

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

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

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(Tape 2015-0827)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:05 a.m., August 27, 2015.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Moran, seconded by Commissioner Malecek, the minutes of the regular meeting of August 20, 2015, were approved as follows:
"AYES": Commissioners: Troy, Malecek 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 at this time.

RESOLUTIONS:

- 1. RESOLUTION AUTHORIZING MODIFICATION NO. 3 OF THE PROFESSIONAL SERVICES AGREEMENT FOR THE HUNTING LAKE DRIVE AND WATERFOWL WAY STORM SEWER IMPROVEMENTS IN CONCORD TOWNSHIP(20150827\E01)(E-3)
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
2. RESOLUTION AUTHORIZING MODIFICATION NO. 1 OF THE PROFESSIONAL SERVICES AGREEMENT FOR THE CENTER PARK ESTATES STORM WATER MANAGEMENT AREA IMPROVEMENTS IN PAINESVILLE TOWNSHIP(20150827\E02)(E-3)
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
3. RESOLUTION INCREASING APPROPRIATIONS FOR LCDU SEWER DISTRICT UNIFORMS(20150827\U01)(UT-2)
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
4. RESOLUTION INCREASING APPROPRIATIONS FOR LCDU WATER DISTRICT PROFESSIONAL SERVICES-CONSULTANTS(20150827\U02)(UT-2)
On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Troy stated that this resolution appropriates funds that are necessary for the study approved last week for a carbon study at both plants to combat algae. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
5. RESOLUTION INCREASING APPROPRIATIONS FOR FOREST DRIVE WATERLINE REPLACEMENT 331-W AND TRANSFERRING CASH FROM LCDU WATER DISTRICT(20150827\U03)(UT-2)
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
6. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$69,352.80 FOR SANITARY SEWERS FOR NEWELL CREEK SUBDIVISION-PHASE 12B, JOB NO. 14-40, IN THE CITY OF MENTOR(20150827\U04)(UT-9)
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
7. RESOLUTION AUTHORIZING EXECUTION OF A WATER SUPPLY AGREEMENT WITH THE VILLAGE OF MADISON(20150827\U05)(UT-4)
On a motion of Commissioner Moran, seconded by Commissioner Malecek. Mr. Randy Rothlisberger, Sanitary Engineer, reported that this is an agreement to supply water to Madison Village and to create a permanent water supply to Madison Village. The agreement is very similar to the previous one except that there is a price increase of ten cents a year for the next five years until they reach the retail rate, which is currently \$3.49 and provides for Madison Village to connect on the south end of the Village with another interconnect. Mr. Dwayne Bailey, Village Administrator, thanked Mr. Rothlisberger and Mr. Martin for their patience and support in reviewing the contract. It is important to secure the water supply for the future at an affordable rate and it will improve both sides of the system. The agreement will provide a better supply of water and open up the opportunity for future expansion. Commissioner Troy asked if this agreement brings regionalization of the system closer to a reality? Mr. Bailey stated that the agreement does move closer to regionalization. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

8. **RESOLUTION CERTIFYING THE LAKE COUNTY DEPARTMENT OF UTILITIES UNPAID SEWER SERVICE, WATER, AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR (20150827\U06)(UT-4)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
9. **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR FOREST ROAD SANITARY SEWER REHABILITATION PROJECT 375-S(20150827\U07)(UT-4)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
10. **RESOLUTION DECLARING THE LAKE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING SCHEDULE BEGINNING SEPTEMBER 10, 2015(20150827\C01)(C-107)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, Commissioner Troy stated that this resolution sets the meeting schedule for the remainder of 2015 and statutorily meets the law of having at least 50 meetings annually, as 51 are scheduled. The schedule is subject to change. He noted that there will be an evening Commissioner Meeting on Tuesday, September 22, 2015 at 6:30 p.m. Commissioner Moran stated that the reason this date was chosen for the evening meeting was because Probate Court Judge Mark Bartolotta, Clerk of Courts Maureen Kelly and Recorder Ann Radcliffe are conducting a "Good Deeds" program that evening and the building will be open. Commissioner Malecek stated that Democracy Day will be proclaimed at that meeting. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
11. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,323,840.45(20150827\BC01)(C-4)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
12. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$216,797.93(20150827\BC02)(C-17)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
13. **RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20150827\BC03)(C-111)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
14. **RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20150827\BC04)(C-111)**  
On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES - Mr. Matt Armand, Public Service Coordinator for the Department of Utilities, reported on the Department's commitment and dedication to customer service. They created a survey for customers that has been very successful and recently developed a customer service model and assessment. The new program is to record phone calls and randomly review them because those answering the phones are the first level of dialog with the public. This is another element of the Department for its on-going commitment to customer service and he will give further updates about this new program in the future. Commissioner Troy stated that the Commissioners are aware of Mr. Armand's role in enhancing customer service and it appears to be working since the Commissioners are receiving fewer calls. Commissioner Troy reported that the next special collections event is September 26, 2015 for Household Hazardous Waste Collections.

JOB AND FAMILY SERVICES - none

COUNTY ADMINISTRATOR - none

FINANCE - none

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Troy stated that the OPWC District 7 held its re-organization meeting yesterday. Lake County is represented by Commissioners Troy and Malecek. Mentor City Manager Ken Filipiak and Commissioner Troy are on the Executive Board. They approved round 30 projects and requested that the final applications be submitted. Some of the projects will take place in Grand River, Fairport, Willoughby, Painesville, and Painesville Township.

PUBLIC COMMENT:

Mr. John Muzik, 45 Coventry Drive in Painesville Township, requested that the Commissioners rescind the resolution regarding the matricula consular identification card. He cited a September 25, 2010 News-Herald article that speaks to the perception of the card by the public. He also referred to Article 19 published in 2003 that read that there was no U.S. data base to verify this card. Former Lake County Chief Deputy William Crosier response and FBI testimony are also great sources of information and he encouraged the Commissioners to further investigate the card. Mr. Muzik thought it was wrong to adopt the resolution in the first place because it deals with the federal government and the County should stay out of federal government issues. Mr. Muzik asked that the Commissioners remember that five people who crashed planes into buildings on 911

and they were in the country illegally.

Commissioner Troy stated that he will not forget 911 because the wife of a college classmate of his was on the plane that crashed into the Pentagon.

Ms. Arzella Melnyk, 10506 Hobart Road in Kirtland, stated that she copied a portion of the Consulate of Mexico in Detroit report for the Commissioners. The Commissioners have said that the card is to identify that people are from the Republic of Mexico. One of the pages indicates that the card is commonly used to identify oneself to law enforcement and apply for public utilities. The report also stated that 178 banks accept the card as does 33 states and people in 12 states can obtain a driver's license with the matricula card. This report was dated 2004. She was told that this was a ceremonial resolution and it was passed in 2005 and the report came out in 2004. She asked the Commissioners to consider rescinding the resolution.

Commissioner Troy stated that the next regular Commissioners Meeting will be held on Thursday, September 3, 2015 at 10:00 a.m.

**EXECUTIVE SESSION:**

- Personnel - employment

EXECUTIVE SESSION: On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board convened an Executive Session at 10:29 a.m. to discuss personnel matters related to employment with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 10:29 a.m.

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

On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board returned to open session at 11:07 a.m., with the vote as follows:

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

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Malecek, the Board adjourned the meeting at 11:08 a.m., with the vote as follows:

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

Minutes approved this third day of September, 2015.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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DANIEL P. TROY, PRESIDENT

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KEVIN D. MALECEK

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JUDY MORAN, COMMISSIONER

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JENNIFER BELL, CLERK