

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT
KEVIN D. MALECEK, COMMISSIONER
JUDY MORAN, COMMISSIONER
JENNIFER BELL, CLERK

JASON W. BOYD, ADMINISTRATOR
LEGAL COUNSEL
MIKE MATAS, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2015-1119)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:05 a.m., November 19, 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 November 12, 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. Commissioner Troy read a proclamation proclaiming November 19, 2015, as Children's Grief Awareness Day in Lake County, Ohio and indicated that the Hospice of the Western Reserve offers bereavement counseling to children and their families. Commissioner Troy stated that there are children in Paris who are dealing with this sense of loss because of last week's tragic events. Our hearts and prayers go out to our oldest ally, the nation of France.

RESOLUTIONS:

1. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$519,980 FOR GRAND BOULEVARD WATERLINE REPLACEMENT-PHASE 2 PROJECT 381-W (20151119\U01)(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

2. RESOLUTION AUTHORIZING EXECUTION OF A REAL ESTATE SALES AGREEMENT WITH DENNIS CREWS, TRUSTEE OF THE DENNIS CREWS REVOCABLE TRUST, FOR THE LAKE COUNTY SOLID WASTE FACILITY(20151119\U02)(UT-4)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Troy explained that this resolution will create a 16 acre buffer zone between the landfill and Bacon Road. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

3. RESOLUTION TRANSFERRING CASH FROM LCDU SEWER DISTRICT TRANSFER OUT TO VARIOUS GENERAL OBLIGATION BOND RETIREMENT FUNDS TRANSFER IN(20151119\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

4. RESOLUTION TRANSFERRING APPROPRIATIONS FROM LCDU SOLID WASTE DISTRICT VEHICLES TO LCDU SOLID WASTE DISTRICT GENERATION/EXPORT FEES(20151119\U04)(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

5. RESOLUTION TRANSFERRING APPROPRIATIONS FROM LCDU WATER DISTRICT AND SEWER DISTRICT WORKERS COMPENSATION TO LCDU WATER DISTRICT AND SEWER DISTRICT UTILITIES TELEPHONE(20151119\U05)(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 CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR(20151119\U06)(UT-7)

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 APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT NOVEMBER 23, 2015, IN THE AMOUNT OF \$464,524.39(20151119\JFS01)(JFS-14)

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

8. RESOLUTION APPROVING THE AMENDED LAKE COUNTY PREVENTION, RETENTION, AND CONTINGENCY PLAN THROUGH SEPTEMBER 30, 2017; CERTIFYING COMPLIANCE WITH CHAPTER 5108 OF THE OHIO REVISED CODE IN ADOPTING THE PLAN; AND AUTHORIZING EXECUTION OF THE PLAN(20151119\JFS02)(JFS-16)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Troy explained that the Commissioners are required to adopt this resolution every two years. This is part of the Welfare Reform Act and provides state and federal dollars that are designed to keep people working by eliminating obstructions and keeping them employed and off pubic assistance. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

9. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISING FOR BIDS FOR THE HUNTING LAKE DRIVE AND WATERFOWL WAY DRAINAGE IMPROVEMENTS PROJECT IN CONCORD TOWNSHIP, OHIO (BID OPENING: December 16, 2015)(20151119\C01)(UT-46)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Mr. Tim Miller, Stormwater Management Director, stated that this project is estimated at \$831,000 and there is grant of \$349,900 from OPWC to fund the project. Concord is anxious to complete the project because it is much needed.

Commissioner Troy asked if this is something that is naturally occurring or is it as a result of the development in the Quail Hollow area?

Mr. Miller replied that the phases of the development tried to stay with the natural drainage patterns and through the course of time it is not adequate.

Commissioner Troy stated that Concord is a charter member of the Stormwater Management Program and the residents have contributed to the pool that funds these projects.

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

10. **RESOLUTION ACCEPTING A STATE HOMELAND SECURITY PROGRAM GRANT IN THE AMOUNT OF \$98,960.58, EFFECTIVE THROUGH MARCH 31, 2018(20151119\C02)(695)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Mr. Larry Greene, EMA Director, stated that they applied for the FY15 funding cycle for sustainment of regional bomb squad operations and it will permit the upgrade of a robot that was purchased in 2005 and needs to be brought up to current standards. The equipment is maintained by the City of Mentor.

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

11. **RESOLUTION ACCEPTING AN EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$142,734.00, EFFECTIVE THROUGH JUNE 30, 2016(20151119\C03)(504)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy stated that this is an ongoing grant that supports Emergency Management activities.

Mr. Greene stated that the grant has been awarded to the County for many years appropriated by the US Department of Homeland Security Appropriations Act and is administered through the OEMA and allows for a 50% cost sharing formula to help support local emergency management activities. These funds can be used for personnel, salaries, health benefits, utilities, and helps with day-to-day operations.

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

12. **RESOLUTION AUTHORIZING EXECUTION OF A TWELVE (12) MONTH SELF-FUNDED HEALTH CARE AGREEMENT WITH ANTHEM BLUE CROSS AND BLUE SHIELD, EFFECTIVE JANUARY 1, 2016(20151119\C04)(INS)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Mr. Joel DiMare, Director of Administrative Services, explained that this is the second year of a three-year contract and this sets into place our administrative fee that will be the same in 2015-2016. It also allows for a \$55,000 annual wellness reimbursement that helps pay for employee health fairs.

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

13. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,010,173.21(20151119\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

14. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$218,935.72(20151119\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

15. **RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20151119\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

16. **RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20151119\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 - none

JOB AND FAMILY SERVICES - none

COUNTY ADMINISTRATOR - Mr. Jason Boyd, County Administrator introduced Mr. David Radachy, Planning & Community Development Director.

Mr. Radachy reported that the Lake County Planning & Community Development Department & Lake Health District through the Achieve Wellness Program received a \$150,000 grant from the American Planning Association in Ohio to combat chronic diseases, lack of physical activity and access to nutritious foods. Communities are encouraged to develop personalized community health plans by working with diverse groups. They will be giving out \$10,000 grants to 13 communities to develop a health-based comprehensive plan for each community. These plans can include new trails and parks, increasing farmers markets or improving access to grocery stores. The plans will be supervised.

Commissioner Troy stated that the point person for the grant is the Lake County Planning & Community Development Department.

Commissioner Troy mentioned there is an Environmental Grant Workshop Program scheduled over the next few days. Mr. Radachy and Ms. Jordan will be attending this afternoon.

Mr. Miller stated that the Stormwater Management Department works with the Chagrin River Watershed Partners actively and they are their grant writers. They will be applying for grants in Fairport and Madison Village. These grants have also assisted with drainage issues at the Great Lakes Mall.

FINANCE -Mr. Mike Matas, Budget Director, stated that there is an amendment being considered by the legislature that will exclude electric generation equipment from the public utility personal property tax. Within 15 years local communities will not receive any reimbursement, instead it will stay at the state level. The proposal also increases the kilowatt hour tax by 16.5%. The amount of electric generation in Lake County is a little over \$88 million that equals to \$6.97 million. Local entities are coming out against this but it appears that it will pass. Commissioner Troy stated that the county entities receive \$6.97 million from this tax and consumers will see an increase in the their electric bills . The \$6.9 million over the 15 years will dissipate to a zero. Then the revenue will go entirely to the State. The tangible personal property tax will be phased out and there will be an increase in the kilowatt tax, which will be permanent.

Mr. Matas stated that this is based on the current levies in place, which means for any future levies there will be no reimbursement. It is public utilities based on the gross rate. New levies and renewals are not taken into consideration.

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Moran reported that she recently attended a LEEDCo Board meeting and announced that it was awarded \$3.7 million from the Department of Energy and it will be used for the engineering and design of the project effective April 2016. Ohio is home to 89,000 clean energy jobs last year and hopefully something will be in the water by 2018.

Commissioner Troy reported that Lake County Board of Elections Director Jan Clair will be in attendance at the December 10 meeting to give an update on the past election and the upcoming 2016 election and e-poll book implementation. Commissioner Troy reported a meeting was held with members of CCAO and the Ohio Association of Elections officials, the Speaker of the House and the President of the Senate to discuss how receptive they are to putting the purchase of new voting machine equipment into the capital bill. It is initially looking like a 50/50 match but they will continue to work on this issue.

PUBLIC COMMENT:

Commissioner Troy asked if anyone in the audience wished to address the Board.

Ms. Arzella Melnyk, 10506 Hobart Road in Kirtland, asked if companies awarded contracts for county projects are E-Verified at the last meeting. She brought in information about other counties that have voted to use E-Verify and asked the Commissioners to review them and adopt a resolution for Lake County to use E-Verify for bidders.

Commissioner Troy replied that the information brought forth from Ms. Melnyk is from two counties in Montana, one in Washington and one possibly from Michigan. He explained that the bidding statutes are governed by the Ohio Revised Code. He appreciates the information and would have to research the comparison of the state laws by the Prosecutor's Office.

Mr. John Muzik, 45 Coventry Drive in Painesville Township, stated that he would like to see E-Verify being used because more and more jobs are being taken over by robotics, and we have to do something to protect our workers.

Commissioner Troy replied that the County cannot legislate this issue. If the Ohio General Assembly determines it is an important issue then they can put it into the statutes of bidding requirements.

Mr. Muzik stated that he will approach the senators about E-Verify.

Commissioner Troy stated that the next regular Commissioners Meeting will be held on Tuesday, November 24, 2015 at 2:00 p.m.

EXECUTIVE SESSION:

- Personnel - discipline

EXECUTIVE SESSION: On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board convened an Executive Session at 10:37 a.m. to discuss personnel matters related to discipline with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 10:38 a.m.

The Lake County Board of Commissioners reconvened Executive Session at 10:45 a.m.

On a motion of Commissioner Malecek seconded by Commissioner Moran, the Board returned to open session at 11:17 a.m., with the vote as follows:

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

ADJOURN:

On a motion of Commissioner Malecek, seconded by Commissioner Moran, the Board adjourned the meeting at 11:29 a.m., with the vote as follows:

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

Minutes approved this twenty-fourth day of November, 2015.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

KEVIN D. MALECEK

JUDY MORAN, COMMISSIONER

JENNIFER BELL, CLERK