

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT
 ROBERT E. AUFULDISH, COMMISSIONER
 JUDY MORAN, COMMISSIONER
 JENNIFER BELL, ASSISTANT CLERK
 LEGAL COUNSEL
 JOEL DIMARE, BUDGET DIRECTOR
 NEWS MEDIA

 (Tape 2014-0717)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:04 a.m., July 17, 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 July 3, 2014 and the minutes of the regular meeting of July 8, 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? No one present wished to address the Board.

RESOLUTIONS:

1. **RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO ENTER INTO A LOCAL PUBLIC AGENT (LPA) AGREEMENT WITH THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO FOR THE LAK-CASHEN ROAD BRIDGE IMPROVEMENT PROJECT (PID 90557)(20140717\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 AWARDDING A BID CONTRACT TO HALLMARK EXCAVATING, INC. IN THE AMOUNT OF \$368,886.23 FOR THE McMACKIN ROAD CULVERT REPLACEMENT AND SAFETY IMPROVEMENTS PROJECT IN MADISON TOWNSHIP, OH - OPWC PROJECT NO. CGY07(20140717\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 ESTABLISHING ACCOUNTS WITHIN WATER PROJECT FUND 595 TO BE KNOWN AS SANDGATE, STIRLING AND FALKIRK WATERLINE REPLACEMENT 367W WITH VARIOUS REVENUE AND APPROPRIATION LINES AND TRANSFERRING CASH (20140717\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
4. **RESOLUTION ESTABLISHING AN ACCOUNT WITHIN WATER PROJECT FUND 595 TO BE KNOWN AS BACON ROAD WATER TREATMENT PLANT RAW WATER PUMP STATION REPLACEMENT 368W AND TRANSFERRING CASH (20140717\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
5. **RESOLUTION ESTABLISHING ACCOUNTS WITHIN SEWER PROJECT FUND 596 TO BE KNOWN AS GLYCO II FORCEMAIN REPLACEMENT 364S, HEIDI PARK SANITARY SEWER 365S AND DEERFIELD RELIEF SEWER 366S WITH VARIOUS REVENUE AND APPROPRIATION LINES AND TRANSFERRING CASH (20140717\U03)(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
6. **RESOLUTION INCREASING APPROPRIATIONS FOR SANDGATE & STIRLING SEWER 320S AND GLYCO II LIFT STATION 324S AND TRANSFERRING CASH (20140717\U04)(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 APPROVING FINAL ESTIMATE NO. 4 IN THE AMOUNT OF \$16,042.66 WITH HALLMARK EXCAVATING INC. AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$20,409.00 FOR OAKRIDGE DRIVE SANITARY RELIEF SEWER PROJECT NO 348S (20140717\U05)(UT-4)**
 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 \$55,951.50 FOR SANITARY SEWERS FOR NORTH RIDGE ROAD SANITARY EXTENSION IN PERRY TOWNSHIP (JOB NO. 14-44)(20140717\U06)(UT-9)**
 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
9. **RESOLUTION AUTHORIZING EXECUTION OF A SANITARY SEWER ADMINISTRATIVE ORDER ON CONSENT WITH THE US EPA (20140717\U07)(UT-26)**
 On a motion of Commissioner Moran, seconded by Commissioner Aufuldish.
 Commissioner Troy reported that this is an agreement with the EPA that we will issue a CMOM report.

Mr. Rick Martin, Utilities Department Director, reported that as a result of the audit by the Federal EPA done in October 2012. Subsequently a report was sent by the EPA with two recommendations. The first is about the CMOM, Capacity Management Operation and Maintenance Program and many of them are already in place and the EPA just requested more details. The second is the EPA acknowledged the County is being pro-active in addressing I & I (Infiltration and Inflow) issues but they want the County to assess new areas. Upon receiving the document, there has been discussions since last July with federal representatives and there are three focus areas. Assessing the collection systems ability to convey base and peak flows from the customers tap-in to the plant in order to establish goals in writing. This will be more pro-active to anticipate the systems capabilities and invoke more stringent rules and regulations. This program would like to see more enforcement than in the past. Commissioner Troy reported that this is not a finding nor a citation by the EPA. The County is taking steps to address these issues. The URS study is part of the steps. This is just to insure compliance issues with the EPA and the Clean Water Act. There are no fines.

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

10. RESOLUTION AMENDING THE SANITARY SEWERAGE, SOLID WASTE, AND WATER SUPPLY RULES AND REGULATIONS OF THE LAKE COUNTY DEPARTMENT OF UTILITIES(20140717\U08)(UT-41)

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

Commissioner Troy reported that about 12 years ago the Commissioners codified the rules and regulations and a manual was created. The Utilities Department reviews these rules regularly.

Mr. Denis Yurkovich, Deputy Sanitary Engineer, explained that the document is fairly technical in nature. Most of the changes are cleaning up minor wording issues for clarification purposes. There is one significant change. The County is recommending high wall plumbing for all new construction to eliminate gravity connections for basement service. This will affect building practices and it will not be effective until January 1, 2015 in order to give builders a chance to be ready for this change. It does not preclude anyone who already has gravity connections in their basements.

Commissioner Troy stated that this is for new construction only. If a builder does not wish to install a high wall, they can install a low wall with a small pump. This is preventative maintenance that protects people from floods. Other counties have similar regulations and there is an appeals board if there is a disagreement.

Commissioner Moran asked about the homes that are currently being built?

Mr. Yurkovich replied that new homes must adhere to this regulation after January 1, 2015.

Commissioner Aufuldish stated that the Board of Commissioners were being pro-active in asking the Utilities Department to draw up the rules and regulations for clarification and they are continuously being updated to streamline the process.

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

11. RESOLUTION TO PLACE A RENEWAL OF A ONE MILL (1.0 MILL) TAX LEVY ON REAL ESTATE WITHIN THE LAKE COUNTY LIBRARY DISTRICT FOR NECESSARY REQUIREMENTS OF THE LAKE COUNTY LIBRARY DISTRICT, ON THE BALLOT AT THE NOVEMBER 4, 2014, ELECTION IN ACCORDANCE WITH SECTION 5705.23 OF THE OHIO REVISED CODE(20140717\C01)(C-5)

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

Commissioner Troy reported that this is the second of two resolutions at the request of the Morley Library District Board. Morley Library is part of the County Library District. He stated that this is a renewal levy that would take effect for tax years 2016-2020. They are asking voters to continue the present level of support.

Commissioner Troy asked what is the jurisdiction of Morley Library?

Ms. Mary Frances Burns, Morley Library Director, explained that the jurisdiction includes those people residing in both the Riverside and Painesville City school districts, City of Painesville, Painesville Township, Leroy Township, 70% of Concord Township, and Grand River.

Commissioner Troy stated that Fairport has its own public library and he is aware that they are struggling and he asked if there was a possibility of discussing any type of collaboration between the two libraries?

Ms. Burns replied that Morley Library has not been approached by Fairport but she would welcome the opportunity.

Commissioner Aufuldish commended Morley Library for having an excellent genealogy section.

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

12. RESOLUTION AUTHORIZING ADVERTISING FOR A BOMB ROBOT FOR THE LAKE COUNTY REGIONAL BOMB SQUAD (BID OPENING: AUGUST 6, 2014)(20140717\C02)(504)

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

Mr. Larry Greene, Lake County EMA Director, reported that this piece of equipment is tied to a FY2013 Homeland Security Grant Award. The Lake County Homeland Advisory Committee approved the acquisition of a second bomb robot for the regional team that serves three counties. The robot will enhance what the team can do with vehicle IED's and give them the capability to respond to multiple incidents. The cost is approximately \$200,000 to \$225,000, which will be paid by Federal grand funding.

Commissioner Troy stated that the Federal Government stresses regional cooperation and that was helpful in obtaining the grant because it benefits Lake, Geauga and Ashtabula counties.

Commissioner Moran asked where the equipment will be stored and Mr. Greene replied that it will be stored in Mentor.

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

13. RESOLUTION ADVERTISING FOR BIDS FOR LEASING OF OFFICE SPACE FOR THE LAKE COUNTY CLERK OF COURTS TITLE BUREAU(BID OPENING: AUGUST 6, 2014)(20140717\C03)(209-z-15)

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

After the resolution was adopted, Commissioner Troy asked Ms. Maureen Kelly, Clerk of Courts, to explain the purpose of the lease.

Ms. Kelly explained that the lease is for a non-existing space. There has been a shift in usage of the east and west branches and the bulk of their business is coming from the central Mentor area. This lease will be for a space in that area and close to the Mentor License Bureau to make it easier on their customers. They are looking for proposals for leasing of available office space.

Commissioner Troy stated that operations of the Clerk of Courts such as title bureaus and lease agreements for facilities comes out of the Certificate of Title Fund. No general fund tax dollars will be used.

14. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,103,775.01(20140717\BC01)(C-4)

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

15. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$712,267.60(20140717\BC02)(C-17)

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

16. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20140717\BC03)(C-111)

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

17. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20140717\BC04)(C-111)

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

18. RESOLUTION DECLARING JULY 31, 2014 WORLD RANGER DAY IN LAKE COUNTY (20140717\F01)(C-126)

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

Commissioner Troy read the resolution in its entirety.

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

DEPARTMENTAL REPORTS:

UTILITIES - none

JOB AND FAMILY SERVICES - none

COUNTY ADMINISTRATOR - none

FINANCE - none.

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Troy mentioned that he recently attended the NACO conference and the most prevalent item of discussion was the Federal Highway Trust Fund Bill that expires September 30. Federal funds are an important component of many of the projects that occur. The Senate has a bipartisan understanding to try to adopt a six year bill. It appears unlikely that is what will be done in the House. There will probably be some type of temporary 8-10 month extension put on the Federal Highway Fund Bill. Hopefully there will be a long-range bill adopted eventually. Many of these projects require a lot of advance planning and confidence that the funding will be there.

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

Ms. Becky Lynch, 8040 King Memorial Drive in Mentor, referred to resolutions #1, #9 and #11. In reference to Resolution #1, the Cashen Road Bridge Improvement Project, she asked if an LPA, Local Public Agent Agreement was the same thing as a contract?

Commissioner Troy explained that this LPA is an agreement between the Engineer's Office and ODOT to do a project. ODOT designates Lake County to be the lead agency of the project and it is 80% federal funding.

Mr. Ted Galuschik, Maintenance and Highway Engineer, explained that the resolution allows the County to administer the project and adhere to the federal regulations. The County will have more hands-on control and this has been done successfully in the past.

Ms. Lynch asked for Resolution #9, execution of a sanitary sewer administrative order on consent with the USEPA, asked if this was a direct order by the Federal EPA or the local level?

Commissioner Troy replied that this is an order from the Federal EPA. Congress passed the Clean Water Act and the County has to follow the law. The County does not have to deal with the Ohio EPA on this issue.

Ms. Lynch asked about Resolution #11, regarding the Morley Library tax levy, and if it was part of the FDLP, Federal Depository Library Program?

Ms. Burns replied that Morley Library is not a formal federal depository.

Mr. John Muzik, 45 Coventry Drive of Painesville Township, asked if this levy will show up on the ballot for those who live in the library service area and Ms. Burns replied that is correct.

Mr. Muzik asked if anyone could get a library card and Ms. Burns replied that anyone in the State of Ohio can get a library card because the library receives state funding.

Commissioner Troy reported that the next regular Commissioners Meeting will be held on Thursday, July 24, 2014 at 10:00 a.m. and after the executive session, the Commissioners will enter into a public meeting to take action on a fact finders report pertaining to a bargaining unit from the Sheriff's Department.

EXECUTIVE SESSION:

- Personnel - collective bargaining

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the Board convened an Executive Session at 10:44 a.m. to discuss a real estate and legal matter, with the vote as follows: "AYES": Commissioners: Troy, Aufuldish and Moran "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:44 a.m.
The Lake County Board of Commissioners reconvened Executive Session at 10:56 a.m.

On a motion of Commissioner Moran seconded by Commissioner Aufuldish, the Board returned to open session at 11:44 a.m., with the vote as follows:

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

19. **RESOLUTION TO REJECT THE FACT FINDING REPORT AND RECOMMENDATION IN CASE NO. 2014-MED-01-0042 RELATIVE TO THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION-CORRECTIONS OFFICERS (20140717\C04)(301-C)**

On a motion of Commissioner Moran, seconded by Commissioner Aufuldish.
Commissioner Troy stated that it is the intent of the Board not to accept the fact finders report in this particular case.

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

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the Board adjourned the meeting at 11:46 a.m., with the vote as follows:

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

Minutes approved this twenty-fourth day of July, 2014.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

JUDY MORAN, COMMISSIONER

ROBERT E. AUFULDISH, COMMISSIONER

JENNIFER BELL, ASSISTANT CLERK