

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 2015-1125)

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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 24, 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.

Mr. Steven Dancer was presented a certificate and commemorative watch for his 25 years of dedicated service to the County in the Buildings and Grounds Department.

Commissioner Troy read a proclamation declaring December "Be a Santa to a Senior Month" in Lake County, Ohio.

Therese Glorioso from Home Instead Senior Care was present and thanked the Commissioners. She stated they are in their 11th year of the Be a Santa program and more than 300 seniors will be impacted by the program this year.

Commissioner Troy announced that Executive Director Mr. Mark Rantala from the Lake County Ohio Port and Economic Development Authority was present. Mr. Rantala stated he appreciated the opportunity to address the Board regarding legislation that would allow counties with lakefront properties to increase the local hotel bed tax an additional 2% for capital improvements such as breakwalls, fishing piers, trails and acquisition of easements through the Port Authority. Mr. Rantala is asking the Commissioners to consider implementing the increase to the Lake County hotel bed tax for such improvements. He introduced the president of their board Chris Madison. Mr. Madison stated that the board has always looked for opportunities to improve the lakefront; the increase in bed tax would offer such opportunities to begin the improvement process. Tony Debevec also spoke and said that he feels this is very important to the community and the tax would not be a tax on the citizens of the community. Rather, it would be said those who visit Lake County to enjoy what Lake County has to offer. Commissioner Troy stated that he understands this is a very specific carve out in the Ohio Revised Code and Representative Young helped get this into the budget bill. It does require the Board of County Commissioners to authorize the collection of the tax and can only be used for Lake County shoreline improvements. No funds can be committed without the approval of the Commissioners. Mr. Rantala added he would like this implemented as soon as possible and that no money received can be used for operational costs for the Lake County Ohio Port and Economic Development Authority. Commissioner Troy stated that there is the possibility of approving projects up-front and using bonds as funding. Mr. Debevec feels more people come to the area because of the wineries and the tax increase is important to take advantage of the shoreline. Commissioner Troy stated the Commissioners will consider the request and act on it as soon as possible.

Without objection, Commissioner Troy would like to move to item #16 on the agenda. Commissioner Troy read the resolution in its entirety commending Tony DEBEVC on his dedicated service to the Lake County Ohio Port and Economic Development Authority.

16. **RESOLUTION COMMENDING TONY DEBEVC FOR HIS DEDICATED SERVICE TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY(20151210\F01)(C-126)**

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

RESOLUTIONS:

1. **RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN CHAGRIN VALLEY ENGINEERING, LTD. AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN AN AMOUNT NOT TO EXCEED \$73,600.00(20151210\E01)(E-3)**

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

Mr. James Gills explained that this is a joint project between Willoughby and Willoughby Hills. The County uses funds allocated by NOACA, and Lake County will be administrating the project as an LPA, these communities have committed funds to the County for the project. The project must be done by the 1st of May 2016. Commissioner Troy added the project must be advertised by the 1st of May and should be completed by the fall.

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

2. **RESOLUTION TO EXERCISE A ONE YEAR OPTION FOR TWO HOUSEHOLD HAZARDOUS WASTE COLLECTIONS IN 2016 WITH ENVIRONMENTAL ENTERPRISES, INC.(20151210\U01)(UT-31)**

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

Commissioner Troy stated that Environmental Enterprises is the same agency the County has used for several years. Mr. Matthew Armand stated the Environmental Enterprises Incorporated have been the hazardous waste collection agency for several years and have demonstrated that they are very organized and have done an extremely good job.

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

3. **RESOLUTION CERTIFYING SANITARY SEWER COSTS TO THE LAKE COUNTY AUDITOR FOR PARCEL 08A-031-A-00-003(20151210\U02)(UT-13)**

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 INCREASING AND TRANSFERRING APPROPRIATIONS FOR VARIOUS CAPITAL PROJECT FUNDS AND TRANSFERRING CASH(20151210\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

5. **RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT DECEMBER 14, 2015, IN THE AMOUNT OF \$185,312.89(20151210\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

6. **RESOLUTION AUTHORIZING THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT DIVISION TO ENTER INTO A IV-D SERVICE CONTRACT WITH THE LAKE COUNTY DOMESTIC RELATIONS COURT FOR CHILD SUPPORT SERVICES, EFFECTIVE JANUARY 1, 2016 THROUGH DECEMBER 31, 2016(20151210\JFS02)(JFS-2)**

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

Commissioner Troy explained that this and the following two resolutions authorize annual contracts between the Job and Family Services Department and other county departments. With these IV-D contracts the County is able to acquire 66% State funding and the County share is 34%.

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

7. **RESOLUTION AUTHORIZING THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT DIVISION TO ENTER INTO A IV-D SERVICE CONTRACT WITH THE LAKE COUNTY PROSECUTOR FOR CHILD SUPPORT SERVICES, EFFECTIVE JANUARY 1, 2016 THROUGH DECEMBER 31, 2016(20151210\JFS03)(JFS-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

8. **RESOLUTION AUTHORIZING THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT DIVISION TO ENTER INTO A IV-D SERVICE CONTRACT WITH THE LAKE COUNTY JUVENILE COURT FOR CHILD SUPPORT SERVICES, EFFECTIVE JANUARY 1, 2016 THROUGH DECEMBER 31, 2016(20151210\JFS04)(JFS-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

9. **RESOLUTION CERTIFYING TO THE LAKE COUNTY AUDITOR THE 2016 DRAINAGE CHARGES FOR THE LAKE COUNTY REGIONAL SEWER, WATER, AND DRAINAGE DISTRICT(20151210\C01)(UT-46)**

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

Commissioner Troy stated this is an annual necessity to fund the Stormwater Department and the charges are at the same rate for 2016 as they were in 2015. Commissioner Troy asked if there were any Level 1 communities in the County. Mr. Timothy Miller stated all communities are now Level 2, and 17 of the 20 communities that are required to have a Stormwater Management plan are a part of the Stormwater Management District.

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

10. **RESOLUTION RE-APPOINTING DENNIS LAGER TO THE NORTHEAST OHIO COMMUNITY ALTERNATIVE PROGRAM FACILITY GOVERNING BOARD FOR A THREE-YEAR TERM EXPIRING NOVEMBER 9, 2018(20151210\C02)(B-14)**

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

Commissioner Troy explained this is a requirement of the Board of Commissioners. Mr. Lager has served on the board previously and the appointment is made in concurrence with all the Counties within the 11th District Court of Appeals.

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

11. **RESOLUTION ESTABLISHING HOLIDAYS FOR WHICH THE COUNTY OFFICES CLOSE DURING THE YEAR 2016(20151210\C03)(C-107)**

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

Commissioner Troy stated the County is required to follow the holiday schedule of the state calendar.

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

12. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$3,730,903.38(20151210\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

13. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$772,071.75(20151210\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

14. **RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20151210\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

15. **RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20151210\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. Commissioner Troy reported that the Solid Waste Policy Committee will meet Friday, December 11, 2015 at 4PM. Mr. Troy asked Mr. Armand to follow up with Township Association Chair Amos regarding the open seat for the Lake County townships. He stated it is a statutory requirement that every community must be a part of Solid Waste Program and Lake County is a stand alone solid waste district.

JOB AND FAMILY SERVICES - Mr. Matt Battiato, Job & Family Services Director, reported that the department has been recognized by the State as having the highest percentage of collections of child support and collections of arrearages for a large County. Commissioner Troy recognized Ms. Debbie Wernick for her hard work.

COUNTY ADMINISTRATOR - Mr. Jason Boyd, County Administrator reported that he attended the annual CCAO Conference, specifically the administrators meeting; there were approximately 20 administrators present and it was rewarding to hear how well the County stands.

FINANCE - none. Commissioner Troy explained he had an opportunity to speak to the speaker pro tem regarding the potential public utility tangible tax change. It was indicated that this would be slowed down in the legislature due to complexities.

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Troy reported that there is a request for an upcoming road vacation of Freedom Road in Painesville Township on behalf of the Lubrizol Corporation.

Commissioner Moran stated that she would like all Lake County Departments to go through Active Shooter Training. Job and Family Services will be the first department to go through the ALICE training. She will organize this training along with the Sheriff's Department in order to be proactive. She thanked Mr. Battiato for reaching out to the Sheriff's Department to arrange the training session with his department. Commissioner Malecek added that every department throughout the County will receive this training.

Commissioner Troy discussed by laws changes made to the CCAO regarding the nominating committee and its process. He also discussed the sales tax rates and the concern with all the proposed exemptions. Representative Young supports certain exemptions including temporary help services being exempt from paying sales tax of the contracts. CCAO has gone on record opposing this and other such bills. He explained these exemptions transfer the burden to others.

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

Ms. Becky Lynch, 8040 King Memorial Drive in Mentor questioned item #9 on the agenda as to what the 3 confederate communities were in the County. Commissioner Troy responded the communities are Perry Township, Wickliffe and Mentor. Their choosing not to participate in the district does not mean they are not complying with Federal Regulations, just that they have chosen to handle stormwater themselves. Ms. Lynch asked for a copy of the Be a Santa to a Senior Proclamation.

Ms. JoAnn Dzopko of 1080 Edgewood Avenue in Madison asked how much the bed tax would be increased? Commissioner Troy responded the rate would be 5%, we are currently at 3% and by law all of that money collected is to be used to promote travel and tourism. 2/3 of that money goes to Visitors Bureau for that purpose and the remainder is held in reserve earmarked for special projects such as bus wraps promoting the wine industry, etc. This money cannot be spent on general county operations. The additional 2% is to be used strictly for construction projects of lakefront development.

Ms. Arzella Melnyk, 10506 Hobart Road in Kirtland, stated she had asked at the November 19th meeting whether contractors were required to use E-verify. The Board responded they appreciated the information given and would need to research the comparisons of state laws with the Prosecutor's Office. She asked if anyone had spoken to them. Commissioner Troy stated that someone has and the Prosecutor's Office continues to research the laws as there were several examples provided from different states. Ms. Melnyk offered to provide a resolution for the Prosecutor to look over for comparison to the Ohio Revised Code. Commissioner Troy stated that she could provide it to them.

Commissioner Troy stated that the next regular Commissioners Meeting will be held on Thursday, December 17, 2015 at 10:00 a.m.

EXECUTIVE SESSION:

- Real Estate - property acquisition
- Personnel - employment

EXECUTIVE SESSION: On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board convened an Executive Session at 10:00 a.m. to discuss personnel matters related to employment and real estate matters related to property acquisition with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 11:04 a.m.

The Lake County Board of Commissioners reconvened Executive Session at 11:34 a.m.

On a motion of Commissioner Malecek seconded by Commissioner Moran, the Board returned to open session at 11:35 a.m., with the vote as follows:

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

The Lake County Commissioners reconvened Open Session.

ADJOURN:

On a motion of Commissioner Malecek, seconded by Commissioner Moran, the Board adjourned the meeting at 11:36 a.m., with the vote as follows:

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

Minutes approved this twenty-second day of December, 2015.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

KEVIN D. MALECEK

JUDY MORAN, COMMISSIONER

JENNIFER BELL, CLERK