

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

JOHN R HAMERCHECK, COMMISSIONER	JASON W. BOYD, ADMINISTRATOR
JOHN PLECNIK, COMMISSIONER	LEGAL COUNSEL
	MIKE MATAS, BUDGET DIRECTOR
JENNIFER BELL, CLERK	NEWS MEDIA

(Tape 2022-0519)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:06 a.m. Thursday, May 19, 2022.

ROLL CALL: Upon roll being called, Commissioners Hamercheck and Plecnik were present.

APPROVAL OF MINUTES:

Upon a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck, the minutes of the Regular Meetings of: March 17, 2022, April 21, 2022, April 28, 2022 and May 5, 2022 were approved with the vote as follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

OPEN TO THE PUBLIC: Commissioner Hamercheck 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 RECOGNIZING THE WEEK OF MAY 12<sup>TH</sup> TO 18<sup>TH</sup> 2022 AS NATIONAL POLICE WEEK IN LAKE COUNTY (20220519\F01)(C-126)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck. Commissioner Plecnik stated that Sheriff Leonbruno was present to accept the certificate on behalf of all law enforcement in Lake County. He thanked the Board for recognizing National Police Week. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

**2.RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE LAKE COUNTY COMMISSIONERS AND PAINESVILLE TOWNSHIP TO ASSIST PAINESVILLE TOWNSHIP THROUGH THE LAKE COUNTY ENGINEER’S OFFICE IN THEIR BOWHALL ROAD SIDEWALK PROJECT(20220519\E01)(E-3)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck. County Engineer, Mr. Jim Gills, stated that Painesville Township received a \$250,000 grant for sidewalks and has asked the Engineers to assist them in their planning process. Mr. Gills explained that the Engineers Office does not install sidewalks and that Painesville Township will be responsible for the project and maintenance. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

**3.RESOLUTION APPROVING FINAL ESTIMATE NO. 4 (RELEASE OF RETAINAGE) IN THE AMOUNT OF \$5,640.00 WITH J.S. BOVA EXCAVATING, LLC AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$13,941.50 FOR CELL C4 EXPANSION PHASE VI PART C-NORTH FORCEMAIN RECONSTRUCTION PROJECT 421-L FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20220519\U01)(UT-4)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck. Sanitary Engineer, Mr. Randy Rothlisberger, stated that this portion of the project is complete and is the first part of the landfill expansion. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

**4.RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$1,007,732.00 FOR DIVISION/BANK/ATWATER WATERLINE REPLACEMENT PROJECT NO 446-W, AND ADVERTISING FOR BIDS FOR SAME (Bid Opening June 15, 2022)(20220519\U02)(UT-8)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck. Mr. Rothlisberger stated that this has been a part of their Capital Improvement Plan for a couple of years. They were able to secure an OPWC Grant and an Ohio Department of Development Grant for this project. He added that they will be partnering with Madison Township to make road repairs. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

**5.RESOLUTION AWARDDING BID CONTRACT TO WARD’S LAWN CARE & LANDSCAPE COMPANY FOR LAWNCARE MAINTENANCE FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20220519\U03)(UT-4)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck. Mr. Rothlisberger stated that this is awarding a bid contract to Wards Lawncare to provide the lawn services to their 69 sites. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

**6.RESOLUTION AWARDDING A BID CONTRACT IN THE AMOUNT OF \$1,677,411.00 TO FABRIZI TRUCKING & PAVING COMPANY FOR VINE STREET WATERLINE REPLACEMENT, PHASE 1 PROJECT 430-W(20220519\U04)(UT-4)**

On a motion by Commissioner Plecnik, seconded by Commissioner Hamercheck. Mr. Rothlisberger explained that this project will include a 12-inch watermain, fire hydrants and pavement repairs. They would like to get the underground work completed before the Vine Street Enhancement Project begins. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Hamercheck and Plecnik "NAYS": None.

**7.RESOLUTION REAPPOINTING DONNA P. MCNAMEE TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE-YEAR TERM EXPIRING MAY 15, 2025(20220519\C01)(B-37)**

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

**8.RESOLUTION REAPPOINTING GARY L. SWANSON TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE-YEAR TERM EXPIRING MAY 15, 2025(20220519\C02)(B-37)**

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

**9.RESOLUTION APPOINTING LAURA PIZMOHT TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE-YEAR TERM EXPIRING MAY 15, 2025(20220519\C03)(B-37)**

On a motion by Commissioner Plecnik. No second to the motion to adopt was received. Resolution failed.

**10. RESOLUTION APPOINTING KIM STENGER TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE-YEAR TERM EXPIRING MAY 15, 2025(20220519\C04)(B-37)**

On a motion by Commissioner Hamercheck. No second to the motion to adopt was received. Resolution failed.

**11. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,223,309.38(20220519\BC01)(C-4)**

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

**12. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$395,116.66(20220519\BC02)(C-17)**

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

**13.RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20220519\BC03)(C-111)**

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

**14. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20220519\BC04)(C-111)**

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

DEPARTMENTAL REPORTS:

UTILITIES – Sanitary Engineer, Mr. Randy Rothlisberger discussed the special collections program for the summer and explained that residents can drop off certain items any time to the landfill.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – Jason Boyd stated that he has been in Federal Court the past week and a half in front of Judge Polster for the abatement phase of the opioid trial. He explained that the plaintiff's (Lake and Trumbull counties) presented expert witnesses but the defense did not. Both sides are to present written briefs as their closing arguments for the Judge to review, after which either or both sides will have the opportunity to present further briefs. He thanked lead attorney, Mr. Frank Gallucci, and the team of attorneys from across the country for the endless hours they have put forth for this case. Mr. Boyd also stated that the contract negotiations with HOK are nearly complete. He reminded the Board that HOK will be contracted for the Safety Center. Commissioner Hamercheck thanked Mr. Boyd for his time and efforts in the opioid trial and abatement phase.

FINANCE – none.

CLERK – Commissioners Clerk, Ms. Jennifer Bell, stated that the next Commissioners Meeting will be held on Thursday, May 26, 2022 at 10:00 a.m.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - none.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. Mr. John Muzik of 45 Coventry Drive in Painesville, offered his continued support to all law enforcement officers. He asked Mr. Gills for more information on the sidewalk resolution. Mr. Gills stated that the Engineer's Office offered their assistance as a courtesy with the planning process to Painesville Township. Painesville Township will maintain the sidewalks.

ADJOURN: On a motion by Commissioner Hamercheck. No second on Commissioner Hamercheck's motion was received at this time. Commissioner Plecnik stated that the only reason he ever wanted to be a Senator was that he thought the tradition of the filibuster was particularly American, because it demonstrated a commitment to the law that required physical exhaustion to prove their deep commitment to the issues they were pushing for. He further stated that the filibuster as well as the supermajority standard required to override it was protection for tradition and law so indeliberative changes would not be made. He explained that this is the closest to a filibuster

that he will have the opportunity to make and feels strongly that we (the Board) support each and every agency in Lake County. Commissioner Plecnik stated that, just as we support the law enforcement in Lake County, we just as equally support the agencies the Board serves. He stated that, with the utmost respect for everyone in the Chambers, that Assistant Prosecutor, former solicitor, assistant law director, and former council person, Ms. Laura Pizmoht, is the most qualified applicant to have ever applied to the LakeTran Board. Ms. Pizmoht is one of the greatest contributors to Lake County both locally and shore to shore, and that there is no one that cares more. She is an expert in her field and no one knows the law better than Ms. Laura Pizmoht. He added that there are qualified people out there but that no one is as qualified or more qualified than her.

Commissioner Plecnik made a motion to amend the agenda and bring up item #9 for reconsideration; *APPOINTING LAURA PIZMOHT TO THE LAKETRAN BOARD OF TRUSTEES FOR A THREE-YEAR TERM EXPIRING MAY 15, 2025* back to the table. No second on Commissioner Plecnik’s motion was received.

Commissioner Hamercheck thanked Commissioner Plecnik for his opinion and agreed that Ms. Pizmoht is an exceptional person and a tremendous asset to Lake County.

Commissioner Hamercheck addressed Assistant Prosecutor, Mr. David Hackman for procedural assistance. Mr. Hackman stated that there is still a motion to adjourn on the table as well as a motion made by Commissioner Plecnik. Mr. Hackman asked Commissioner Plecnik if his motion was withdrawn and Commissioner Plecnik indicated it was not. Mr. Hackman asked if there was a second to Commissioner Hamercheck’s motion to adjourn the meeting.

Commissioner Plecnik stated that, in hopes that his request may be considered in the future, he seconds the motion to adjourn the meeting.

The Board adjourned the meeting at 10:31 a.m. with the vote as follows: "AYES": Commissioners: Hamercheck and Plecnik. NAYS": None.

Minutes approved this sixteenth day of June, 2022.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN R. HAMERCHECK, PRESIDENT

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JOHN PLECNİK, VICE PRESIDENT

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JENNIFER BELL, CLERK