

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT JASON W. BOYD, ADMINISTRATOR
KEVIN D. MALECEK, COMMISSIONER LEGAL COUNSEL
JUDY MORAN, COMMISSIONER JOEL DIMARE, BUDGET DIRECTOR
JENNIFER BELL, CLERK NEWS MEDIA

(Tape 2015-0820)

CALL TO ORDER: Commissioner Troy called the meeting to order at 10:05 a.m., August 20, 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 August 4, 2015 and August 11, 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. No one present wished to address the Board at this time.

RESOLUTIONS:

1. RESOLUTION AWARDDING A BID CONTRACT TO OGLEBY CONSTRUCTION, INC. FOR LAKE COUNTY ROADS PAVEMENT MARKINGS - 2015 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$125,951.72(20150820\E01)(E-3)

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 AWARDDING A BID CONTRACT TO AERO-MARK, INC. FOR SR2 PAVEMENT MARKINGS - 2015 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$101,644.64(20150820\E02)(E-3)

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

3. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR WOOD CHIPS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (Bid Opening: September 9, 2015)(20150820\U01)(UT-8)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Moran asked what wood chips are used for? Mr. Rothlisberger, Sanitary Engineer, explained that they are used as part of the composting process at the GLK wastewater treatment facility that is sold to the nurseries as is sawdust in the next resolution. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

4. RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR SAWDUST FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (Bid Opening: September 9, 2015)(20150820\U02)(UT-8)

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 PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$1,462,000.00 FOR BEIDLER ROAD WATERLINE REPLACEMENT PROJECT NO. 339-W AND ADVERTISING FOR BIDS FOR SAME (Bid Opening: September 9, 2015)(20150820\U03)(UT-8)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Mr. Rothlisberger explained that this waterline project is part of the infrastructure replacement plan and will go under the railroad tracks on Beidler Road and connects two dead-ends. This project is stand-alone meaning there are no other projects combined with this one. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

6. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH ENVIRONMENTAL ENGINEERING & TECHNOLOGY, INC. FOR AQUARIUS WATER PLANT AND BACON ROAD WATER PLANT CARBON FEED SYSTEMS STUDY(20150820\U04)(UT-4)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Troy asked if this study is related to the preparation of any algae blooms in Lake Erie? Mr. Rick Martin, Executive Director of the Lake County Department of Utilities, reported that more carbon needs to be fed through the system that is designed in the plants and we will have to retrofit some new carbon facilities. Commissioner Troy asked if there have been any algae blooms in our area? Mr. Martin replied there was one small instance that occurred in the central basin of the Lake but it did not reach the water intakes. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

7. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR BACON ROAD WATER TREATMENT PLANT GENERATOR SYSTEM PROJECT 379-W(20150820\U05)(UT-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

8. **RESOLUTION AWARDING A BID CONTRACT IN THE AMOUNT OF \$1,757,530.00 TO MONTE CONSTRUCTION COMPANY, INC. FOR LAKESHORE BOULEVARD WATERLINE REPLACEMENT PROJECT 332-W(20150820\U06)(UT-8)**
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 ACCEPTING A THREE YEAR MAINTENANCE SURETY IN THE AMOUNT OF \$16,220.00 FOR CIRCLE K SANITARY SEWER EXTENSION JOB NO. 14-74 IN MADISON TOWNSHIP(20150820\U07)(UT-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
10. **RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR(20150820\U08)(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
11. **RESOLUTION RESCINDING THE RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$1,175,591.00 FOR GLYCO II FORCEMAIN REPLACEMENT PROJECT NO. 364-S CONTRACT B AND ADVERTISING FOR BIDS FOR SAME(20150820\U09)(UT-9)**
On a motion of Commissioner Moran, seconded by Commissioner Malecek.
Mr. Rothlisberger further explained this resolution. He stated that last week a resolution was adopted going out for bids for this project. Late last week additional comments from ODOT were received and the Utilities Department cannot address a few things during the bid process. They will probably go out and advertise in about a month after some necessary pavement cuts and boring improvements.
The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
12. **RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT AUGUST 24, 2015, IN THE AMOUNT OF \$474,220.91(20150820\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
13. **RESOLUTION AMENDING THE FEE SCHEDULE FOR THE LAKE COUNTY BUILDING INSPECTION DEPARTMENT, EFFECTIVE JANUARY 1, 2016(20150820\C01)(C-6)**
On a motion of Commissioner Moran, seconded by Commissioner Malecek.
Mr. David Strichko, Chief Building Official, reported that he suggested a few amendments to the fees. One fee increase is regarding plan reviews. There was nothing in the fee that took into consideration compensation for the administrative portion of the review and there was not a minimum review standard. Another item is to make a Saturday inspection available if requested.
Commissioner Moran stated that it is a great idea to offer service on a Saturday.
Mr. Jason Boyd, County Administrator, stated that these amendments will be effective January 1, 2016 giving plenty of time to inform people.
The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
14. **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR OCCUPATIONAL HEALTH SERVICES WITH LAKE HEALTH FOR LAKE COUNTY EMPLOYEES, EFFECTIVE 2015(20150820\C02)(INS)**
On a motion of Commissioner Moran, seconded by Commissioner Malecek.
Mr. Joel DiMare, Budget Director, reported that this resolution is to enter into contract with Lake Health for screenings at the health fair. The screenings are important and beneficial to both the employees and the County and it catches health issues early on. Employees who participate receive a decrease toward their health premiums and it helps keep the County's health insurance rates down.
Commissioner Troy stated that, by law, elected officials cannot receive this benefit of a decrease in health insurance premiums.
The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
15. **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND WESTERN RESERVE COMMUNITY DEVELOPMENT CORPORATION (WRCDC) FOR PRIOR YEARS HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS(20150820\C03)(C-46)**
On a motion of Commissioner Moran, seconded by Commissioner Malecek.
Ms. Marian Norman, HOME Project Manager, explained that this a house on N. St. Clair Street in Painesville that the Land Bank owns that will undergo rehab and then sold to a home buyer.
The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
16. **RESOLUTION AWARDING A BID CONTRACT TO WOJNIK BUILDERS IN THE AMOUNT OF \$177,907.00 FOR THE TITLE CENTRAL REMODELING PROJECT(20150820\C04)(CT-1)**
On a motion of Commissioner Moran, seconded by Commissioner Malecek.
Ms. Maureen Kelly, Clerk of Courts, stated that she is excited to move forward with this project.
The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None
17. **RESOLUTION AWARDING A BID CONTRACT TO THE WHITFIELD CO., LLC. IN THE AMOUNT OF \$118,672.00 FOR THE BOILER AND FLUID COOLER ADDITION AT THE LAKE COUNTY DOG SHELTER (20150820\C05)(C-110)**
On a motion of Commissioner Moran, seconded by Commissioner Malecek.
Commissioner Troy stated that all expenditures for building projects and services come out of dog license fees and not the General Fund.
The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

18. **RESOLUTION RE-APPOINTING TIMOTHY C. BROTZMAN AND RANDALL H. ZONDAG TO THE LAKE COUNTY PLANNING COMMISSION FOR TERMS EXPIRING AUGUST 14, 2018(20150820\C06)(B-34)**
 On a motion of Commissioner Moran, seconded by Commissioner Malecek.
 Commissioner Troy stated that the Lake County Planning Commission is comprised of 11 members; three of them are the County Commissioners and eight other appointees. This Commission deals with all the zoning and subdivision reviews for new construction and works with local unincorporated communities. They are for three year terms. There are three seats expiring and this resolution is the re-appointment of two of those members. The Commissioners are in the process of discussing the third seat.
 The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran
 "NAYS": None
19. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$3,033,376.17(20150820\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
20. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$588,212.91(20150820\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
21. **RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS(20150820\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
22. **RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20150820\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
23. **RESOLUTION CONGRATULATING AUTUM McCONNELL NAMED AN OUTSTANDING YOUTH OF THE YEAR 2015 BY THE OHIO STATE UNIVERSITY EXTENSION OF LAKE COUNTY(20150820\F01)(C-126)**
 On a motion of Commissioner Moran, seconded by Commissioner Malecek.
 Commissioner Troy reported that this resolution and the following two recognize the Outstanding Youth of the Year and they were presented to the recipients at the Lake County Fair on Tuesday.
 The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran
 "NAYS": None
24. **RESOLUTION CONGRATULATING JOHN SLANSKY NAMED AN OUTSTANDING YOUTH OF THE YEAR 2015 BY THE OHIO STATE UNIVERSITY EXTENSION OF LAKE COUNTY (20150820\F02)(C-126)**
 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
25. **RESOLUTION CONGRATULATING ALEXIS WELLS NAMED AN OUTSTANDING YOUTH OF THE YEAR 2015 BY THE OHIO STATE UNIVERSITY EXTENSION OF LAKE COUNTY (20150820\F03)(C-126)**
 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 - none
- FINANCE - none
- CLERK - none
- LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - none

PUBLIC COMMENT:

Mr. John Muzik, 45 Coventry Drive in Painesville Township, asked about Resolution #15, relating to the Western Reserve Community Development Corporation (WRCDC) and the use of prior year's HOME Investment Funds and why prior year's funds were used.
 Ms. Norman explained that sometimes organizations that apply for funds end up not using those appropriations because they cannot come up with a match, so the money is still on the books. These particular funds are from FY13. They are funds that were not used in prior years.
 Mr. Muzik then stated that bids are awarded frequently and he asked if there is any way the County can require contractors to use e-verify to ensure that their employees are in the Country legally?
 Commissioner Troy responded that the bidding process is spelled out in State Law and we have to follow the ORC. Any project over a certain threshold needs to pay prevailing wage. We are a creature of statute.
 Mr. David Hackman, Legal Counsel, stated that contractors must submit reports to the IRS and follow regulations relating to documents they must provide for W-2's.
 Mr. Angelo Cimaglio, 477 Owego Street in Painesville, stated that at the last Commissioner's Meeting he was told that the matricula card is just ceremonial and the next day someone who will be running for County Commissioner placed an article in the paper about the card. In an election people will talk about the perception

of the card and he thought there should be a resolution rescinding the endorsement of this card. He stated that the average voter will wonder why the Commissioners are going to the wall with this card that is ceremonial. There are two people running for Commissioner who did not vote on this card.

Commissioner Troy stated that Mr. Cimaglio is referring to a defeated candidate for County Commissioner. He stated that a quote in that column was assigned to him that he did not make. He thought that because of a senseless tragedy others are using this to further their political agenda and it is pathetic. The resolution that was passed meant nothing. Nothing changed in America as the result of the Commissioners passing this resolution and nothing will change in America if the Commissioners revisit this resolution. The Sheriff has already stated that no one is authorized to accept these cards as reliable pieces of information. This is America and people are entitled to their opinions but not to make up their own facts.

Ms. Arzella Melnyk, 10506 Hobart Road in Kirtland, stated after the last Commissioners Meeting she went over to Chase Bank and asked an employee if they accept the matricula consular card to open bank accounts, cash a check and obtain a loan or a mortgage, and the clerk replied that they could do that with the card. In the Commissioner's resolution it stated that the Commissioners are endorsing the benefits of the card. She stated now that the Commissioners know this information that as long as you are not stopped by law enforcement you can live under the radar, do the Commissioners still endorse the card?

Commissioner Troy replied that the Commissioners do not instruct Chase Bank on its banking policies. He questions that fact that one teller was asked the question. The only benefit the card provides is that it identifies the individual holding the card as a citizen of the Republic of Mexico.

Ms. Becky Lynch, 8040 King Memorial Drive in Mentor, asked how much the study was for Resolution #6, regarding the water plants carbon feed systems?

Commissioner Troy replied that it is estimated to cost around \$45,000 and it is for preventative maintenance.

Mr. Boyd replied that the study is for both water treatment plants.

Ms. Lynch asked if it has been determined that the algae blooms are harmful to your health and Mr. Rick Martin replied that it is harmful. He further explained that the study will help determine how much carbon is needed at the plants and the type of carbon that should be used with any alternatives. The study will be very helpful.

Ms. Lynch then asked for the cost of the employee wellness screenings?

Mr. DiMare replied that the cost is based on an hourly rate.

Ms. Lynch asked if there was a budgeted amount for Resolution #16 relating to the Clerks Title Bureau Central remodel project?

Ms. Kelly replied that the project was in the budget and funds for the project come out of the Certificate of Title Fund, which is the amount that the State Legislature allows County Clerks of Courts to charge for performing a state function such as issuing auto titles. The money comes out of the title fees. The Title Central Office in Mentor will make service even more convenient for customers, especially since they receive quite a lot of business from people outside of Lake County.

Ms. Lynch stated that she would be interested in being a member of the Planning Commission.

Commissioner Moran stated that she is a big believer in doing her own homework and research and she will reserve her comments about the card until she finds out more information.

Mr. Muzik encouraged the Commissioner to read the article in the HOLA Journal Volume 2, Issue 6 of 2005 reporting on the benefits of the matricula consular identification card. A Commissioner, currently not in office, was quoted supporting the card.

Commissioner Troy replied since 2005 the Commissioners have passed 10 operating budgets and tax budgets, he has served on the CCAO Board of Trustees for 10 years, attended a plethora of NOACA meetings, and adopted Utilities Department budgets, and I'm now being asked what was I thinking in 2003 or 2005? He stated that anyone can find a position for every side of an issue and people are entitled to their opinions, but not their own facts. NACO strongly requests enforceable immigration laws to protect our borders. The Commissioners are accused of promoting this and putting out a welcome mat for illegal immigrants but the Commissioners have not said a thing about it since 2005. The only continuing spread of information that exists continues to come from folks who do not agree with the resolution. There is a lot to do in this County; we need to put this issue to rest. Mr. Muzik asked the Commissioners to revisit this resolution.

Mr. Cimaglio asked if Commissioner Troy would oppose a resolution to get rid of the card?

Commissioner Troy stated that the County does not issue the card and it will not be revisited.

Ms. Arzella thanked Commissioner Moran for her response and asked for Commissioner Malecek to respond?

Commissioner Malecek replied that he is still researching the issue.

Commissioner Troy stated that the next regular Commissioners Meeting will be held on Thursday, August 27, 2015 at 10:00 a.m.

EXECUTIVE SESSION:

- Personnel - employment

EXECUTIVE SESSION: On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board convened an Executive Session at 11:00 a.m. to discuss personnel matters related to employment with the vote as follows:

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

The Lake County Board of Commissioners recessed Executive Session at 11:00 a.m.

The Lake County Board of Commissioners reconvened Executive Session at 11:10 a.m.

On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board returned to open session at 12:07 p.m., with the vote as follows:

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

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Malecek, the Board adjourned the meeting at 12:08 p.m., with the vote as follows:

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

Minutes approved this twenty-seventh day of August, 2015.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

KEVIN D. MALECEK

JUDY MORAN, COMMISSIONER

JENNIFER BELL, CLERK