

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 2017-1205)

CALL TO ORDER: Commissioner Cirino called the Meeting to order at 2:04 p.m. Tuesday, December 5, 2017.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Cirino, the minutes of the regular meeting of November 15, 2017 were approved as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

OPEN TO THE PUBLIC: Commissioner Cirino 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 APPROVING FINAL CHANGE ORDER NO. 2 WITH UNITED SURVEY, INC. FOR FOREST ROAD SANITARY SEWER IMPROVEMENT PROJECT NO 375-S DECREASING THE TOTAL CONTRACT AMOUNT BY \$78,021.20 (20171205\U01)(UT-4)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

2. RESOLUTION APPROVING FINAL CHANGE ORDER NO. 1 WITH MONTE CONSTRUCTION COMPANY, INC. FOR BACON ROAD TO LANE ROAD WATERMAIN IMPROVEMENT PROJECT NO 371-W INCREASING THE TOTAL CONTRACT AMOUNT BY \$63,432.00(20171205\U02)(UT-4)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

3. RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES WATER OPERATING FUND AND PROJECT FUND(20171205\U03)(UT-2)

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

4. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES SOLID WASTE OPERATING FUND(20171205\U04)(UT-2)

On a motion by Commissioner Cirino, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

5. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT DECEMBER 8, 2017, IN THE AMOUNT OF \$178,665.09(20171205\JFS01)(JFS-14)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

6. RESOLUTION AUTHORIZING EXECUTION OF A HOME PROGRAM AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND NORTH COAST COMMUNITY HOMES, INC. (20171205\C01)(C-46)

On a motion by Commissioner Hamercheck, seconded by Commissioner Cirino. Home Program Coordinator, Ms. Marian Norman, was present and explained that this agreement will be using up some older Home Program funding and she discussed the work that will be performed. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

7. RESOLUTION ESTABLISHING HOLIDAYS FOR WHICH THE COUNTY OFFICES CLOSE DURING THE YEAR 2018 (20171205\C02)(C-107)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

8. RESOLUTION SUPPLEMENTING A RESOLUTION ADOPTED MAY 10, 2012 BY APPROVING AND AUTHORIZING THE ISSUANCE AND AUTHENTICATION OF REPLACEMENT HOSPITAL FACILITIES REFUNDING REVENUE BONDS, SERIES 2012B (LAKE HOSPITAL SYSTEM, INC.) AND THE AMENDMENT AND RESTATEMENT OF THE SUPPLEMENTAL INDENTURE PURSUANT TO WHICH SUCH BONDS WERE ISSUED; AND APPROVING RELATED MATTERS (20171205\C04)(C-181)

On a motion by Commissioner Hamercheck, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

9. RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$85,000,000 HOSPITAL FACILITIES REFUNDING REVENUE BONDS, SERIES 2017 (LAKE HOSPITAL SYSTEM, INC.) IN ONE OR MORE SERIES; AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS TO PROVIDE FOR THE

December 5, 2017

SALE OF THESE BONDS AND THE PAYMENT OF BOND SERVICE CHARGES; AND AUTHORIZING AND APPROVING OTHER DOCUMENTS AND RELATED MATTERS (20171205\C05)(C-181)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

10. RESOLUTION TO JOIN WITH THE LAKE COUNTY PROSECUTING ATTORNEY TO APPLY TO THE LAKE COUNTY COURT OF COMMON PLEAS, PURSUANT TO R.C. 305.14(a), TO EMPLOY LEGAL COUNSEL ON A CONTINGENCY FEE BASIS TO ASSIST THE BOARD OF LAKE COUNTY COMMISSIONERS TO INVESTIGATE AND PURSUE CIVIL LITIGATION AGAINST THE MANUFACTURERS AND DISTRIBUTORS OF PRESCRIPTION OPIATES (20171205\C03)(C-107b)

On a motion by Commissioner Troy, seconded by Commissioner Cirino. Commissioner Troy explained that pursuant to Ohio Revised Code, to permit the Board of County Commissioners to enter into litigation, requires approval by a Judge in the Lake County Court of Common Pleas. This resolution in conjunction with the Prosecutor's office, authorizes the request to be made. This litigation will hopefully address some possible relief for the dollars expended on the heroin epidemic. This epidemic has financially impacted the County and its citizens with many additional expenditures for the Department of Jobs and Family Services, investment into a new taskforce in the Sheriff's Office to protect victims of crimes fueled by the need to finance these additions. He explained that this suit is filed on a contingency basis with no money being expended by the Commissioners or the County. The hope is that some money would be recovered from these pharmaceutical manufacturing companies and distributors to assist the many departments that have expended so much of their budget due to the opioid epidemic. Commissioner Cirino stated that this approval is the first step in the process. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

11. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20171205\BC01)(C-111)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

12. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20171205\BC02)(C-111)

On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Cirino, Hamercheck, and Troy "NAYS": None

13. RESOLUTION AMENDING A RESOLUTION ADOPTED OCTOBER 26, 2017 ESTABLISHING A FUND TO BE KNOWN AS CRILE ROAD IMPROVEMENTS WITH VARIOUS REVENUE AND EXPENDITURE LINES(201741205\BC03)(C-111)

On a motion by Commissioner Hamercheck, 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 – Sanitary Engineer, Mr. Randy Rothlisberger, reported that Madison Village passed an ordinance authorizing the Mayor to sign an agreement for the Water and Sewer transfer to the County. He explained that the agreements will be presented to Board for consideration once the signed agreements are received. Commissioner Cirino thanked Mr. Rothlisberger for his assistance with the water issue on Lost Nation Road. Commissioner Troy and Mr. Rothlisberger discussed the details of the agreement and the rates for sanitary and wastewater treatment with Madison. Commissioner Hamercheck stated that this agreement is part of a pilot program and a model for regionalization. Mr. Rothlisberger stated that this program became available due to funding through several agencies and special financing through RCAP (Rural Community Assistance Program).

JOB AND FAMILY SERVICES – Job and Family Services Director, Mr. Matthew Battiato, stated that Ms. Mary Spencer will be retiring and introduced Ms. Anne Rasic as her replacement.

COUNTY ADMINISTRATOR – none.

FINANCE – Budget Director, Mr. Michael Matas, stated that the Outside General Fund books are being prepared and will be available for review and consideration. The Finance Department is in the final stages of preparing the General Fund for the Commissioners review by the end of this week. Commissioner Hamercheck asked with the Coroner's additional \$30,000 approved today, what the total increase to his budget has been. Mr. Matas responded that a little more than \$75,000. has been added. Commissioner Hamercheck asked if this should get them through the end of this year. Mr. Matas replied that was correct, based on the information the Coroner's office has provided to him.

CLERK –none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - Commissioner Cirino complimented the Steele Mansion and its owners, Mr. and Mrs. Shamakian, on the great article that appeared in the Cleveland Plain Dealer recently.

Commissioner Troy stated that it appears they are reaching an end for final passage of the massive tax reform bill in Washington. NACo, the National League of Cities, National Association of Towns and Townships, along with

several others are still concerned with the elimination of the State and local tax deduction. He explained that if people are no longer able to deduct state and local taxes, etc. on their federal tax returns, concern arises on what the impact might be for people to vote for additional tax levies. Most experts are saying that this will create a significant deficit. He explained that the federal government already has Sequestration in place, which refers to automatic spending cuts. He stated that these spending streams in many cases directly impact county government and we could see automatic reductions at a time when the County is already losing General Fund dollars due to the MCO Sales Tax situation.

PUBLIC COMMENT: Commissioner Cirino asked if anyone in the audience wished to address the Board. Mr. John Muzic of 45 Coventry Drive, Painesville Twp., stated that he agrees with Commissioner Troy. He stated that all entities are responsible for meeting their bills and have less and less money. He stated that Eastlake was awarded a Tier 1 Medical Marijuana growing facility, he asked if the Board had any thoughts on this and whether there is a monetary value for the County. Commissioner Troy explained that the State decides on the facility locations and they also determine who will receive distribution licenses. It is up to the State legislature to decide which sales taxes are paid by these entities.

Commissioner Cirino explained that there are many opinions throughout the County on medical marijuana facilities and some communities are passing ordinances to prohibit them from opening. He stated that he is concerned with dispensary locations due to an increase in traffic and that they are cash only. Commissioner Hamercheck stated that Eastlake Mayor, Dennis Morley, takes this very seriously and has offered to take a position on the Lake County Narcotics Board.

Commissioner Troy asked Assistant Prosecutor, Mr. David Hackman, if there was a loophole being used to reopen the computer gambling centers. Mr. Hackman said he would have to look into this and get back to him.

Commissioner Cirino stated the next Regular Commissioners’ Meeting is scheduled for Thursday, December 14, 2017 at 10:00 A.M.

ADJOURN: On a motion by Commissioner Troy, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 2:32 p.m., with the vote as follows: “AYES”: Commissioners: Cirino, Hamercheck, and Troy “NAYS”: None Minutes approved this twenty-first day of December, 2017.

BOARD OF LAKE COUNTY COMMISSIONERS

JERRY C. CIRINO, PRESIDENT

JOHN R. HAMERCHECK, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

JENNIFER BELL, CLERK