

ERIE COUNTY COMMISSIONERS

REGULAR SESSION

WEDNESDAY, JUNE 3, 2020

ALL PRESENT

President Shenigo called the meeting to order at 9:30 a.m. and opened with the Pledge of Allegiance. In order to remain compliant with the Governor's orders, public attendance has been limited and this meeting is accessible through the Zoom platform.

On motion of Mr. Old and second of Mr. Shoffner, Board recesses into **Executive Session** re **Pending Litigation** with Gary Lickfelt; Roll Call: All

On motion of Mr. Old and second of Mr. Shoffner, Board **reconvenes** at 10:40 a.m.; Roll Call: All Aye

Pete Daniel re Various Issues.

Lodging Tax. Pete reported that bed tax receipts for May were still up 17.5% compared to May 2019. This is for actual collections through March, so a significant decrease is expected in the next report.

Chip Seal Program. Pete has been in contact with township officials regarding the "tar and chip" program for roads in Berlin Heights and the townships. The County Engineer will prepare the specifications and provide Finance with what is needed to go out for bid.

MetroParks Lease. The lease on several parcels of land that the County leases to MetroParks expires at the end of June. Pete said there is some confusion on the properties included in that lease. He has found that the north woods parcel is a separate lease that runs through 2027, with a six-month "out" clause. The Care Facility parcel and the piece of property used for recycling are also not part of the expiring lease. The lease that includes two parcels east of Dildine Ditch to the east property line has been prepared for the Commissioners' signatures today. He mentioned that this 20-year lease also provides an opt-out option with 90 days' notice before April 1. This was done to give us the opportunity to cancel the lease if it is decided to develop the property, but still allow notice before MetroParks start mowing and to coincide with the construction period for us.

County Engineer's Budget. A resolution has been prepared for the Board to approve adjustments to the Motor Vehicle License and Gas Tax Fund. Pete explained that this includes surface treatments on Mason and Ceylon Roads. \$1.6 million has been approved for the ODOT Capital Project Fund for our portion of the Columbus Avenue bridge replacement. The Engineer's budget has been reduced by \$830,000 for surface treatments, and Pete noted that County Engineer Jack Farschman will be tapping into his reserves by \$500,000. Pete is recommending that the Board approve these budget adjustments, and said he is comfortable with the County Engineer's plan. However, it was stressed that, even with these budget reductions, there is to be no chip seal placed on County roads.

Clerk of Courts Staffing. Clerk of Courts Luvada Wilson is requesting approval to replace an employee in her Civil Division who was recently terminated. Since a hiring freeze has been put in place, Pete is recommending against this. Mr. Old agreed, saying that he's reluctant to do anything that might put us in a worse situation until we see how revenues come in later this year.

However, Pete said that he and Fiscal Administrator Hank Solowiej have analyzed the General Fund through May, and it is apparent that the officials are spending less - approximately \$1 million less than this period last year. Last year, the County's General Fund had a cash balance of \$6.5 million. Currently, that balance is \$9.3 million. They are looking closer at this to determine how this is happening, with a possibility that it is due to timing issues on quarterly transfers, etc. Mr. Shoffner said that, although this is a request for only one position, he agrees with Pete's recommendation, saying that it is something we have to do.

Budgetary Policies Amendment. Pete presented the third amendment to the 2020 Budgetary Policies and Guidelines, establishing a mandatory cost-savings program to offset revenue losses due to the COVID-19 pandemic. The Commissioners are setting a furlough policy of 80 hours effective May 31 through December 12, 2020. As a result, the cost of one payroll period will be reduced from the salary appropriation in each department.

Other elected officials are encouraged to implement a similar policy in their offices that is equivalent to the cost of a pay period. This could be done by attrition, reducing employees' hours, or whatever method works best for them to attain that number.

Governor's Business Guidance and Social Distancing Orders. As part of the Governor's orders, most of the area's tourist attractions have been closed since March. The Commissioners are joining with the Ottawa County Commissioners in strongly requesting that the Governor give consideration to opening Cedar Point, waterparks and motorsports parks. Mr. Old said it is time, noting that people know how to manage their own risks, and we need to get our economy open. A letter has been drafted for the Erie County Commissioners to sign, along with a letter from both Erie and Ottawa Counties. A resolution is also ready to be adopted. It is the intent to get these to the Governor before 10:00 tomorrow, so he has these when preparing his next daily briefing.

On motion of Mr. Old and second of Mr. Shoffner, Board **approves the minutes of the May 6 and May 20 Commission meetings**; Roll Call: All Aye

On motion of Mr. Old and second of Mr. Shoffner, Board reappoints Richard Biro to the **Erie-Ottawa International Airport Authority**, as the joint-county appointment, for another three year term expiring June 3, 2023; Roll Call: All Aye

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution authorizing the County Auditor to make **budget modifications** re Motor Vehicle License & Gas Tax Fund; Roll Call: All Aye (#20-149)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution requesting that the **Governor of Ohio open tourism-related businesses**; Roll Call: All Aye (#20-150)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution entering into an **Erie County RUMA (Road Use Maintenance Agreement) Release and Settlement Agreement** by and between Erie County, Ohio, acting by and through the Board of County Commissioners of Erie County, Ohio, and on behalf of its respective townships ("County") and NEXUS Gas Transmission, LLC ("Developer"); Roll Call: All Aye (#20-151)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution entering into a lease with the **Board of Park Commissioners of Erie MetroParks** (The Meadows at Osborne Park); Roll Call: All Aye (#20-152)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution submitting the **RECLAIM Ohio/Youth Services Subsidy Grant Agreement and Funding Application** to the Ohio Department of Youth Services; Roll Call: All Aye (#20-153)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution declaring it necessary to levy a renewal of an existing tax in excess of the ten mill limitation for the purpose of providing the Erie county General Health District with sufficient funds to carry out its health program, and **providing for the submission of such health district renewal tax levy** (.05 mill) to the electors of said district at the election to be held on November 3, 2020; Roll Call: All Aye (#20-154)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution authorizing the County Engineer to **submit an application to the Metropolitan Planning Organization** (MPO) for project funding; Roll Call: All Aye (#20-155 - Strub Road resurfacing)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution **amending the 2020 Budgetary Policies and Guidelines**; Roll Call: All Aye (#20-156 - establishing a mandatory cost-savings program - unpaid furlough)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution entering into an agreement with **Micrographic Technology Services, Inc.**; Roll Call: All Aye (#20-157 - microfilm scanner maintenance agreement for the Clerk of Courts)

On motion of Mr. Old and second of Mr. Shoffner, Board adopts resolution entering into an agreement with **Strawser Construction, Inc.**; Roll Call: All Aye (#20-158 - placing liquid asphalt on Patten Tract, Mason and Riden Roads)

On motion of Mr. Old and second of Mr. Shoffner, **Board schedules the next regular Commission meeting** on Thursday, June 11, 2020; Roll Call: All Aye

Board approves **Preliminary Estimate of Cost** for the County Engineer re 2020 Erie County Resurfacing Program in the amount of \$1,367,500.00.

Board approves **Preliminary Estimate of Cost** for the County Engineer re Hot In-Place Recycled Pavement in the amount of \$423,470.25.

Board approves **Preliminary Estimate of Cost** for the County Engineer re 2020 Pavement Marking Program in the amount of \$156,000.00.

Board executes **Certificate of Retirement** for David Williams, County Engineer's Office.

Board executes letter to **Governor Mike DeWine** re reopening Cedar Point, local waterparks and motorsports parks.

Board executes joint letter with the Ottawa County Commissioners to **Governor Mike DeWine** re reopening Cedar Point, local waterparks and motorsports parks.

Board **disapproves** Request for Recruitment re **Deputy Clerk - Civil Division** for **Clerk of Courts**.

Board reviews the following documents approved by the County Administrator Pete Daniel, per authority under Resolution No. 20-103 and No. 20-128:

- **Docket** dated May 22, 2020
- **Then and Now Certification** dated May 22, 2020
- **Budget modification** re General Operating Fund - Judge Binette, dated 5/28/20
- **Budget modification** re Targeted Community Alternative to Prison Grant Fund, dated 6/1/20

Revised Auditor's Certificates:

Clerk of Courts:

- **U.S. Bank Equipment Finance** in an additional amount of \$4,200.00 re leases for Ricoh MP 6055SP, 4055SP, 2555SP color copiers

DOES:

- **Kemira Water Solutions** in an additional amount of \$13,925.00 re providing ferrous chloride solution chemicals for the Huron Basin Wastewater Treatment Plant
- **ADS LLC** in an additional amount of \$3,320.00 re installing and monitoring sewer master meters and rain gauges

ECDJFS:

- **Erie County Prosecutor's Office** in an additional amount of \$20,000.00 re providing legal counsel regarding the administration of funding received under Title IV-E of the Social Security Act

Equipment Outlay and Request Form for **ECDJFS** re HP LaserJet printer in the amount of \$2,758.06.

Erie County Community Foundation Community Grant Agreement re \$1,600.00 grant to the Erie County Dog Pound.

Ohio Department of Public Safety Subgrant Award Agreement re **Violence Against Women Act** (VAWA) for the Erie County Prosecutor's Office.

Request to Carry Over Vacation for **Harold Holzhauser**, DOES.

Request to Carry Over Vacation for **Kim Johnson**, EMA.

Personnel Action Forms:

The Meadows at Osborn Park

- **Rachel Benner**, PRN Activities Aide, rate increase due to completion of probation effective 5/13/20

Board receives letter from **The Spitz Law Firm**, 25200 Chagrin Blvd., Beachwood, Ohio 44122, re **Khala Hill v Erie County Health Department**, United States District Court for the Northern District of Ohio, Case No 3:20-CV-00089, Subpoena for Information.

Receives Midyear Report dated February 29, 2020, from **Bank of Oklahoma**, re **Cavanal Hill Funds**.

Receives docket entries re **Innogy Renewables US, LLC and Hardin Wind LLC vs Ohio Power Siting Board**, Supreme Court of Ohio, Court No. 20-535, Ohio Power Siting Board Case No. 19-778-GE-BRO.

Receives **Ottawa County Annual Report** for 2019.

Receives copy of action taken by the Ottawa County Commissioners, **reappointing Richard Biro to the Erie-Ottawa International Airport Authority** as the joint-county appointment, for a three-year term expiring June 3, 2023.

Receives letter from the **Community Action Commission of Erie, Huron and Richland Counties** re award of \$38,639 under Phase 37 of the Emergency Food and Shelter Program.

Receives letter from Erie County Public Defender requesting **separation pay for Kory Tubbs**, resigned effective June 1, 2020. Board approves request, to be paid from the Compensated Reserve Fund.

Receives **Monthly Financial Report** for the month ending May 31, 2020, from the Erie County Auditor, per O.R.C. 319.15.

Receives estimate of the **construction, reconstruction, resurfacing or improvements on the public roads, bridges and culverts** within townships and Erie County for calendar year 2020 from the Erie County Engineer, per O.R.C. 5543.02.

Receives letter from the County Engineer re **yearly ditch maintenance reports** (annual assessment collection percentages, per O.R.C. 6137.03; annual report of County Engineer on condition of drainage improvements, estimated costs of maintenance and repairs, and established rental rates for ditch maintenance equipment, per O.R.C. 6137.06; and County Engineer's inventory of ditch maintenance equipment and recommendations for purchase of new equipment for the ensuing year, per O.R.C. 6137.07).

Receives copy of **Erie-Ottawa International Airport Authority** May 27, 2020 meeting agenda and financial reports.

Receives copies of two letters to the **Erie County Budget Commission Members** from the Finance Department re **2020 Revised Estimated Resources**.

On motion of Mr. Old and second of Mr. Shoffner, Board recesses into **Personnel Session** re Compensation; Roll Call: All Aye

On motion of Mr. Old and second of Mr. Shoffner, Board **reconvenes**; Roll Call: All Aye

On motion of Mr. Old and second of Mr. Shoffner, Board **adjourns** at 12:15 p.m.; Roll Call: All Aye