

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

(Tape 2016-1215)

CALL TO ORDER: Commissioner Moran called the meeting to order at 10:07 a.m., December 15, 2016.

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

APPROVAL OF MINUTES: Upon a motion by Commissioner Malecek, seconded by Commissioner Moran, the minutes of the regular meeting of December 8, 2016 were approved as follows: "AYES": Commissioners: Moran and Malecek. Abstain: Commissioner Troy. "NAYS": None.

OPEN TO THE PUBLIC: Commissioner Moran 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 TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES SEWER DISTRICT TRANSFERS -OUT TO OWDA BOND RETIREMENT TRANSFERS-IN(20161215\U01)(UT-2)**

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 APPROVING FINAL CHANGE ORDER NO. 1 WITH S.E.T., INC. FOR SANDGATE, STIRLING AND FALKIRK WATERLINE REPLACEMENT PROJECT NO 367-W DECREASING THE TOTAL CONTRACT AMOUNT BY \$54,605.22 (20161215\U02)(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

**3. RESOLUTION APPROVING FINAL ESTIMATE NO. 2 (RELEASE OF RETAINER) IN THE AMOUNT OF \$9,459.82 AND FINAL ESTIMATE NO. 2 (RELEASE OF RETAINER) IN THE AMOUNT OF \$22,962.85 WITH S.E.T., INC. AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$67,793.12 FOR SANDGATE, STIRLING AND FALKIRK SANITARY SEWER REHABILITATION PROJECT 320-S AND WATERLINE REPLACEMENT PROJECT 367-W (20161215\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

**4. RESOLUTION APPROVING FINAL ESTIMATE NO. 5 (RELEASE OF RETAINER) IN THE AMOUNT OF \$33,860.00 WITH RUDZIK EXCAVATING, INC. AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$76,978.00 FOR FAIRPORT-NURSERY ROAD WATERMAIN IMPROVEMENT PROJECT 359-W FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20161215\U04)(UT-4)**

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

**5. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT DECEMBER 23, 2016, IN THE AMOUNT OF \$688,382.14(20161215\JFS01)(JFS-14)**

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

**6. RESOLUTION APPOINTING JOHN UHRAN TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS TO COMPLETE THE REMAINDER OF A TERM EXPIRING DECEMBER 31, 2019 (20161215\C01)(B-192)**

On a motion by Commissioner Troy, seconded by Commissioner Malecek. Commissioner Troy stated Mr. Eric Schnur, CEO of Lubrizol in Wickliffe, indicated he no longer has the time to dedicate to the Port Authority Board of Directors and therefore must resign. Commissioner Troy explained that Mr. John Uhran, Vice President of Corporate Development at Lubrizol, met individually with the Board of Commissioners and is very interested in completing the remainder of Mr. Schnur's term. Commissioner Troy stated Mr. Uhran would be a good fit and would keep a strong representation from one of our county's major corporations on the Port Authority. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

**7. RESOLUTION CERTIFYING TO THE LAKE COUNTY AUDITOR THE 2017 DRAINAGE CHARGES FOR THE LAKE COUNTY REGIONAL SEWER, WATER, AND DRAINAGE DISTRICT (20161215\C02)(UT-46)**

On a motion by Commissioner Malecek, seconded by Commissioner Troy. Mr. Tim Miller, Director of Storm water Management, stated that this is a resolution certifying the annual user fees to Storm water. He explained that there is no increase to user fees and the fees will remain the same at the rate of \$3.50 per month. Commissioner Troy indicated this applies to the 20 communities that participate in the regional Storm water Management. Mr. Miller replied that of the 23 communities within Lake County, 17 communities are mandated to participate in the

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

**8. RESOLUTION SETTING MEETINGS OF THE LAKE COUNTY BOARD OF COMMISSIONERS (20161215\C03)(C-107)**

On a motion by Commissioner Troy, seconded by Commissioner Malecek. Commissioner Troy explained that the first meeting of the Board is scheduled to be sure the County continues to function and that an Organizational Meeting is mandated by Statute on the 2<sup>nd</sup> Monday of the month of January. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

**9. RESOLUTION AUTHORIZING THE BOARD OF LAKE COUNTY COMMISSIONERS TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND ALBERT M. HIGLEY COMPANY AS THE CONSTRUCTION MANAGER AT RISK (CMAR) FOR THE LAKE COUNTY ADMINISTRATION CENTER EXPANSION AND RENOVATION PROJECT (20161215\C04)(207m)**

On a motion by Commissioner Malecek, seconded by Commissioner Troy. County Administrator, Mr. Jason Boyd, explained that this is the next step in the process of securing a contractor for the Administration Center project according to the Ohio Revised Code. The County has begun the procurement process for the contractor for the new building. Mr. Boyd stated that Interviews and rankings began in the spring. He stated that the A.M. Higley Company was ultimately chosen as the Construction Manager at Risk (CMAR) for this project and explained in detail the responsibility of the CMAR. Mr. Boyd explained that sometime in the summer of 2017, the A.M. Higley Company will offer a Guaranteed Maximum Price (GMP) to County and begin to move ahead with the project. 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 \$2,635,460.01 (20161215\BC01)(C-4)**

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

**11. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$403,589.06 (20161215\BC02)(C-17)**

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

**12. RESOLUTION DECREASING AND INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20161215\BC03)(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

**13. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20161215\BC04)(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

**14. RESOLUTION APPROVING THE 2017 TEMPORARY APPROPRIATION MEASURE FOR FUNDS OUTSIDE THE GENERAL FUND (20161215\BC05)(C-111)**

On a motion by Commissioner Troy, seconded by Commissioner Malecek. Commissioner Troy stated that this resolution is for temporary appropriations to allow the County to function with funds outside the General Fund until the permanent budget has been passed. Commissioner Troy explained that there are two types of Outside Funds which are Governmental and Proprietary Funds and he explained in detail the functions of these accounts. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES – Sanitary Engineer, Mr. Randy Rothlisberger, reported that the County has seen a significant decrease in water main breaks compared to the 2015. Commissioner Troy asked Mr. Rothlisberger about the large water main break that occurred on the North Marginal Road in Willowick. Mr. Rothlisberger responded it would have been an ordinary break, however the age of the pipe and the fact that the line ran downhill caused additional issues and he stated that this street is on the priority list for replacement.

JOB AND FAMILY SERVICES – Commissioner Troy and Job and Family Services Director, Mr. Matthew Battiato, discussed the pending approval of allowing CCW licensed individuals to enter into Job and Family Services buildings and other governmental entities during the lame duck session in front of General Assembly. Commissioner Troy stated that thanks to CCAO and the state lobbyist for Jobs and Family Services, this bill was not approved and will remain as it currently reads.

COUNTY ADMINISTRATOR – none.

FINANCE – none.

CLERK – none.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - Commissioner Troy stated CCAO and NACO met to discuss their recommendations for 2017. He stated that during the NACO meeting, discussions were held concerning the proposed tax reform bill and the proposed billion dollar infrastructure problem. Commissioner Troy explained that CCAO will continue to advocate for some relief from the loss of revenue from the managed Medicaid MCO taxes and they are also very concerned about indigent defense cuts.

PUBLIC COMMENT: Commissioner Moran asked if anyone in the audience wished to address the Board. Ms. Becky Lynch of 8040 King Memorial in Mentor, asked for clarification of resolution #9, pertaining to the CMAR approval and whether the County utilized IPD (Integrated Planning Development) for the CMAR. Mr. Gary Fedak stated that the IPD (integrated project delivery) is similar to CMAR but not the same. He explained that in IPD, all three of the parties start together on day one, whereas in CMAR, we are bringing the construction manager under contract at the 30% design phase and another difference between the two methods is the approach to risk sharing between the parties during design and construction.

Commissioner Moran stated that the next Regular Commissioners’ Meeting is scheduled for Thursday, December 22, 2016 at 10:00 A.M.

EXECUTIVE SESSION:

- **Personnel-discipline**
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EXECUTIVE SESSION: On a motion by Commissioner Troy, seconded by Commissioner Malecek, the Board convened an Executive Session at 10:35 a.m. to discuss Personnel-discipline with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:27 a.m.

The Lake County Board of Commissioners reconvened Executive Session at 10:28 a.m.

On a motion by Commissioner Troy, seconded by Commissioner Malecek, the Board returned to open session at 10:30 a.m., with the vote as follows: "AYES": Commissioners: Moran, Troy and Malecek "NAYS": None

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

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

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JUDY MORAN, PRESIDENT

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KEVIN D. MALECEK, COMMISSIONER

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DANIEL P. TROY, VICE PRESIDENT

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JENNIFER BELL, CLERK