

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

(Tape 2018-0913)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:05 a.m. Thursday, September 13, 2018.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Hamercheck. Commissioner Cirino, referring to the minutes of August 16<sup>th</sup>, asked Commissioners Clerk, Jennifer Bell, if it was extraordinary for verbatim comments to be noted in minutes and if she had expressed his concerns about the verbatim minutes to his colleagues. Ms. Bell responded that it was not normal practice to prepare the minutes verbatim and that she had shared his concerns with Commissioners Hamercheck and Troy. Commissioner Cirino stated that he felt the verbatim comments were inclusive of some very inflammatory comments directed at him and he had requested that the verbatim comments not be included as part of the permanent record. Commissioner Cirino requested again to exclude the verbatim comments from the minutes.

Commissioner Hamercheck stated that while he appreciated Commissioner Cirino’s concerns, he felt that it was a reasonable request to include the verbatim comments in the August 16<sup>th</sup> minutes in order to protect the County’s interests given that litigation has been threatened.

The minutes of the regular meetings of August 16, 2018 and August 23, 2018 were approved as follows: "AYES": Commissioners: Hamercheck, and Troy "NAYS": Commissioner Cirino

OPEN TO THE PUBLIC: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Ms. Jennifer McCarty, President and CEO of United Way of Lake County, was in attendance to give an update on the 2018 United Way campaign kick-off that took place last night (Tuesday, September 12<sup>th</sup>) at the Captains Stadium. It showcased a drumline show with students from Lake County schools. She stated that this year was a historic kick-off as United Way is operating with the smallest staff in history yet there were more than 1,800 people in attendance. Ms. McCarty explained the many services that are provided through United Way, the importance of the annual campaign and suggested ways to donate. She thanked Mr. Morris Beverage III, the 2018 campaign chair, and Mrs. Donna Tyson and Mr. Ross McDonald for leading the government campaign. Ms. McCarty invited everyone to attend the annual campaign kick-off chili cook-off on October 11<sup>th</sup> which will be held at the Job and Family Services Department.

Mr. Brian Massie, 8196 Rainbow Drive, stated that he met with the Sheriff regarding the resolution rescinding support of the matricular card and that the Sheriff stated he was unaware of it. Commissioners Clerk, Ms. Jennifer Bell, stated that copies of the resolution were sent to those individual departments listed in the resolution. The Board clarified several issues and continued to discuss the history and meaning of the matricular card with Mr. Massie.

Commissioner Troy thanked Ms. McCarty and Mr. Beverage for coming in today. He expressed his support for United Way, encouraged employees to donate and reiterated several ways employees may donate. He stated that there have been some significant changes and United Way has had to become more nimble.

John Muzik, 45 Coventry Drive, Painesville Twp., thanked the Board for revoking their support of the matricular card.

RESOLUTIONS:

**1. RESOLUTION AWARDING A BID CONTRACT TO KARVO COMPANIES, INC. FOR THE BUTTON ROAD AND HOOSE ROAD RESURFACING AND SAFETY PROJECT IN THE AMOUNT OF \$616,835.65, AS REQUIRED BY THE LAKE COUNTY ENGINEER(20180913\E01)(E-3)**

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

**2. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES SOLID WASTE OPERATING FUND(20180913\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

**3. RESOLUTION AUTHORIZING EXECUTION OF A WATER AGREEMENT BETWEEN THE CITY OF PAINESVILLE AND THE BOARD OF LAKE COUNTY COMMISSIONERS(20180913\U02)(UT-4)**

On a motion by Commissioner Troy seconded by Commissioner Cirino. Commissioner Troy explained that this is an existing franchise agreement with the City of Painesville and it is up for renewal. This agreement will be good until 2032. Sanitary Engineer, Mr. Randy Rothlisberger, explained that this agreement has been in effect since 1968. He gave a detailed history of the past agreements. Commissioner Troy explained several changes and additions to today’s current agreement. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

SEPTEMBER 13, 2018

**4. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$4,226,288.93(20180913\BC01)(C-4)**

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 APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$670,048.67 (20180913\BC02)(C-17)**

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 INCREASING AN APPROPRIATION FOR A NON-GENERAL FUND ACCOUNT(20180913\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

**8. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20180913\BC04)(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

DEPARTMENTAL REPORTS:

UTILITIES – Mr. Randy Rothlisberger, Sanitary Engineer, stated that the OPWC District 7 Integrating Committee met and approved the short list of projects for 2019. The Utilities Department was fortunate to be near the top of the list for several projects totaling approximately \$500,000. in funding and Mr. Rothlisberger discussed several projects. Commissioner Troy explained that OPWC utilizes state voter approved general obligation bonds, and was initially created in the 1980's. He was a proud co-sponsor of the law that initiated this program. He stated this is Round 33 of the Ohio Public Works Commission Program. This District Committee is made up of representatives from Lake, Geauga, Ashtabula and Portage counties.

JOB AND FAMILY SERVICES – Job and Family Services Human Resources Administrator, Mr. Shawn Douglas, updated the Board on the very successful Career Fair held in conjunction with the City of Mentor. There were 18 employers, including Lake Health, Lubrizol, and Lincoln Electric, and approximately 120 jobseekers. Mr. Douglas stated that there was much positive feedback and he will follow-up with the attendees as well as the employers. He stated that they are working with Jak Prints to get them staffed by hosting a job fair on October 11<sup>th</sup> at the Willowick Community Center. Mr. Douglas stated that they have scheduled a large job fair for November 14<sup>th</sup> which will also be held at the Willowick Community Center and are hoping to have approximately 40 employers represented there.

COUNTY ADMINISTRATOR –Mr. Boyd thanked the Commissioners, staff and Department Heads for keeping him in the loop when he was on medical leave.

FINANCE – none.

CLERK –none.

LEGAL – Commissioner Hamercheck asked Assistant Prosecutor, Mr. David Hackman, if the Commissioners meeting minutes are the official permanent record. Mr. Hackman responded that yes, the minutes are the permanent record however, there are no legal requirements for them to be written verbatim. Commissioner Hamercheck stated that the audio recording of the meeting is part of a retention policy, therefore it is only temporary. Commissioner Cirino asked the Commissioners Clerk, Ms. Bell, according to the retention schedule, how long audio recordings must be kept. She responded she would need to double check but believes it is between two and five years and concurred that the minutes are the permanent record of the meetings. Commissioner Troy stated that he currently serves as Chairman of the County's Records Commission. He explained the committee requirements and are regulated by the Ohio Revised Code.

OLD BUSINESS: - none.

NEW BUSINESS: Commissioner Cirino updated the Board on several improvements to the August economic data, including pay and stated that small companies are looking to hire more people than they have in the last 30 years, and consumer confidence is the highest it has been since 2000.

**NEW BUSINESS:**

**RESOLUTION:**

**8. A RESOLUTION ADOPTING A POLICY OF NON-ACCEPTANCE OF CAMPAIGN CONTRIBUTIONS BY THE INDIVIDUAL MEMBERS OF THE LAKE COUNTY BOARD OF COMMISSIONERS FROM COUNTY EMPLOYEES UNDER THEIR DIRECT SUPERVISION(20180913\C01)(C-107)**

Commissioner Cirino introduced the resolution from the table. At the request of Commissioner Cirino, the Commissioners Clerk read the resolution in its entirety. On a motion by Commissioner Cirino. No second was received.

Commissioner Hamercheck asked Commissioner Cirino where the \$64,000 figure included in the resolution came from. Commissioner Cirino stated that the figure came from many years of the public filings of the Board of Elections and he feels it is a credible number. He feels that, from a management standpoint, it is not a good idea to accept campaign contributions from those employees under the direct supervision of the Board of

Commissioners and while it is not illegal to contribute, the appearance of impropriety should be avoided. Commissioner Troy stated that the \$64,000 is cumulative from 2005 to 2018 and he feels this resolution is inflammatory with subjective language and that he has not had an opportunity to review it. Commissioner Cirino added that the point of this resolution is purely from a management standpoint. Commissioner Hamercheck asked Assistant Prosecutor, Mr. David Hackman, for the position of the Prosecutors Office. Mr. Hackman responded that the Prosecutors Office had an opportunity to review the resolution but has no position regarding this matter.

NEW BUSINESS:

Commissioner Hamercheck gave an update on the CCAO Metropolitan and Regional Affairs Committee meeting held on Wednesday, Sept. 12<sup>th</sup> for discussion of the final details for CCAO’s 2017-2018 Legislative Platform to be presented to the General Assembly. He stated that the report is available online if anyone is interested.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. Brian Massie, 8196 Rainbow Drive, asked if the resolution presented by Commissioner Cirino was a matter of public record. Commissioner Hamercheck responded it was and a copy would be provided to him.

John Murphy, 127 Chestnut Street, Painesville, stated that tax reappraisals have gone up significantly and questioned what could be done to have the school taxes taken out of the real estate taxes. Commissioners Hamercheck and Troy stated Mr. Murphy’s point is very well taken and suggested he contact the State Legislators.

John Muzik, 45 Coventry Drive, Painesville Twp., asked the status of the resolution presented by Commissioner Cirino. Commissioner Hamercheck responded it fails for lack of a second to Commissioner Cirino’s motion to adopt.

Mr. Brian Massie, 8196 Rainbow Drive, explained the property tax information he has gotten from speaking to Senator John Eklund.

Commissioner Hamercheck stated that the next regular Commissioner’s Meeting is scheduled for Wednesday, September 19, 2018 at 2:00 p.m.

EXECUTIVE SESSION:

On a motion Commissioner Troy, seconded by Commissioner Cirino, the Board convened an Executive Session at 10:57 a.m. to discuss Personnel – Discipline with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None  
The Lake County Board of Commissioners adjourned to Executive Session at 11:07 a.m.

ADJOURN:

On a motion by Commissioner Troy, seconded by Commissioner Cirino, the Board adjourned the meeting at 11:07 a.m. with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

Minutes approved this thirty-first day of October, 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