

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT
ROBERT E. AUFULDISH, COMMISSIONER
JUDY MORAN, COMMISSIONER
AMY ELSZASZ, CLERK

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

(Tape 2014-0619)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:25 a.m., June 19, 2014.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Aufuldish, seconded by Commissioner Moran, the minutes of the regular meeting of June 5, 2014 and the minutes of the regular meeting of June 10, 2014 were approved as follows:

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

OPEN TO THE PUBLIC:

Commissioner Troy asked if anyone in the audience wished to address the Board?
Mr. John Muzik, 45 Coventry Drive in Painesville Township, asked if the County would be reimbursed by the Federal Government for Resolution #15, authorizing the execution of a service agreement between Laketrans 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?
Commissioner Troy explained that this is being paid by a combination of Federal and State funds at a rate of 64% federal funds and 36% state funds.

RESOLUTIONS:

1. **RESOLUTION AWARDED A BID CONTRACT TO OSBORNE CONCRETE & STONE CO. FOR ROADWAY MATERIALS - LIMESTONE FOR 2014 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$84,562.50 (20140619\E01)(E-3)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
2. **RESOLUTION AWARDED A BID CONTRACT TO KOKOSING MATERIALS, INC. FOR ROADWAY MATERIALS - PLANT MIX PAVEMENTS FOR 2014 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$85,000.00 (20140619\E02)(E-3)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
3. **RESOLUTION AUTHORIZING A LEASE TO PURCHASE GRADALL EQUIPMENT IN THE TOTAL AMOUNT OF \$329,416.01 FOR THE LAKE COUNTY ENGINEER'S OFFICE (20140619\E03)(E-3)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
4. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONCORD RIDGE SUBDIVISION PHASE 2, IN CONCORD TOWNSHIP(20140619\E04)(SD-410)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
5. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONCORD RIDGE SUBDIVISION PHASE 3, IN CONCORD TOWNSHIP (20140619\E05)(SD-411)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
6. **RESOLUTION TRANSFERRING APPROPRIATIONS FROM OAKRIDGE DRIVE SANITARY RELIEF SEWER 348S PROFESSIONAL SERVICES-CONSULTANTS TO CONTRACT PROJECTS (20140619\U01)(UT-2)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
7. **RESOLUTION INCREASING APPROPRIATIONS, TRANSFERRING APPROPRIATIONS AND TRANSFERRING CASH FROM MCMACKIN ROAD 261W AND BACON ROAD WATER TREATMENT PLANT TRAVELING SCREENS 351W TO LCDU WATER DISTRICT (20140619\U02)(UT-2)**
On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
8. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$141,229 FOR SANITARY SEWERS FOR CONCORD RIDGE SUBDIVISION-PHASE 2 & 3 IN CONCORD TOWNSHIP (JOB NO. 14-9)(20140619\U03)(SD-391)**
On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None
9. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$157,845 FOR WATERLINES FOR CONCORD RIDGE SUBDIVISION-PHASE 2 & 3 IN CONCORD TOWNSHIP (JOB NO. 14-9)(20140619\U04)(SD-391)**
On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was

adopted with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None

10. **RESOLUTION APPROVING CHANGE ORDER NO. 2 WITH HALLMARK EXCAVATING INC. FOR OAKRIDGE DRIVE SANITARY RELIEF SEWER IMPROVEMENT PROJECT NO 348-S INCREASING THE TOTAL CONTRACT AMOUNT BY \$7,890.56 (20140619\U05)(UT-4)**

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

11. **RESOLUTION AWARDED A BID CONTRACT IN THE AMOUNT OF \$1,760,000 TO JACK GIBSON CONSTRUCTION CO. FOR AQUARIUS WATER TREATMENT PLANT FILTRATION SYSTEM IMPROVEMENT PROJECT 352-W(20140619\U06)(UT-8)**

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

Commissioner Troy asked if the bids came in below the estimated cost of the project?

Mr. Al Saari, Sanitary Engineer, replied that the bid is quite below the engineer's estimate.

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

12. **RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20140619\U07)(UT-7)**

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

13. **RESOLUTION AUTHORIZING EXECUTION OF SERVICE AGREEMENTS BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND VARIOUS PROVIDERS TO OFFER SERVICES TO ELIGIBLE YOUTHS THROUGH THE WORKFORCE INVESTMENT ACT, EFFECTIVE JULY 1, 2014 THROUGH JUNE 30, 2015 (20140619\JFS01)(C-24)**

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

Commissioner Troy reported that this and the next resolution is a recommendation from the Workforce Investment Board and it is paid for with Federal Department of Labor funds for workforce training. Funding will be provided to Catholic Charities for both in and out of school, Goodwill Industries of Ashtabula and Ohio Guidestone programs.

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

14. **RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN UNITED LABOR AGENCY, INC. (ULA) AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE STAFFING SERVICES AT OHIO MEANS JOBS-LAKE COUNTY (OMJ-LAKE) IN AN AMOUNT NOT TO EXCEED \$270,108.00 (20140619\JFS02)(C-24)**

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

Commissioner Troy reported that this is also a recommendation by the Workforce Investment Board and it was the best proposal that was submitted.

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

15. **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 \$480,500.00, EFFECTIVE JULY 1, 2014 THROUGH JUNE 30, 2015 (20140619\JFS03)(JFS-2)**

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

16. **RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT JUNE 23, 2014, IN THE AMOUNT OF \$383,684.03 (20140619\JFS04)(JFS-14)**

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

17. **RESOLUTION APPOINTING MATTHEW C. BANGERTER TO THE LAKE COUNTY PUBLIC DEFENDER COMMISSION FOR A FOUR-YEAR TERM EXPIRING JUNE 30, 2018 (20140619\C01)(B-13)**

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

Under Ohio law, Commissioner Troy explained that it allows for a five-member Public Defender Commission to oversee the Public Defenders Office. The Commissioners make three appointments to this board and one has to be an attorney, and this position is now vacant. Mr. Bangerter was an intern in the Public Defender's Office. This is an unpaid position and we are glad that Mr. Bangerter stepped forward for this position.

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

18. **RESOLUTION APPOINTING VARIOUS INDIVIDUALS TO THE LAKE COUNTY HOMELAND SECURITY ADVISORY COMMITTEE FOR TERMS EFFECTIVE JULY 1, 2014 THROUGH JUNE 30, 2016 (20140619\C02)(695-a)**

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

Commissioner Troy explained that the establishment of a Committee is required to administer Homeland Security Funds. Members of this committee include representatives from fire departments, police departments, EMS, sheriff's office, public works, public health, townships, the commissioner office, bomb squad, mayors, telecommunications, GIS and the transit system. It is well represented with a lot of expertise in this area.

Commissioner Aufuldish stated that this is a recommendation that was received from the Lake County EMA Director, Mr. Larry Greene.

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

19. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,054,091.61(20140619\BC01)(C-4)

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

20. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$754,511.15(20140619\BC02)(C-17)

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

21. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20140619\BC03)(C-111)

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

22. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20140619\BC04)(C-111)

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

DEPARTMENTAL REPORTS:

UTILITIES - Commissioner Moran asked for the location of Bull Run properties and Mr. Saari reported that he would find out about Bull Run and their high bill and report back to the Commissioners.

JOB AND FAMILY SERVICES - Mr. Matt Battiato, Job and Family Services Director, reported that the State is working on its bi-annual budget and there will be certain funding allocated for children and adult protective services that has been approved. It appears there are many strings attached in order to receive the money. Committees are being created to determine the approval process for funding allocation to each county. Commissioner Troy stated that the language changed as it went through the process that requires the ODJFS to establish an evaluation system in consultation with CCAO and the JFS Board of Directors to rate county departments on their success with helping public assistance recipients gaining employment and enabling them to no longer rely on public assistance.

Mr. Battiato replied that he is sure the Lake County Department of Job and Family Services will be rated number one if an evaluation occurs.

Commissioner Troy noted that under child support, JFS can intercept lottery ticket and casino winnings to get people to pay. Currently they can intercept tax returns. The State will notify departments if there are arrearages. Commissioner Troy reported he is concerned for the local behavioral health network when money starts to be shifted back to the State.

Mr. Battiato replied that he is also concerned because many parents neglecting children have drug and alcohol abuse issues. It is important to have a strong behavioral health program in order for them to receive treatment and he agrees that local control is being eroded.

COUNTY ADMINISTRATOR - none.

FINANCE - Commissioner Troy reported the County will be holding a public hearing for the tax budget on Thursday, June 26, 2014 and will consider adoption on Tuesday, July 8, 2014. The County has until July 15, 2014 to adopt the tax budget.

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Troy reported on changes to the mid-biennium budget review bill. The Local Government Fund is seeing a slight reduction because of income and business tax cuts. Fortunately, the County government is not overly dependent on the Local Government Fund revenue for operations. The general concern is that counter-balancing of the budget did not take place as severance tax dollars from oil and gas drilling did not happen. They will continue to watch how it plays out. The Ohio Association of Elections Officials met and had discussion about e-pollbooks. They are costly; however, precincts could be put together in one location to save costs. There is a concern from election officials that current machinery put in place in the early 2000's will only last through the 2016 Presidential Election. A Federal Court ruled there will be early voting on Saturday, Sunday and Monday before the election, which means people will be working late the night before Election Day to update pollbooks of those who voted. Lake County has 160 voting precincts. There are 25 states that do not have any early voting. Military personnel can request an absentee ballot right up to the day before an election in Ohio so there is no uniformity and that is the reason behind the court ruling. Commissioner Troy stated that more money is being spent on elections and less people are participating in voting, but not because there are reduced opportunities. He is for spending money that makes sense.

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

Ms. Becky Lynch of Mentor, Ohio, asked about Resolution #14 authorizing execution of a service agreement between the United Labor Agency, Inc. and the Lake County Board of Commissioners on behalf of the Lake County Department of Job and Family Services to provide staffing services at OhioMeansJobs-Lake County and

how people will be employed over what period of time?

Mr. Battiato replied that the contract with ULA is to provide 2 or 3 people to work in the career center and help with orientation, workshops, job searches and provide instruction and direction.

Commissioner Troy further explained it would be employees of ULA. He stated that the Workforce Investment Board is made up of at least half business people and also includes many educators. The Chair of the Board has to be a business owner. An RFP was sent out and federal dollars are being used to provide these services for the people.

Mr. Battiato stated that it could be new jobs. The ULA is local non-profit agency and they would probably hire three people to come in and do the work.

Ms. Lynch asked about Resolution #18 appointing various individuals to the Lake County Homeland Security Advisory Committee and asked if any of the members were private citizens?

Commissioner Aufuldish stated that members from Laketrans, the Coroner's Office, fire and police chiefs, and member of the FBI were on the Committee.

Ms. Lynch asked how many people are on the Committee?

Commissioner Aufuldish answered there are 24 members of the Homeland Security Advisory Committee who serve two-year terms and all members have a role in emergency planning. It is a volunteer position.

Commissioner Troy reported the next Commissioner Meeting is scheduled for Thursday, June 26, 2014 at 10:00 a.m.

EXECUTIVE SESSION:

- Personnel: collective bargaining and board interview
- Legal: imminent litigation

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 11:05 a.m. to discuss two legal matters relating to pending litigation, with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 11:05 a.m.

The Lake County Board of Commissioners reconvened Executive Session at 11:10 a.m.

On a motion of Commissioner Moran seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 12:20 p.m., with the vote as follows:

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

On a motion of Commissioner Moran seconded by Commissioner Aufuldish, the Board returned to open session at 12:20 p.m., with the vote as follows:

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

23. RESOLUTION AUTHORIZING APPROVAL OF A SETTLEMENT AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND ROGER J. LULOW (20140619\C03)(C-5)

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

ADJOURN: On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the Board adjourned the meeting at 12:55 p.m., with the vote as follows:

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

Minutes approved this third day of July, 2014.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

JUDY MORAN, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

AMY ELSZASZ, CLERK