

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

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(Tape 2018-0816)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:05 a.m. Thursday, August 16, 2018.

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

OPEN TO THE PUBLIC: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. Dave Lima, 7774 Litchfield Dr. in Mentor, stated that we are a nation of people that make laws and that at times we get it wrong and listed several examples. He feels that the current immigration laws are antiquated, inadequate, hurtful, and in need of reform. He asked that the Board reject item #7 on the agenda.

Ms. Lois Osborn, 334 S. St. Clair in Painesville, stated she believes item #8 is political opportunism at its finest and makes no sense to the County's voters. She expressed her opinion on both of the proposed ICE resolutions and questioned where some of the information included in the resolutions came from. Ms. Osborn also reviewed the Commissioners job description obtained from CCAO. She discussed the public forum held at Lake Erie College earlier this week and also the two previous public meetings.

"My name is Morghan Manning. Our business is 7260 Lakeshore Blvd., Mentor. This is for Commissioner Cirino, as a business owner in Lake County, I am disappointed that you have turned an issue as simple as a complaint into a controversy. Commissioner Cirino, you have made the situation political, exploiting people's differences. You are exploiting this controversy with your rhetoric on Facebook. You're using social media like a modern day Nazi propaganda machine. You do not know what it is to be civil. You are an Establishment Republican and the emblem of all that is wrong with the Republican Party. Stop trying to be the Lake County's Donald Trump. Stop race baiting by building walls between people. You're exploiting the ICE and immigration issue like you're exploiting the Perry Nuclear Power Plant issues. You're exploiting people's fears. You're going too far. You have no authority or business getting involved with this and dragging our country/county (inaudible) down this path. Just like the Perry Nuclear Power Plant when you bragged about getting involved with the bankruptcy court, now you want to stick your nose into ICE. Do you really think people are so ignorant that they're not going to see you have no business or authority getting involved in any of this? How much is this costing the people of Lake County to pay for the propaganda machine? Your insensitivity is making you look like a Racist. How could you possibly think this could be well received? Do you think that little of the people? Commissioner Cirino, you need to resign."

Commissioner Cirino: "Could I, Mr. President, ask for a point of clarification? I didn't get your name."

Ms. Manning: "Morghan"

Commissioner Cirino: "Morghan what?"

Ms. Manning: "Morghan Manning"

Commissioner Cirino: "And just so I have it straight for the record, you are referring to me as a racist and a Nazi?"

Ms. Manning: "Yes"

Commissioner Cirino: "All right. Thank you, Mr. President."

Ms. Cindy Campbell, 134 Paradise Blvd., Madison, stated that she is a U.S. Marine Corp Combat Veteran. Addressing Commissioner Cirino, she stated that she has no problem with him supporting resolutions that admittedly have no authority and she questioned where the resolutions are supporting local businesses that support active duty military, veterans and public safety law enforcement. Ms. Campbell also addressed Commissioner Hamercheck stating she believes he should worry about the people of Lake County.

Ms. Krista Zivkovitch of 616 Hickory Lane, Painesville, reviewed a recent news article involving ICE and a division of ICE. She asked that both of the ICE resolutions be withdrawn.

Mr. Brian Massie of 8196 Rainbow Drive, thanked Commissioners Hamercheck and Cirino for looking out for the safety and security of the Lake County taxpayers. He is in support of ICE resolution #7 on the agenda.

Mr. Mark Gilson, 2160 Evergreen Road in North Perry, thanked the Commissioners for attending the Nursery Growers Annual Field Days this week. He referred to the public forum held on Monday, stating that he recommended several groups (reading a list of those groups) be invited to the public forum and he offered several suggestions for future public forums. He read a prepared statement regarding his thoughts on immigrants and on both of the proposed ICE resolutions.

Mr. John Campbell, 134 Paradise Blvd. in Madison, referred to Commissioner Troy as a Blue Dog Democrat and explained what a Blue Dog Democrat meant to those in attendance; it symbolizes a social progressive but also a fiscal conservative. Mr. Campbell stated that he is a pastor, a combat veteran, and a legal immigrant. He asked the Commissioners to work together.

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Mr. Robert Anzlovar of 29440 Oakwood Drive, Wickliffe, read from a prepared statement and encouraged the passage of ICE resolution #7 on the agenda. He supports ICE and law enforcement, but agrees that immigration reform is necessary.

Ms. Kathy Dingethal, 24 New Concord in Concord, thanked Ms. Osborn for coordinating the public forum at Lake Erie College and stated that she felt that the comments in the media were slanted. She questioned why the Board is choosing to take up this issue.

Mr. John Muzik, 45 Coventry Drive, Painesville, thanked Commissioners Hamercheck and Cirino for bringing these resolutions forward. He briefly discussed the Matricula card, which was supported by Commissioner Troy and a former Board back in 2005. He supports the passage of ICE resolution #7. Mr. Muzik added that we should be grateful to all law enforcement.

Mr. Ed Zivkovitch of 616 Hickory Lane, Painesville, explained that his grandparents were immigrants. He stated that ICE should not be abolished but should not be commended either.

Ms. Kelly Davis, Director of Social Action for the Catholic Commission of Lake and Geauga Counties, 28700 Euclid Avenue in Wickliffe, stated that as Catholics they believe in life and upholding the dignity of all humans regardless of their circumstances or where they have come from. She asked the Commissioners to consider whether these two resolutions build bridges or destroys them and as a person of faith, she believes it should not be about politics.

Mr. Jim Weber of Painesville, thanked Commissioners Hamercheck and Cirino for all the good they have done with the communities and he supports the ICE resolution.

Ms. Julie Ulrich, 13280 Chamberlin Road, Mantua, supports ICE resolution #7.

Ms. Arzella Melnyk, 10506 Hobart Road in Kirtland, stated that she supports ICE resolution #7 and she briefly discussed the passage of the Matricula card resolution in 2005.

Ms. Lois Osborn, 334 S. St. Clair in Painesville, read an excerpt from an article in the Plain Dealer and provided a copy to the Board.

Mr. John Campbell, 134 Paradise Blvd., Madison, expressed his opinion on immigration.

Mr. Steve Salvi, 416 Taft, Bedford and founder of Ohio Jobs and Justice PAC, discussed the Matricula card, immigration, and several other related subjects. He will provide more information to the Board.

Mr. David Lima explained his thoughts on immigration and read several statistics pertaining to immigration.

Mr. Aaron Campbell of 134 Paradise Blvd, Madison, encouraged the Board to work together on this issue. Commissioner Troy, on behalf of Board of Elections Director, Mr. Ross McDonald, stated that the Board of Elections is currently vetting several sample voting machines. The Board of Elections is asking the public to test each one and offer their opinion.

Mr. John Campbell asked why there are not paper ballots available for voting. Commissioner Troy explained that early voting is still a fill-in type paper ballot. He stated that each County's Board of Elections is responsible for choosing the voting methods utilized in the State, and he appreciates Mr. Campbell's thoughts.

#### RESOLUTIONS:

**1. RESOLUTION AWARDING A BID CONTRACT TO CARGILL, INC. – DEICING TECHNOLOGY BUSINESS FOR TREATED ROCK SALT IN 2018 IN THE AMOUNT OF \$1,234,680.00 AS REQUIRED BY THE LAKE COUNTY ENGINEER(20180816\E01)(E-3)**

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

**2. RESOLUTION PROVIDING FOR NOT TO EXCEED \$1,600,000 IN NOTES TO PAY COSTS OF CONSTRUCTING, RECONSTRUCTING, PAVING AND OTHERWISE IMPROVING ROAD IMPROVEMENTS IN THE COUNTY, INCLUDING RELATED IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO(20180816\E02)(E-13)**

On a motion by Commissioner Cirino, seconded by Commissioner Troy. Commissioner Troy explained this concept was rolled out a few weeks ago as the County is behind on several road improvement projects. This resolutions permits the issuance of up to \$1.6 million in notes (not bonds) for 5 years and that the interest rate is between 2% and 2 ½% . Commissioner Hamercheck added that the backlog of projects is approximately 12 years. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**3. RESOLUTION TRANSFERRING APPROPRIATIONS, INCREASING APPROPRIATIONS AND TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 595 PROJECT 386-W TO THE WATER OPERATING FUND. THE PROJECT IS COMPLETE AND THE CASH IN THE PROJECT FUND IS REDUCED TO ZERO(20180816\U01)(UT-2)**

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

**4. RESOLUTION APPROVING FINAL ESTIMATE NO. 3 (RELEASE OF RETAINER) IN THE AMOUNT OF \$11,434.00 WITH MONTE CONSTRUCTION COMPANY, INC. AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$28,310.80 FOR MAIN STREET AND NARROWS WATERLINE REPLACEMENT PROJECT 389-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20180816\U02)(UT-12)**

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

**5. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR(20180816\U03)(UT-7)**

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

**6. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT AUGUST 24, 2018, IN THE AMOUNT OF \$423,396.88 (20180816\JFS01)(JFS-14)**

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

**7. RESOLUTION IN SUPPORT OF THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE), A COMPONENT OF THE DEPARTMENT OF HOMELAND SECURITY, BY LAKE COUNTY, OHIO (20180816\C01)(C-107)**

Commissioner Troy requested permission to make a brief statement before a formal motion was made. Commissioner Hamercheck granted his request. Commissioner Troy stated that he respects the very strong opinions of all on both sides and he believes at times, we must agree to disagree civilly without creating political wedges and get back to the regular order of business. It was moved by Commissioner Troy, seconded by Commissioner Hamercheck to indefinitely postpone this resolution. Commissioner Hamercheck stated that one cannot have a conversation before you begin the conversation. Lake County is fortunate enough to have an organization named Begin the Conversation. He explained that it has been designed to manage situations and deal with race relations and explained the details of this organization. He stated that in general, there have been mostly civil conversations on immigration with only a few bumps and this Board is here to serve the people, all of the people. Commissioner Cirino stated that the reference to being called a racist and a Nazi is more than a bump. There have been good conversation on both sides of the issue. Commissioner Cirino defended the first amendment rights of the young woman who spoke of him being a racist and a Nazi but he feels it shows a preponderance of a lack of understanding of world history. He referred to the Oath of Office of the Lake County Board of Commissioners. Commissioner Cirino stated that he believes there is adequate reason to move forward and take this issue off the table and the Board should exercise their leadership to put this issue behind us. Commissioner Troy also spoke of the derogatory comments and the need for them to stop, and he thanked Mr. Campbell for referring to him as a Blue Dog Democrat, which indicates a willingness to seek the middle common ground on issues. The previous Boards in Lake County have always tried to work together whether Republican or Democrat. Certain issues tend to divide and we need to come together with compromise and finding common ground. The Board continued to discuss the resolution.

The foregoing resolution was postponed indefinitely with the vote as follows: "AYES": Commissioners: Hamercheck and Troy "NAYS": Commissioner Cirino

**8. RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT COMPREHENSIVE IMMIGRATION REFORM LEGISLATION TO ADDRESS NATIONAL CONCERNS, INCLUDING THE ROLE OF THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) AGENCY (20180816\C02)(C-107)**

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck to indefinitely postpone this resolution. The foregoing resolution was postponed indefinitely with the vote as follows: "AYES": Commissioners: Hamercheck and Troy "NAYS": Commissioner Cirino

**9. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR COPIER MFP MANAGEMENT FOR LAKE COUNTY (Bid Opening: September 5, 2018)(20180816\C03)(C-16)**

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

**10. RESOLUTION APPROVING THE FINAL DEDICATION PLAT FOR FAIRWAY PINES PHASE 1A IN PAINESVILLE TOWNSHIP(20180816\C04)(SD-424)**

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

**11. RESOLUTION APPOINTING BILIJANA LOVRINOVIC TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS TO COMPLETE THE REMAINDER OF A TERM EXPIRING DECEMBER 31, 2020(20180816\C05)(B-192)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Cirino stated that Ms. Lovrinovic is an outstanding candidate and business owner and will be an excellent addition to the Port and Economic Development Authority Board. Commissioner Troy stated that she has excellent qualifications, much experience in foreign trade and we will finally once again have a female member on the board. Commissioner Hamercheck agreed that she is an exceptional candidate.

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

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**12. RESOLUTION REAPPOINTING NATHAN HICKS TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS FOR A FOUR-YEAR TERM COMMENCING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2022(20180816\C06)(B-192)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy stated that our local nurseries are a very important part of the local economy. Mr. Hicks is a 4<sup>th</sup> generation nursery owner. Commissioner Troy thanked Mr. Mark Gilson for initially recommending Mr. Hicks to serve on the Port and Economic Development Authority Board. Commissioner Hamercheck added that Mr. Hicks is a resident of the east side of the County. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

**13. RESOLUTION REVISING THE LAKE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING SCHEDULE(20180816\C07)(C-107)**

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

**14. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,638,012.61(20180816\BC01)(C-4)**

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 APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,781,464.44(20180816\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

**16. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20180816\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

**17. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20180816\BC04)(C-111)**

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

**18. RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS ADDITIONAL MOTOR VEHICLE (ORC 4504.24) WITH VARIOUS REVENUE AND EXPENDITURE LINES(20180816\BC05)(C-111)**

On a motion by Commissioner Cirino, seconded by Commissioner Troy. Budget Director, Mr. Michael Matas, stated that this special fund is being established to track permissive motor vehicle license tax revenue and expenditures along with any future note issuances. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES – Sanitary Engineer, Mr. Randy Rothlisberger, stated that there will be a special collection for electronics on Saturday, September 1<sup>st</sup> from 9:00 a.m. to 1:00 p.m. at the Lake County Fairgrounds. He reported that the last electronics special collection brought in over 20 tons of televisions. He also stated that they have added additional staff in an effort to alleviate wait times.

JOB AND FAMILY SERVICES – Job and Family Services Director, Mr. Matthew Battiato, stated that a "Back to School Bash" was held on August 4<sup>th</sup> at Harvey High School in collaboration with Job and Family Services, Family and Children First Counsel and the Salvation Army. Ms. Susan Casar, Coordinator of Family and Children First Counsel, stated that the event was very successful with a total of 300 volunteers, 1,240 guests attending and 1,450 backpacks given out. She listed free services that were offered including sports physicals, dental examinations, haircuts and school supplies along with the number of families that took advantage of each offering.

COUNTY ADMINISTRATOR –none.

FINANCE –

CLERK –none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - Commissioners Clerk, Ms. Jennifer Bell, stated that in order for the County to be compliant to receive the Edward Byrne Memorial Justice Assistance Grant Program, FY 2018 Local Solicitation, there must be a public announcement of the following grant and allow for public comment.

"Pursuant to the requirements of the grant, notice is hereby issued that the Lake County Sheriff's Office intends to apply for an Edward Byrne Memorial Justice Assistance Grant (JAG) Program-FY 2018 Local solicitation in the amount of \$21,153.00 to purchase a 2019 Ford Interceptor Utility Police Vehicle (patrol vehicle). This vehicle will be fully marked and equipped for emergency service and will replace an older vehicle that is currently in use."

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Ms. Tracy Schraeder, of Lane Road in Perry, asked how Lake County residents obtain information on health insurance. Commissioner Troy confirmed that he received Ms. Schrader’s email and forwarded it on to Ms. Carrie Dotson, Executive Director at Lifeline.

Mr. Anzlovar stated that he is glad he attended the public meetings (forums) in Willoughby Hills and at Lake Erie College and also today’s Commissioners Meeting. He discussed his opinions on the meetings and voiced his disappointment in Commissioner Hamercheck. Commissioner Hamercheck stated for the record that he has spent most of his adult life serving and/or working with the public, either keeping the public safe or by working with law enforcement. He absolutely and unequivocally supports law enforcement.

Ms. Carol Pred, 6901 Stratford Cr., Mentor, stated she believes that ICE should exist but she is not happy with their activities.

Mr. Muzik stated that he has been to a lot of meetings and applauds Commissioner Cirino for attempting to adopt a resolution supporting law enforcement.

Mr. Campbell encouraged the Commissioners not to give up. He believes the country will pull itself together and thinks that a good resolution would be in support of veterans. Commissioner Hamercheck thanked everyone for their comments and for those veterans who served our country.

ADJOURN:

On a motion by Commissioner Cirino, seconded by Commissioner Troy, the Board adjourned the meeting at 12:21 p.m., with the vote as follows: “AYES”: Commissioners: Cirino, Hamercheck, and Troy “NAYS”: None

Minutes approved this thirteenth day of September, 2018.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN R. HAMERCHECK, PRESIDENT

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JERRY C. CIRINO, COMMISSIONER

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DANIEL P. TROY, COMMISSIONER

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JENNIFER BELL, CLERK