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

- 10. 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 \$558,000.00, EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017(20160616\JFS01)(JFS-2)**

On a motion by Commissioner Malecek, seconded by Commissioner Troy. Job and Family Services Director, Mr. Battiato, stated this resolution provides transportation for Medicaid eligible clients for Medicaid covered appointments. Mr. Battiato stated the contract was negotiated at the same rate as the previous year. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

- 11. RESOLUTION AUTHORIZING EXECUTION OF A SUBLEASE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND LEADERSHIP LAKE COUNTY (20160616\C01)(209-z-15)**

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

- 12. RESOLUTION REVISING THE AUTHORITY OF THE COUNTY ADMINISTRATOR TO CONTRACT ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS WITHIN CERTAIN LIMITS (20160616\C02)(C-107)**

On a motion by Commissioner Malecek, seconded by Commissioner Troy. County Administrator, Mr. Jason Boyd explained this resolution will allow him to make daily business decisions in a more timely fashion but would still require the approval of the Board of Commissioners. For example this resolution would permit him to deal with personnel issues, policies and handbooks and Memorandum of Understandings where the County does not expend any general fund revenues. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

- 13. RESOLUTION AUTHORIZING EXECUTION OF TWO AGREEMENTS BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF'S - CENTRAL COMMUNICATIONS DEPARTMENT AND THE VILLAGE OF FAIRPORT HARBOR FOR CENTRAL DISPATCH AND COMMUNICATION SERVICES (20160616\C03)(501-c)**

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

14. RESOLUTION APPROVING THE FINAL DEDICATION PLAT FOR ORCHARD SPRINGS SUBDIVISION PHASE 2 IN CONCORD TOWNSHIP (20160616\C04)(SD-415)

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

15. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,864,013.29 (20160616\BC01)(C-4)

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

16. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$432,415.93 (20160616\BC02)(C-17)

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

17. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20160616\BC03)(C-111)

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

18. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20160616\BC04)(C-111)

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

DEPARTMENTAL REPORTS:

UTILITIES – Director of Business Operations, Mr. Matthew Armand, welcomed and introduced Mr. David Schick as the Public Service Coordinator for the Utilities Department. Commissioner Troy asked the status of the old Diamond Shamrock 19 acre landfill regarding a recent leachate outbreak. Mr. Armand responded there is a committee in place to oversee and review the status on a quarterly basis. Mr. Michael Manary heads this committee.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK – none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - Commissioner Moran announced the NEOCAP facility will host an open house Monday, June 20th from 10:00 am to 1:00 pm and the facility is prepared to take clients next week.

Commissioner Troy stated CCAO Board of Directors will be meeting to discuss any changes that will impact County government with regard to the mid-year budget review bills that were enacted by the legislature as well as the RFP's and revised specifications for the election equipment. Commissioner Troy expressed his condolences to the Voinovich family on the passing of former Governor and Senator George Voinovich. He stated he had the privilege to serve in the legislature while Mr. Voinovich was Governor, and he always had the best interest of the State of Ohio at heart.

PUBLIC COMMENT: Commissioner Moran asked if anyone in the audience wished to address the Board. Mr. John Muzic of 45 Coventry Drive in Painesville Township, asked for clarification of resolution #11 on the agenda and what Leadership Lake County does for the community. Commissioner Malecek stated they are a nonprofit organization that promotes professional development and leadership training for the people of Lake County. Leadership Lake County has requested to lease open office space within the Lake County Title Bureau. Mr. Muzic asked if there were any government officials on the Board. Commissioner Malecek stated there are no government officials on the Board of Leadership Lake County but two of the Commissioners have graduated from the Leadership Lake County program.

Mr. Brian Massie of 8196 Rainbow Drive in Concord Twp., asked if Lake County had a transgender policy in place. Commissioner Moran stated there is not a policy under consideration at this time and that the Commissioners follow the statutes of the State of Ohio.

Commissioner Moran stated that the next Regular Commissioners' Meeting is scheduled for Thursday, June 23, 2016 at 10:00 A.M.

EXECUTIVE SESSION:

- **Legal - Pending Litigation**
- **Personnel-discipline**

EXECUTIVE SESSION: On a motion by Commissioner Troy, seconded by Commissioner Malecek, the Board convened an Executive Session at 10:35 a.m. to discuss Pending litigation and Personnel-discipline with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:35 a.m.
 The Lake County Board of Commissioners reconvened Executive Session at 10:48 a.m.

On a motion by Commissioner Troy, seconded by Commissioner Malecek, the Board returned to open session at 11:15 a.m., with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

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

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

Minutes approved this twenty-third day of June, 2016.

BOARD OF LAKE COUNTY COMMISSIONERS

 JUDY MORAN, PRESIDENT

 KEVIN D. MALECEK, COMMISSIONER

 DANIEL P. TROY, VICE PRESIDENT

 JENNIFER BELL, CLERK