

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 2018-0919)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 2:10 p.m. Wednesday, September 19, 2018.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Cirino, seconded by Commissioner Troy, the minutes of the regular meeting of August 30, 2018 and September 5, 2018 were approved as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

OPEN TO THE PUBLIC: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Commissioner Hamercheck introduced Ms. Mallory Babika, Program Manager for Forbes House. Ms. Mallory Babika explained that October is Domestic Violence Awareness Month and described the events that are planned for the month of October to raise awareness about domestic violence and the services offered at Forbes House. Commissioner Troy read the proclamation in its entirety and the Commissioners presented the framed proclamation to Ms. Babika and Ms. Paige Wilson from the Forbes House. Commissioner Troy stated that the Courthouse clocktower will be lit up in purple the night of October 1, 2018, to further raise awareness about domestic violence and stated that there is a reverse raffle event on October 12 at the Croatian Lodge to help support the Forbes House. Commissioner Troy stated that he appreciates what the Forbes House does in keeping women out of harm’s way and potential incidences of domestic violence.

Mr. Gary Fedak, Director of Operations for the Lake County Department of Utilities, informed the Commissioners that the Utilities Collections Department in Wastewater Sanitary Sewer was honored with a “Collections of the Year” award by Ohio Water Environment Association (OWEA) for our excellent collections system. OWEA is an organization that advocates for clean water and protecting the environment. Mr. Fedak introduced Mr. Carmen Johnson who has been with the County for over 40 years and excels at leading crews out in the field and working directly one-on-one with the customers, and also Mike Erkkila, Wastewater Collection System Maintenance Manager who has a Class III Operators license and is applying for his Class IV. He has spent his career in every department in Utilities. Commissioner Cirino asked what the standout items are in the operation that has helped us win this award. Mr. Fedak stated that there was a number of items such as the number of calls they respond to in a year, safety – related statistics, and response time which is a half hour to an hour to resolve any issues. Commissioner Troy saluted the Utilities employees for their excellent response time and for helping keep Lake Erie clean.

Mr. Dave Lima, 7774 Litchfield Rd in Mentor, voiced his disappointment over the Commissioners decision to revoke support of the matricula card. He explained the use of the card and stated that no immigration status is implied. He wondered if the Commissioners were pressured into adopting the resolution through groups such as FAIR (Federation for American Immigration Reform), and he thought that revoking the resolution casts Lake County into a shameful light. Commissioner Hamercheck stated that he appreciates Mr. Lima’s opinion and assured him that there was no pressure to adopt the resolution. It was purely ceremonial. Nothing has changed with the issuance or use of the card. Commissioner Cirino explained that the resolution supporting the matricula card adopted by the Commissioners in December of 2005 had no force of law at any time. He further explained that matricula cards are issued by many countries. The Commissioners do not have the authority to accept or stop to interfere with the cards so nothing has technically changed. There is no impediment to issuance of these cards. It is between the State Department and the issuing country. Commissioner Troy stated that this has been the most misinterpreted resolution because by state statute, the Commissioners do not have any authority to affect the use of the cards. It was a ceremonial resolution. No action by the Commissioners changes the use of the cards.

Ms. Connie Mismas, 208 St. Lawrence in Eastlake, stated that what troubled her was how it was introduced because it was not on the agenda. She would liked to have seen the resolution before it was brought to the table. Commissioner Hamercheck reiterated that is was merely a housekeeping measure.

RESOLUTIONS:

- 1. RESOLUTION APPROVING FINAL ESTIMATE NO. 6 (RELEASE OF RETAINAIGE) IN THE AMOUNT OF \$22,358.78 WITH DAVIS DIGGERS, INC. AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$54,553.00 FOR STRAWBERRY LANE WATERLINE REPLACEMENT PROJECT 387-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20180919\U01(UT-12)**

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy asked if all of Ridge Acres was complete. Mr. Randy Rothlisberger, Sanitary Engineer, replied that there are about two more streets left that will be done within five years.

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

SEPTEMBER 19, 2018

2. RESOLUTION APPROVING FINAL ESTIMATE NO. 4 (RELEASE OF RETAINAGE) IN THE AMOUNT OF \$12,280.00 WITH D.B. BENTLEY, INC. AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$28,651.30 FOR MCMACKIN ROAD WATER MAIN EXTENSION PROJECT 388-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20180919\U02)(UT-12)

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 APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT SEPTEMBER 21, 2018, IN THE AMOUNT OF \$470,506.42 (20180919\JFS01)(JFS-14)

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

4. RESOLUTION REAPPOINTING CHRISTOPHER P. TUCCI TO THE LAKE COUNTY LAW LIBRARY RESOURCES BOARD FOR A NEW TERM EXPIRING DECEMBER 31, 2018 (20180919\C01)(B-19)

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

5. RESOLUTION APPROVING AN ENTERPRISE ZONE AGREEMENT BETWEEN WESTON, INC. AND THE CITY OF WILLOUGHBY UNDER WHICH WESTON, INC. AGREES TO ESTABLISH, EXPAND, RENOVATE, OR OCCUPY A FACILITY IN THE LAKE COUNTY ENTERPRISE ZONE AND HIRE NEW EMPLOYEES OR PRESERVE EMPLOYMENT OF EXISTING EMPLOYEES IN RETURN FOR CERTAIN TAX INCENTIVES SPECIFIED IN SAID AGREEMENT (50% REAL PROPERTY-10 YRS. | CREATE 12 JOBS | RETAIN 35 JOBS)(20180919\C02)(C-99)

On a motion by Commissioner Cirino, seconded by Commissioner Troy. Commissioner Troy stated that a 50% abatement is given in return for job creation, which is a better deal for the taxing entities than the old 100% abatement. There are few enterprise zone agreements left. There are no taxes being paid on the property currently.

Mr. Tim Cahill, Director of Public Finance and Controller for the Lake County Ohio Port and Economic Development Authority and Enterprise Zone Manager for the Commissioners, and Mr. Mike Plaspohl from Weston, Inc. were present. Mr. Cahill explained when control of the airport was taken over by the Commissioners and the Port Authority, there was a ten and a half acre parcel perfect for industrial development. RFP's were requested in 2017 to see if any developers were interested and Weston came forward with a plan and the City of Willoughby approved it. The abatement will help to keep rents competitive in the area.

Commissioner Cirino thought this was good for the City of Willoughby and Lake County and asked if all the issues surrounding this have been addressed and Mr. Cahill replied that they were.

Mr. Jason Boyd, Lake County Administrator, stated that he spoke with Mr. Dan Donaldson, Soil and Water District Administrator, who indicated that all documentation was received.

Commissioner Troy explained the history of rural enterprise zones. He wondered if the state legislators will need to reframe or redefine the laws pertaining to rural enterprise zones because there is not really any more tangible property tax collected.

Mr. Cahill stated that there are only three enterprise zone agreements in Lake County. Many counties have come up with their own programs over the years.

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

6. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,026,525.80(20180919\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

7. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$2,146,743.84 (20180919\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

8. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20180919\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

9. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20180919\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

DEPARTMENTAL REPORTS:

UTILITIES – Mr. Randy Rothlisberger, Sanitary Engineer, reported that a Household Hazardous Waste collection is scheduled for Saturday, September 22, 2018 from 9 am – 3 pm at the Fairgrounds. This is one of the most popular collections. The last one brought in 1,500 cars. A list is posted on the website of all the items that will be accepted.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR –Mr. Jason Boyd, County Administrator, stated that the Emergency Operating Center

Drill went well yesterday. There is a media event at the EOC at 11:00 am on September 20th for media to get debriefed from FEMA officials regarding the drill.

Commissioner Cirino indicated that this all-day event was a great undertaking. It was a simulation of potential disastrous events. It was impressive to see how the teams responded and coordinated with each other. There were about 60-70 people in attendance.

Commissioner Troy explained that a drill is required to be conducted every two years as part of the licensing requirement for a nuclear power plant. When the plant was built, infrastructure was put into place for emergencies and it provides the opportunity for a very coordinated effort that helps in emergencies. Lake County has a good plan in place that has been used when there has been localized flooding.

Commissioner Hamercheck stated that it is comforting to know that Lake County is considered an elite county for emergency preparedness according to the evaluation leader of the drill. There are knowledgeable people on staff standing by in the case of an emergency and it is amazing to see what they are capable of accomplishing.

FINANCE – none.

CLERK –none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: -

Commissioner Troy stated that CCAO is working on preparing a legislative platform for next year for the new governor and legislature. Tomorrow, there will be a meeting to discuss State Issue 1, which would change the State’s constitution to reduce drug penalties.

Commissioner Hamercheck reported that he is a member of the CCAO Joint Economic Development & Infrastructure Committee and they met on Monday. They recently included nuclear energy that will enable CCAO to lobby on our behalf with the nuclear issue. They were pleased with how we have handled things in the northeast district.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. John Murphy, 127 Chestnut Street in Painesville, stated that he has looked further into school funding in relation to tax increases. He stated that he found out that lobbyists are blocking people from voting. He is trying to find out who the lobbyists are at this point. He asked if the Commissioners have a way to stop tax levies that come through their office. The Morley Library is putting on a continuous tax levy and they have \$10 million in the bank so he asked why is there is a need for the levy.

Commissioner Hamercheck explained that there is a statutory process for levies such as the one for Morley Library. When this levy comes before the Commissioners, they must pass it through. The Commissioners do not have a choice. Assistant Prosecuting Attorney, Dave Hackman, concurred.

Commissioner Troy stated that, for the past seven years, Lake County only collects 1.0 of the allowable inside 2.1 mills. Anything over that must be approved by a majority of voters.

Commissioner Troy stated that the Commissioners are not the gatekeepers for the schools, Lakeland, Metroparks or transit systems, as they can put their own levies on the ballot without the Commissioners consent. The Commissioners ballot placement authority is for Deepwood, ADAMHS Board, Narcotics Agency, Crime Lab, Children Services and Senior Citizen Services levies. These all go on the ballot and ultimately, it is up to the people whether or not they are approved.

Commissioner Hamercheck stated that there are always public hearings for potential levies that are decided upon by the Commissioners.

Commissioner Hamercheck stated that the next regular Commissioner’s Meeting is scheduled for Tuesday, September 25, 2018 at 2:00 p.m.

EXECUTIVE SESSION:

On a motion Commissioner Cirino, seconded by Commissioner Troy, the Board convened an Executive Session at 3:00 p.m. to discuss Legal-Pending Litigation with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

The Lake County Board of Commissioners adjourned to Executive Session at 3:01 p.m.

ADJOURN:

On a motion by Commissioner Troy, seconded by Commissioner Cirino, the Board adjourned the meeting at 3:25 p.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

JOHN R. HAMERCHECK, PRESIDENT

JERRY C. CIRINO, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

JENNIFER BELL, CLERK