

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

JOHN R. HAMERCHECK, COMMISSIONER	JASON W. BOYD, ADMINISTRATOR
JOHN PLECNIK, COMMISSIONER	LEGAL COUNSEL
RICHARD J. REGOVICH, COMMISSIONER	NEWS MEDIA
JENNIFER BELL, CLERK	

(Tape 2024-0926)

CALL TO ORDER: Commissioner Plecnik called the Meeting to order at 10:00 a.m. Thursday, September 10, 2024.

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

APPROVAL OF MINUTES:

Upon a motion by Commissioner Regovich, seconded by Commissioner Hamercheck, the minutes of the Regular Meeting of: August 29, September 5 and September 10, 2024, were approved with the vote as follows: "AYES": Commissioners Hamercheck, Regovich, and Plecnik "NAYS": None.

OPEN TO THE PUBLIC: Commissioner Plecnik asked if anyone in the audience wished to address the Board. Bishop Mirbel of Painesville thanked the Board for the certificate honoring his late wife. He shared how thankful he is to have been chosen to represent Ohio at an upcoming multi-state event for chaplains. Bishop Mirbel spoke of the Lake County NAACP Freedom Fund Dinner being held on October 19, 2024 and invited anyone interested to preregister.

Rev. Chris Bihary of Painesville asked for a moment of silent reflection for Lake County.

Mr. Matt Hebebrand of Mentor stated that he was grateful that the Ohio Attorney General released its letter but that there are still more unanswered questions. He stated that he is not accusing anyone of anything but rather just asking for answers to his questions. Mr. Hebebrand played a recording from a previous Commissioners meeting where Commissioner Hamercheck spoke of the alleged incident in 2021. He then followed up with several questions pertaining to who used Commissioner Hamercheck's badge, why and what happened.

Mrs. Spencer of Madison provided the Board with an update of the work being done on the roads in the area she lives in and was happy to report the culverts have been installed and they are on schedule for completion January, 2025.

Mr. Chris Weiss of Leroy played an audio recording of a conversation between Commissioner Plecnik and the Lake County Dog Warden.

Mr. Brian Kolkowski of Painesville also referred to the letter declining to prosecute that was provided by the Ohio Attorney General. He stated that a public records request was made to the Ohio Attorney General for detailed information and at this time he has been informed they are gathering and reviewing the documents to meet this request.

RESOLUTIONS:

**1.RESOLUTION ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$31,100.60 FOR SANITARY SEWERS FOR THE BROOKVIEW RESERVE PHASE 3 SUBDIVISION IN THE CITY OF MENTOR (JOB NO. 22-12)(20240926\U01)(SD-440)**

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

**2.RESOLUTION INCREASING APPROPRIATIONS AND TRANSFERRING CASH WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES WATER FUND AND PROJECT FUND 595, E. 315TH STREET LEAD SERVICE LINE REPLACEMENTS, PROJECT 486-S-2024(20240926\U02)(UT-2)**

On a motion by Commissioner Regovich, seconded by Commissioner Hamercheck. Sanitary Engineer, Mr. Randy Rothlisberger stated that over the last couple of months he has been speaking about the new lead laws. Beginning this week and over the next month, his Department will be sending letters out to all of our customers regarding their service line connection. The letter will have instructions on how to check their line, complete a survey and report to the Utilities Department. This project is in conjunction with new lead laws where we are required to remove lead service lines that are known. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Regovich, Hamercheck and Plecnik "NAYS": None.

**3.RESOLUTION TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 596, PROJECT 364-S, GLYCO II FORCEMAIN REPLACEMENT TO THE SEWER FUND. THE PROJECT IS COMPLETE. REMAINING CASH IN PROJECT FUND IS TRANSFERRED TO THE SEWER FUND(20240926\U03)(UT-2)**

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

**4.RESOLUTION AUTHORIZING EXECUTION OF AN ENGINEERING AGREEMENT WITH CT CONSULTANTS, INC. FOR THE CENTER ROAD PUMP STATION AND FORCE MAIN REPLACEMENT PROJECT 485-S-2024 FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES(20240926\U04)(UT-4)**

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

**5.RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN PROJECT HOPE AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE HOMELESS PREVENTION SERVICES TO ELIGIBLE TANF RECIPIENTS IN AN AMOUNT NOT TO EXCEED \$173,483.50, EFFECTIVE OCTOBER 1, 2024(20240926\JFS01)(JFS-11)**

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

**6.RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR (20240926\C01)(C-9)**

On a motion by Commissioner Regovich, seconded by Commissioner Hamercheck. Commissioner Hamercheck stated that, on behalf of Mr. Massie, he would like the Budget Commission conversation to continue. He wanted Commissioner Hamercheck to ask what their actual role and authority is. He knows Auditor Galloway is working with his Auditor Association and clarifying language within the Revised Code as to what a Budget Commission's responsibilities and authorities are. Some of the outstanding questions he has have to do with accumulation of funds and at what point is too much money too much money. The foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Regovich, Hamercheck and Plecnik "NAYS": None.

**7.RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$5,294,530.15(20240926\BC01)(C-4)**

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

**8.RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$2,175,963.96(20240926\BC02)(C-17)**

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

**9.RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20240926\BC03)(C-111)**

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

**10. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20240926\BC04)(C-111)**

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

DEPARTMENTAL REPORTS:

UTILITIES –Sanitary Engineer, Mr. Randy Rothlisberger, invited everyone to attend the County Landfill Facility Open House which will take place on September 28, 2024 from 10:00 am until 2:00 pm. There will be tours of the facilities as well as Touch-a-Truck and activities for children.

JOB AND FAMILY SERVICES – none.

COUNTY ADMINISTRATOR – County Administrator, Mr. Jason Boyd, gave a brief update on the Public Safety Center Project and explained demolition of the third building is well underway and that the building on St. Clair should be ready for demolition in November. Mr. Boyd gave a brief update on the Perry Nuclear Power Plant evaluated exercise that was held this week. He stated that he feels the drill went extremely well and thanked everyone that was involved. EMA Director, Mr. Joseph Busher, will provide a report at a later date.

CLERK – Commissioners Clerk, Ms. Jennifer Bell, stated that the next Regular Meeting is scheduled for Thursday, October 3, 2024 at 10:00 am

LEGAL – none.

OLD BUSINESS: Commissioner Hamercheck stated the following for the record: “Mr. Hebebrand you seem to have a problem with the plain meaning of words. Time and time again, I have stated nothing has come from this because there was nothing to this, it's that simple. I have had to endure claims of conspiracies involving Prosecutors, Sheriff, Ohio Attorney General, Ohio Secretary of State, federal agencies, and apparently even the Department of Defense because nobody can find any records associated with this tying to me. The Ohio Attorney General's letter is the answer and I have personally said on numerous occasions, as a prosecutor if you believe a crime has been committed, you have a duty to report it to proper legal authorities. I've also reminded you, as an attorney admitted to practice law you also understand that filing a false report with legal authorities is in and of itself a crime. Your continuous beating of the dead horse because you are unsatisfied with the reality of the situation is not going to change the facts before us. You bring up the word integrity, I am compelled, as an elected official to accept a higher standard of these are the things I have to put up with. But I do have over 232,000 constituents that have a right to know that their interests are being protected, and job applications for employment with the county are a public record and you sir have submitted what on paper I'm sure is a well-qualified application for the new mediator's position at our Juvenile Court. A position of trust, a position where lives will be affected. Everything from Financial to having the power and authority to take someone's child or children away from them. Only the highest degree of integrity should be considered. You come to these meetings and say you're not accusing anybody of anything. Yet again as I will qualify this statement your words not mine. Numerous times you have stated that I am “tied to the greatest unsolved crime in the history of Lake County”; again, sir your words not mine. I'm sure you're familiar with

the Ohio Prosecuting Attorney's Fall Training Class of September 19<sup>th</sup> and September 20<sup>th</sup> at the Crown Plaza, Cleveland Playhouse Square. You have a healthy fascination with my time perhaps sir you should account for your own. How you could be in two places at the same time beyond me unless of course you're utilizing quantum entanglement but let's not get into that you've got enough entanglements. The people of Ashtabula County paid for you to be at this training class. Continuing legal education. Mr. Hebebrand, it pains me to have to even say these things but the reality is in order to receive these credits attorneys must complete the mandatory evaluation and participate in the activity. It is my understanding that these evaluation documents and the requests for credit are a public record. You might want to do some housekeeping. I pray and I mean this very sincerely, that you can manage this. On the second day, there was the professional code of conduct topic. Perhaps, as an olive branch I'll print a copy off and share it with you. My only request is this time you actually read it."

Commissioner Plecnik stated for the benefit of his colleagues that he is deeply concerned that threatening a job applicant could put the county at risk. He asked that the Board considers treatment of employees and prospective employees and offer general courtesy to all residents who come to these meetings. He reminded them that there are difficult topics but nonetheless the county must be put first and personal feelings need to come second to being fiduciaries to the County. Commissioner Plecnik stated how grateful he was that Bishop Mirbel attended today's meeting after his great loss. Commissioner Plecnik acknowledged that the meetings are difficult but attacking those who attack us is not the way. He reiterated the questions and concerns of two residents that spoke during public comment today. He asked that everyone try a little harder to show care and concern for one another including the people with whom we disagree. Commissioner Hamercheck responded to questions and concerns of residents by stating that in the beginning, when Prosecutor Coulson first brought this to the attention of this board, he used words to the effect of "there is nothing to this; his words were proven true and he (Commissioner Plecnik) is asking for a response to defective questions from no substance that arise from a false premise.

NEW BUSINESS: Commissioner Regovich stated that he was able to participate in his first Perry Nuclear Power Plant evaluated exercise. He was very impressed by how well run and informed all of the participants and volunteers were. He also shared that the Miracle League revealed a Wall of Honor in memory of Eastlake Mayor Dennis Morley and explained how important the Miracle League was to him.

ADJOURN: On a motion by Commissioner Regovich, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 10:45 a.m. with the vote as follows: AYES": Commissioners Regovich, Hamercheck and Plecnik "NAYS": None.

Minutes approved this twelfth day of December, 2024.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN PLECNIK, PRESIDENT

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JOHN R. HAMERCHECK, COMMISSIONER

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RICHARD J. REGOVICH, COMMISSIONER

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JENNIFER BELL, CLERK