

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

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 2016-0908)

CALL TO ORDER: Commissioner Moran called the meeting to order at 10:05 a.m., September 8, 2016.

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 August 26, 2016 Special meeting and the regular meeting of August 30, 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. Ms. Arzella Melnyk of 10506 Hobart Road in Kirtland, asked if there had been a decision made about placing the resolutions on the website along with the agenda. Commissioner Moran responded no decision had been made yet.

RESOLUTIONS:

1. RESOLUTION AWARDING A BID CONTRACT TO A & A SAFETY, INC. FOR THE LAKE COUNTY ROADS PAVEMENT MARKINGS PROJECT, AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$119,903.60(20160908\E01)(E-3)

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

2. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES SOLID WASTE WATER & SEWER OPERATING ACCOUNTS (20160908\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

3. RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH IN LAKE COUNTY DEPARTMENT OF UTILITIES WATER OPERATING FUND CASH TRANSFER OUT & PROJECT FUND 318-W BACON ROAD RAW WATER PUMP STUDY-PROFESSIONAL SERVICES-CONSULTANTS; CONTRACT SERVICES; ADVERTISING & PRINTING FOR COSTS ASSOCIATED WITH THE PROJECT PARTNERSHIP AGREEMENT WITH THE US ARMY CORPS OF ENGINEERS (20160908\U02)(UT-2)

On a motion by Commissioner Troy, seconded by Commissioner Malecek. Sanitary Engineer, Mr. Randy Rothlisberger, stated the County share for the design portion of this project is 35% and the Army Corps of Engineers is responsible for the remaining 65%. He invited the Commissioners to attend the signing ceremony on Monday, September 12, 2016 at 9:30 a.m. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

4. RESOLUTION APPROVING FINAL CHANGE ORDER NO. 4 WITH A.W. FARRELL & SONS, INC. FOR BACON ROAD WATER TREATMENT PLANT & RAW WATER PUMP STATION ROOF REPLACEMENT PROJECT NO 368-W DECREASING THE TOTAL CONTRACT AMOUNT BY \$60,161.13 (20160908\U03)(UT-4)

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 ACCEPTING A COMBINED THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$7,033.14 FOR MODERATION WAY (AKA DISCOVERY LANE) SANITARY SEWER AND WATERLINE EXTENSION JOB NO. 14-46 IN CONCORD TOWNSHIP (20160908\U04)(UT-12)

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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20160908\U05)(UT-7)

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 APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT SEPTEMBER 12, 2016, IN THE AMOUNT OF \$254,497.74(20160908\JFS01)(JFS-14)

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 AUTHORIZING EXECUTION OF A HOME PROGRAM COMMUNITY HOUSING DEVELOPMENT ORGANIZATION AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND WESTERN RESERVE COMMUNITY DEVELOPMENT CORPORATION(20160908\C01)(C-46)

On a motion by Commissioner Malecek, seconded by Commissioner Troy. Ms. Marian Norman, Home Program Coordinator, was present and explained that this and the following resolution will allow the Western Reserve Community Development Corporation to acquire 2 properties in the City of Painesville that will be fully rehabilitated and rented to income eligible tenants. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

9. RESOLUTION AUTHORIZING EXECUTION OF A HOME PROGRAM AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND WESTERN RESERVE COMMUNITY DEVELOPMENT CORPORATION (20160908\C02)(C-46)

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

10. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,729,851.76 (20160908\BC01)(C-4)

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

11. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$447,806.20 (20160908\BC02)(C-17)

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

12. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20160908\BC03)(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

13. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20160908\BC04)(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

DEPARTMENTAL REPORTS:

UTILITIES – Mr. Gary Fedak, Director of Technical Operations, updated the Commissioners on water main breaks, sanitary sewer issues, and customer service questions from homeowners during the timeframe of January to August, 2016. He stated the Utilities Department has seen an overall decrease in problems in comparison to the same timeframe of 2015.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – Mr. Jason Boyd stated there would be an emergency evacuation drill at the Perry Power Plant next week. He explained this exercise is performed every two years and the county is very prepared should any emergency arise.

FINANCE – none.

CLERK – none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: -none.

PUBLIC COMMENT: Commissioner Moran asked if anyone in the audience wished to address the Board. Mr. John Muzik, 45 Coventry Drive, Painesville Township, stated that there would be a ceremony at Veteran's Park in Painesville honoring those that lost their lives 15 years ago during the September 11th attacks.

Ms. Becky Lynch of 8020 King Memorial in Mentor, added that there would be a Heroes Run to Remember 5k run/walk beginning at 9:00 a.m., September 11th, in Veteran's Park, which will benefit the Nowacki Foundation.

Ms. Lynch asked for a copy of resolutions #8 and #9 on the agenda today. Commissioner Moran stated she will provide her those resolutions.

Ms. Arzella Melnyk of 10506 Hobart Road in Kirtland, questioned a request for state funding for the HOLA non-profit project through the Land Bank and she has an issue with what this non-profit does. Commissioner Troy stated that HOLA has apparently received a grant from the USDA. Commissioner Moran stated that, while she cannot speak for Mr. Rogers, she would assume that if he were approached by an agency for funding of a project, he would look into assisting them. Commissioner Moran explained she does not know if this project would be on the agenda for the next Land Bank meeting. Commissioner Moran stated she has had the opportunity to see the property and it is in need of a lot of work to bring it up to code. Ms. Melnyk stated she believes Mr. Rogers

approached HOLA regarding this project and she wonders if his positions as a State Representative and Director of the Land Bank is a conflict of interest. Commissioner Moran suggested she contact the Land Bank offices and request an appointment with them. Commissioner Troy stated that if the USDA approved a grant, they must not have seen any potential conflict. He explained that the presentation given by a Board member was very well done and that the Board member, a U.S. Marine Veteran, explained, in detail, the training that will be offered and the economic development. The concept that they presented had some worthy aspects to it, and if Mr. Rogers is successful in securing funding from the State of Ohio, it may be beneficial to the local community. Commissioner Troy explained if the grant is not used within a specific amount of time, it would revert back to the funding agency. Ms. Lynch stated that the role of Commissioners on the Land Bank Board is that of a County representative and a watch dog of the funding. Commissioner Troy explained that the make-up and statutory responsibilities of the Land Bank are clearly spelled out in the Ohio Revised Code and it is technically not a governmental operation but a private not for profit agency. He stated that the board's core members are 2 County Commissioners and the County Treasurer, a representative from the largest city and the largest township and that there are 9 total board members. Commissioner Troy explained that there are various funding sources such as grants, Moving Ohio Forward, the Attorney General's office and DTAC money. He stated that nearly every County in the State of Ohio is creating a Land Bank as the legislature has changed the requirements. The intended purpose of the entities is to attempt to restore neighborhoods and blighted properties and encourage reutilization of those neighborhoods. Commissioner Troy stated the property in question with the Land Bank is currently a vacant piece of property and this is a proposed attempt to reutilize the property and bring it back to tax paying status ultimately, creating economic development opportunities and additional tax dollars for the political subdivisions in the City of Painesville and the County.

Ms. Lynch asked for a full statement of the record of Commissioner Troy's statement. She will be provided a copy of the audio recording.

Mr. Brian Massey of 8196 Rainbow Drive asked the Commissioners if he might be able to meet with their legal counsel for a few minutes. Mr. David Hackman was present and said he would be happy to meet with Mr. Massie after the meeting.

Commissioner Moran stated that the next Regular Commissioners' Meeting is scheduled for Thursday, September 15, 2016 at 10:00 A.M.

ADJOURN: On a motion by Commissioner Malecek, seconded by Commissioner Troy, the Board adjourned the meeting at 10:33 a.m., with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

Minutes approved this twenty-second day of September, 2016.

BOARD OF LAKE COUNTY COMMISSIONERS

JUDY MORAN, PRESIDENT

KEVIN D. MALECEK, COMMISSIONER

DANIEL P. TROY, VICE PRESIDENT

JENNIFER BELL, CLERK