

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 2024-1003)

CALL TO ORDER: Commissioner Plecnik called the Meeting to order at 10:00 a.m. on Thursday, October 3, 2024.

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

OPEN TO THE PUBLIC: Commissioner Plecnik asked if anyone in the audience wished to address the Board. The Board presented a special certificate of remembrance to Domestic Relations Judge Falkowski and her staff on the loss of their therapy dog, Atticus. Judge Falkowski stated that they were approved by Canine Companions to receive Atticus in 2016. She explained that this was a two-year application process. Atticus provided comfort and support to hundreds of children and adults in Domestic Relations Court, Victims Assistance and the Juvenile Court Detention Center. The children in the juvenile detention center were trained on how to brush, play, and even garden with him. He was a gift to the children going through hard times and was present for many wonderful adoptions. The Common Pleas Judges thanked former employee, Ms. Marie Umholz for shepherding the process to obtain Atticus, to Ms. Colleen Burke who was his handler and to Canine Companions for trusting Lake County to care for him.

Ms. Gilda Spencer of Madison, discussed how she is unhappy with the new rules for public participation.

Ms. Lyndsie Wall of Mentor, read a prepared statement pertaining to a May 4, 2021 incident involving Commissioner Hamercheck's key card, explained that she is working on circulating a petition, and spoke of the Clerk in Colorado.

Former Commissioner Ron Young wanted to remind everyone of the very important and challenging job this Board has to do. He stated that he has heard nothing from the public this morning that he thought was unreasonable. He thought that the comments made were worthy of note although he would question calling Commissioner Hamercheck's authenticity into question. Former Commissioner Young continued that, while he and Commissioner Hamercheck haven't always agreed, they have respect for each other.

Mr. Chris Bihary of Painesville asked for a moment of silent reflection for the victims of Hurricane Helene.

Bishop Mirbel of Painesville, shared how proud of his community he is and thanked everyone for their support after his wife passed away.

Mr. Matthew Hebebrand of Mentor stated that at a recent Republican Party Executive Committee meeting, Commissioner Hamercheck admitted that his key card was used on the night of May 4, 2021. He asked several follow up questions and spoke of election integrity.

Mr. John Marra of Timberlake spoke of the sexennial revaluation stating that his personal property went up 84% and his neighbors increased by 112%. He stated that he is still waiting on the Auditor's Office to provide him with numbers and this formula for the valuation. He stated that he attended a preliminary hearing with them and again to no avail, nothing was accomplished. He continued to speak on his concerns and frustrations with the new appraisals and the process to appeal them which he will be doing.

Mr. Brian Massie of Painesville, asked Christian brothers to turn the cheek. He stated that he believes nothing happened on May 4, 2021 and that Commissioner Hamercheck would never do anything to the detriment of Lake County. He stated that State Representatives put all these laws in order, but due to House Bill 920, there was a sexennial revaluation increase and that basically it's an inflationary tax that's going to be put on everybody. He continued to speak on property taxes and how 61% of his property taxes goes to Willoughby Eastlake School District.

Mr. Brian Kolkowski of Leroy Township, stated that he is not accusing anyone of being evil but asking for an explanation that was promised three years ago. He read a statement having to do with transparency and election integrity.

RESOLUTIONS:

**1.RESOLUTION TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 596, PROJECT 452-S-2021 TRUNK SEWER REHABILITATION PHASE 2 TO THE SEWER FUND. THE PROJECT IS COMPLETE. REMAINING CASH IN PROJECT FUND IS TRANSFERRED TO THE SEWER FUND(20241003\U01)(UT-2)**

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

**2.RESOLUTION TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 596 PROJECT 403-S-2017 ST. JAMES RELIEF SEWER TO THE SEWER FUND. THE PROJECT IS COMPLETE. REMAINING CASH IN PROJECT FUND IS TRANSFERRED TO THE SEWER FUND(202410003\U02)(UT-2)**

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

**3.RESOLUTION TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 596, PROJECT 462-S-2023 GRACE COURT SANITARY LINING TO THE SEWER FUND. THE PROJECT IS COMPLETE. REMAINING CASH IN PROJECT FUND IS TRANSFERRED TO THE SEWER FUND(20241003\U03)(UT-2)**

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

**4.RESOLUTION TRANSFERRING CASH FROM LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 595, PROJECT 414-W-2018 TALL TREE BOOSTER STATION IMPROVEMENT TO THE WATER FUND. THE PROJECT IS COMPLETE. REMAINING CASH IN PROJECT FUND IS TRANSFERRED TO THE WATER FUND(20241003\U04)(UT-2)**

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

**5.RESOLUTION TRANSFERRING APPROPRIATIONS AND CASH WITHIN LAKE COUNTY DEPARTMENT OF UTILITIES PROJECT FUND 595, VINE STREET WATERLINE REPLACEMENT-WILLOWICK DRIVE TO S.R. 91 PROJECT 447-W-2021 AND THE WATER FUND(20241003\U05)(UT-2)**

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

**6.RESOLUTION AUTHORIZING THE LAKE COUNTY SANITARY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR LAKESHORE BOULEVARD WATERLINE REPLACEMENT AND SERVICE TRANSFER (SEABORN to VINE STREET) PROJECT 466-W-2023 IN THE CITY OF WILLOWICK(20241003\U06)(UT-4)**

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

**7.RESOLUTION AUTHORIZING THE LAKE COUNTY SANITARY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR RIVER STREET FORCE MAIN IMPROVEMENT PROJECT 483-S-2024 IN THE VILLAGE OF GRAND RIVER(20241003\U07)(UT-4)**

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

**8.RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$999,023.00 FOR RIVER STREET WATERLINE REPLACEMENT IN THE CITY OF WILLOUGHBY(20241003\U08)(UT-9)**

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.

**9.RESOLUTION REJECTING THE BIDS RECEIVED ON AUGUST 28, 2024 FOR THE GARY L. KRON WATER RECLAMATION FACILITY DIGESTER CLEANING AND REHABILITATION PROJECT 461-S-2022(20241003\U09)(UT-8)**

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

**10.RESOLUTION CERTIFYING UNPAID WATER AND SEWER SUMS AND ADMINISTRATIVE CHARGES TO THE LAKE COUNTY AUDITOR(20241003\U10)(UT-7)**

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

**11.RESOLUTION AWARDING A BID CONTRACT (INCLUDING BASE BID AND ALTERNATE BIDS 1 AND 2) IN THE AMOUNT OF \$2,600,873.00 TO SHORELINE CONTRACTORS, INC. FOR THE NEW REVETMENT AT BACON ROAD WATER TREATMENT FACILITY IMPROVEMENT PROJECT 473-W-2023(20241003\U11)(UT-4)**

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

**12. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT OCTOBER 11, 2024 IN THE AMOUNT OF \$127,291.72(20241003\JFS01)(JFS-14)**

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

**13. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,242,280.39 (20241003\BC01)(C-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.

**14. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,165,450.67 (20241003\BC02)(C-17)**

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

**15. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20241003\BC03)(C-111)**

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

**16. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20241003\BC04)(C-111)**

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

DEPARTMENTAL REPORTS:

UTILITIES –none.

JOB AND FAMILY SERVICES – Director of Job and Family Services, Ms. Suzanne Casar spoke of the many interactions her department had with Atticus and offered her condolences. She stressed the calming presence Atticus brought to the children. Ms. Casar reported that Ohio Means Jobs will be hosting a Job/Career Fair at the Bonde Activity Center in Willowick on October 29<sup>th</sup>.

COUNTY ADMINISTRATOR – Mr. Jason Boyd stated that EMA Director, Mr. Joseph Busher, would be at next week’s Commissioner’s Meeting to update the Board on the Perry Nuclear Power Plant evaluated exercise. Mr. Boyd reported that three buildings have been taken down and he thanked the LandBank for their assistance and partnership with this project. He stated that the construction fence could go up as soon as the end of this month.

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

LEGAL – none.

OLD BUSINESS: Commissioner Hamercheck made a statement regarding being chastised by Commissioner Plecnik at a previous Board of Commissioners’ meeting for not answering a question asked by a member of the public. During his statement, Commissioner Plecnik objected to phrasing used by Commissioner Hamercheck. A back-and-forth discussion was then engaged between Commissioners Hamercheck and Plecnik with each Commissioner asking the other if they would answer specific questions posed to them regarding matters of concern raised by constituents. Commissioner Hamercheck made a statement to which Commissioner Plecnik disagreed with, which led to Commissioner Plecnik making a statement that Commissioner Hamercheck was ruled out of order. Commissioner Hamercheck continued to speak, with Commissioner Plecnik making continued statements ruling Commissioner Hamercheck out of order. This continued on with each Commissioner speaking over each other, and resulted in Commissioner Plecnik making an out-of-order ruling seven times. Commissioner Plecnik then pressed Commissioner Hamercheck on the issue of answering the public’s questions which have been posed to him. Commissioner Plecnik also directly addressed Commissioner Hamercheck and told him that his behavior needs to end and will not be permitted at the public meetings, otherwise, Commissioner Plecnik will rule him out of order again. Commissioner Hamercheck resumed his previous statement. This statement resulted in Commissioner Plecnik ruling Commissioner Hamercheck out of order for an eighth and final time. Commissioner Regovich then made a statement encouraging others to conduct themselves with grace and dignity and to focus on the work of the County.

NEW BUSINESS: none.

EXECUTIVE SESSION: On a motion by Commissioner Hamercheck, seconded by Commissioner Regovich, the Board convened an Executive Session at 10:58 a.m. to discuss Legal-Imminent Litigation with the vote as follows: "AYES": Commissioners: Hamercheck, Regovich and Plecnik "NAYS": None.

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

ADJOURN: On a motion by Commissioner Regovich, seconded by Commissioner Hamercheck, the Board adjourned the meeting at 11:20 a.m. with the vote as follows: "AYES": Commissioners: Hamercheck, Regovich and Plecnik "NAYS": None.

Minutes approved this ninth day of January, 2025.

**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