

ERIE COUNTY COMMISSIONERS

REGULAR SESSION

WEDNESDAY, MAY 24, 2023

ALL PRESENT

President Shenigo called the meeting to order at 9:30 a.m. and opened with the Pledge of Allegiance.

On motion of Mr. Shoffner and second of Mr. Old, Board approves the **May 3, 2023 and May 18, 2023 Commission Meeting Minutes**; Roll Call: All Aye

Bid Opening re **improving by placing chip seal on Erie County roads** for County Engineer's Office; Administrative Assistant Denise Bellamy opened same:

COMPANY	AMOUNT	BID BOND
<b>Allied Construction, LLC</b> West Union, Ohio 45693	\$522,406.52	X
<b>Erie Blacktop, Inc.</b> Sandusky, Ohio 44870	\$586,718.75	X
<b>ESTIMATE</b>	\$555,000.00	

On motion of Mr. Old and second of Mr. Shoffner, Board receives bids re **improving by placing chip seal on Erie County roads** and refers same to County Engineer for review and recommendation back to the Board; Roll Call: All Aye

Bid Opening re **Microsurfacing on various roads** in Erie County for county Engineer's Office; Administrative Assistant Denise Bellamy opened same:

COMPANY	AMOUNT	BID BOND
<b>Stawser Construction, Inc.</b> Columbus, Ohio 43215-1009	\$1,107,017.71	X
<b>ESTIMATE</b>	\$1,042,500.00	

On motion of Mr. Old and second of Mr. Shoffner, Board receives bids re **Microsurfacing on various roads** and refers same to County Engineer for review and recommendation back to the Board; Roll Call: All Aye

Bid Opening re **2023 Resurfacing Program in Erie County** for County Engineer's Office; Administrative Assistant Denise Bellamy opened same:

COMPANY	AMOUNT	BID BOND
<b>Erie Blacktop, Inc.</b> Sandusky, Ohio 444870	\$665,000.00	X
<b>ESTIMATE</b>	\$663,597.75	

On motion of Mr. Old and second of Mr. Shoffner, Board receives bids re **2023 Resurfacing program in Erie County Marking on the Erie County roads** and refers same to County Engineer for review and recommendation back to the Board; Roll Call: All Aye

Bid Opening re **Pavement Marking on the Erie County roads** for County Engineer's Office; Administrative Assistant Denise Bellamy opens same:

COMPANY	AMOUNT	BID BOND
<b>Dura Mark Inc.</b> Aurora, Ohio 44202	\$314,000.00	X
<b>JD Striping &amp; Services</b> Ravenna, Ohio 44266	\$314,083.75	X
<b>American Roadway Logistics</b> Bowling Green, Ohio 43402	\$344,131.67	X
<b>Oglesby Construction Inc.</b> Norwalk, Ohio 44857	\$270,944.03	X
<b>Griffin Pavement Striping</b> Sandusky, Ohio 44870	\$313,303.00	X
<b>ESTIMATE</b>	\$313,000.00	

On motion of Mr. Old and second of Mr. Shoffner, Board receives bids re **2023 Pavement Markings on Erie County roads** and refers same to County Engineer for review and recommendation back to the Board; Roll Call: All Aye

**Public Hearing re Office Hours for real estate transfers.** An attendance sheet was signed by those present.

Mr. Old announced that the Public Hearing today is to receive input regarding the office hours of the Auditor, Recorder and Clerk of Courts, including Title Department.

Over the past two years, there have been numerous discussions between the Commissioners and these Elected Officials about changing the office hours to be available to the citizens of Erie County during normal business hours of 8:00 a.m. to 4:00 p.m. Mr. Old noted, while the Auditor's Office is technically open until 4:00 p.m. on Friday's, the office refuses to perform some services, such as, processing real estate transfers after noon. Mr. Old also stated, again, the Recorder's Office is technically open until 4:00 p.m., however, they refuse to record any documents, which, he added, is the primary function of the office, from noon to 4:00 p.m. on Friday's. Citizens however, are permitted to still enter the office and review historic books. Though, they will provide other services such as, allowing citizens to review historic books. Mr. Old was made aware that the Title Department will be closed for lunch many days from 11:50 a.m. - 1:00 p.m. It has been reported that citizens arrive at the Office Building only to find that they have to wait in line until 1:00 p.m. Mr. Old opened the floor for discussion.

Chris Palmer, Fidelity Insurance - Mr. Palmer conducts business with many west coast financial institutions. It is very hard to accomplish real estate transfers with a west coast office when the Erie County Auditor's, Recorder's and Title Departments' are closed at noon. Mr. Palmer mentioned that one of his busiest days for real estate transfers occurs on Friday's. He suggested not opening the office until 9:00 a.m. and staying open later, to ensure the availability to title companies.

Mr. Palmer added that Hartung Title has created a notice at the bottom of their email messages warning residents in Erie County that they may not be able to have their transfers completed on the same day due to these shortened hours.

Mr. Palmer stated another problematic situation is transferring titles online. The deadline to complete a transfer online on a Friday is 11:20 a.m. This creates additional unpleasant situations with his west coast clients. Many times, Mr. Palmer's clients had their things packed and in moving vans, and have had to wait until Monday to get their keys, because the transfer cannot be completed, which lead to extremely frustrated clients.

Tim King, Regional Planning Director, noted that his office is the smallest Department in the County, at 2 ½ employees including him. His office serves the same 75,000 residents as the Auditor's, Recorder's and Title Departments'. Most days, his staff does not take a lunch to ensure that staff is available to assist residents. Tim noted, there are times the office has to close, but this is due to the nature of the department. Mr. King finds it frustrating other county offices have to closed for lunch when they are staffed four or five times the number of employees that his department has staffed.

For the record, Hank stated the current number of employees at each department are as follows: Title Department - 5, 1 is out on FMLA; Legal Department - 13; Auditor - 15; and Recorder - 4.

Caleb Stidham, Treasurer - Mr. Stidham stated that he has five full-time staff including himself. He noted he had two staff members out last week, but his office remained open because he personally filled in to keep the office opened.

He has a good working relationship with his employees and always ensures that there are two people in the office at all times. Caleb mentioned, before he was elected, his office closed like the Auditor's and Recorder's. His first priority after he was elected was to change the working hours back to 8:00 a.m. - 4:00 p.m.

Caleb noted an instance that happened recently regarding a taxpayer. This person needed to complete a title transfer on his mobile home. The elderly gentleman arrived at the Office Building at 12:10 p.m., and after finding out the Title Office was called, he walked across the hall and asked Mr. Stidham if he could sit in his office and wait, because he was not capable of standing for an hour.

Once they opened, an employee informed him that he had to start at the Tax Map Office. Caleb stated what should have been a short process turned into a two hour process since one of the offices he needed was closed for lunch.

Mr. Shoffner stated it is frustrating that there are other Erie County offices that not offer the availability of normal business hours for the citizens of Erie County. As Elected Officials, we chose these positions and there are sacrifices involved with these jobs.

Mr. Old stated that holding an elected office is an honor a privilege and believes what these elected officials are doing is shameful and disrespectful to the citizens of Erie County. He also stated that he cannot comprehend that in one office, you can review historic books, but you cannot get a lien recorded. Mr. Old believes there are many ways this issue could be resolved, however, the Auditor and Recorder are not being cooperative.

Hank noted the Elected Officials were invited to attend the Commission Meeting today to justify their reason as to why their office hours are not open during regular business hours. The Auditor responded, via email, and stated he does not plan on attending the meeting and said the hours of his office are not the responsibility of the Commissioners. The Recorder stated in an email she would not be attending. Hank noted he has had several conversations with the Clerk of Courts, Luvada Wilson, and she has assured Hank that the lunch hour issue will be resolved by mid-June, when a new employee comes on board.

Mr. Old stated it is the duty of the Commissioners to make all the pieces of the county work together and they are the appropriating authority over all county offices. Mr. Old said it makes sense for all operations to be available to the citizens of Erie County from 8:00 a.m. - 4:00 p.m. Therefore, Mr. Old believes the only option the Commissioners have left is to cut 10% of the Auditors and Recorders budgets and reduce Clerk of Courts budget by \$75,000 until county services are available to all citizens of Erie County during the normal business hours of 8:00 a.m. - 4:00 p.m.

Mr. Old made a motion to cut the Auditor and Recorder Offices' budget by 10% and reduce the Clerk of Courts line item by \$75,000, which is the cost of two currently unfilled positions, until offices are opened and performing all essential duties during normal business hours of 8:00 a.m. - 4:00 p.m.

The motion died for lack of a second and the discussion continued.

Mr. Shenigo instructed Hank to get the precise dollar amount of what the budget cut will be for next week. He wanted to know what each department would lose if the Commissioners were to cut their salary budget line by 10%. Mr. Shenigo agrees with Mr. Old's recommendation, but, would like Hank to again reach out to the Auditor and Recorder to see if they can come up with an alternative plan before next week's meeting and to also inform them that the Commissioners plan to take action on cutting their budget if an alternative plan cannot be reached.

Mr. Shoffner would like to hold off on making his decision for a week. He is still not comfortable with reducing someone's budget in the middle of the year without it being due to extraordinary circumstances.

Mr. Rick Scheel mentioned he has worked with various government entities for many years and he finds it very frustrating when needing to do government business and find they are closed. Mr. Scheel agrees with Mr. Old's recommendation of cutting their budgets.

Mr. Old noted that he researched the office hours of the surrounding counties. Huron, Sandusky and Ottawa Counties' Title Office hours are 8:00 a.m. to 4:30 p.m. Huron County's title office has office hours on Saturday, which Mr. Shenigo thought might be a good idea and is willing to pay the Title Department employees overtime if they will be open on Saturday's.

On motion of Mr. Old and second of Mr. Shoffner, Board **recesses** into **Solid Waste District Board Meeting**; Roll Call: All Aye

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

**County Administrator re Various Issues.**

Sewer Services Agreement Amendment No. 4 - Hank Solowiej noted that in today's paperwork is a resolution entering into Amendment No. 4 to the Sewer Services Agreement with the City of Sandusky. The City of Sandusky passed this amendment unanimously on Monday. This amendment states that the City and County agree to share in the debt services on this project. Erie County will pay a part of the loan at an interest rate of 1.55% with principal forgiveness included.

Hank and the Commissioners thanked the City Commissioners especially Mr. Brady for being able to solidify this agreement. Mr. Shenigo noted it was a tense negotiating process at times, and without Mr. Brady's assistance, the entities wouldn't have been able to make the agreement come to culmination.

The Commissioners stated this agreement is a major cost savings for both parties and the City of Sandusky should receive about \$4 million back in forgiveness. Due to the City compromising with the county, the Commissioners believe this will allow the City and County to have a good working relationship going forward and the sewer lawsuit is finally finished.

Mr. Old noted that this deal would not have been completed had Mr. Shenigo not publically pointed out in the Sandusky Register that the City was trying to cut Erie County out of the deal. Only after Mr. Shenigo's intense public pressure in the newspaper, was the City willing to put the County on the financing. Mr. Old thanked Mr. Brady for working with Mr. Shenigo.

Mr. Shoffner also thanked Hank, the City Staff and Commissioner Brady for their diligence with coming to a solution and compromise that will benefit both Erie County and the City of Sandusky.

Public Hearing re solar farm restrictions - Hank noted that a resolution to set a public hearing for restricting wind and solar farms will take place Wednesday, June 28, 2023 at 9:30 a.m. The discussion will be the proposed action to restrict all wind and solar farms from the unincorporated areas in Erie County.

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution **declaring the unincorporated areas of Erie County, Ohio to be restricted, prohibiting construction of economically significant wind farms, large wind farms and large solar facilities** pursuant to O.R.C.303.57, et. Seq; Roll Call: All Aye (#23-153)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution entering into Amendment No. 4 to the Sewer Services Agreement between the **City of Sandusky and Erie County, Ohio**; Roll Call: All Aye (#23-154 - agreeing to amend the dispute resolution provisions in Section 15 of the Sewer Services Agreement as part of a settlement agreement between the parties)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution **authorizing payment for services and supplies** provided re: Dell Marketing L.P. in the amount of \$1,437.70; Roll Call: All Aye (#23-155)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution authorizing the County Auditor to make **budget modifications and supplemental appropriations** re Sheriff Policing & SRO Fund; Sheriff's Dispatching Fund; Child Support Enforcement Agency Fund; Strong Families Grant Fund; Adult Probation Fund; Spec Docket Subsidy Grant - Tone Fund; Compensated Reserve Fund; Care Facility Operations Fund; and Medicaid MSY Funding Fund; Roll Call: All Aye (#23-156)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution entering into a **Joint Cooperating Agreement with the Cities of Sandusky, Huron and Vermilion for the program year 2023 Community Housing Impact and Preservation (CHIP) Program**; Roll Call: All Aye (#23-157)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution authorizing the County Auditor to make **interfund transfers** re General Operating Fund: Planning Department; Metropolitan Planning Organization Fund; Workforce Innovation & Opportunity Act Fund; and Public Assistance Fund; Roll Call: All Aye (#23-158)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution executing payment of **Then and Now Certification** presented by the County Auditor pursuant to O.R.C. 5705.41(d), and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order; Roll Call: All Aye (#23-159)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution declaring certain Erie County equipment surplus and ordering same to be sold by **internet auction**; Roll Call: All Aye (#23-160)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution declaring certain items surplus and ordering same to be **discarded or salvaged**; Roll Call: All Aye (#23-161)

Public Comment - Wastewater Treatment Plant Expansion

Rick Scheel, Galloway Road, raised a question regarding the wastewater treatment plant expansion project. Environmental Services applied for a waiver to increase the discharge of mercury into the lake. Mr. Scheel is opposed to this.

By doing this, Erie County will not be in compliance with the Water Quality Based Effluent Limit for low level mercury. Mr. Scheel sent a letter to Utilities Director John Rufo several weeks ago and he just heard back from him. Mr. Shenigo stated that he is unaware of the mercury discharge situation and would like to contact Mr. Rufo regarding more information on this matter.

Mr. Scheel also stated with Ohio Bike Week starting, most motorcycles are in violation of the noise ordinance. Mr. Scheel inquired whether the Commissioners have asked the Sheriff to be tougher on the violators. Mr. Shenigo stated he is not sure that the Commissioners can do anything about this matter, but would share Mr. Scheel's concerns with the Sheriff.

Mr. Shenigo called Mr. Rufo, who arrived at the meeting to answer Mr. Scheel's questions regarding the wastewater treatment plant expansion project. John explained that Erie County has applied for a mercury variance. After considering the options for end-of-pipe treatment for mercury removal at the wastewater treatment plants, the County has determined that implementing such method of treatment would create a widespread social and economic impact. If the variance is approved, it will limit the concentration of what Erie County can discharge, while giving a little forgiveness if we exceed the effluent limit. Mr. Rufo explained that the variance comes with rules and expectations that the County still has to meet. The goal for Erie County is to implement a "detect and eliminate program" for mercury removal from each wastewater treatment plant. The County is expanding the design capacity of Sawmill Creek Wastewater Treatment Plant from 1.2 million gallons per day to 2.4 million gallons per day to contribute in eliminating the chance that raw wastewater could potentially bypass treatment, and end up in Lake Erie. John stated it is not the County's intent to increase concentrations of mercury found in the plants discharge, however, it is the intent to allow for an increase in loading (not concentration) due to the direct increase in permitted volume.

#### Public Comment - APEX Clean Energy Solar Project

Mr. Kevin Lewis, Labor Management - Public Relations for the Laborers' District Council of Ohio informed the Commissioners that he recently attended a meeting with APEX Clean Energy. Mr. Lewis stated it was a very positive meeting. Mr. Lewis added that the Labor Council is willing to put together a training for local laborers on the installation of solar panels, to ensure they have the proper knowledge to complete the Wheatsborough Solar Project. Mr. Lewis also mentioned that there are still some legal issues at the State Level regarding the prevailing wage matter.

Board approves Revised Auditor's Certificate for **Frontline Staffing** in an additional amount of \$80,000 re providing staffing services for healthcare professionals at The Meadows at Osborn Park.



Board approves Revised Auditor's Certificate for **Lucas County Coroner** in an additional amount of \$85,000 re providing necessary autopsies and routine toxicology services to the Erie County Coroner.

Board approves specifications re **DOES Kelly Road Storage Tank Painting and Rehabilitation**. Board approves specs and authorizes Finance Department to proceed with the bid process.

Board approves specifications re **Erie County Services Center Painting Project**. Board approves specs and authorizes Finance Department to proceed with the bid process.

Board approves specifications re **Erie County Office Building Parking Garage Clean and Seal 2023**. Board approves specs and authorizes Finance Department to proceed with the bid process.

Board approves specifications re **Erie County Jail Exterior Sealing**. Board approves specs and authorizes Finance Department to proceed with the bid process.

Board approves two Equipment Outlay and Request Forms for **Wastewater Collection** re ½ 4x4 crew cab pickup truck plus estimated costs for outfitting in the amount of \$60,000; and ¾ ton 4x4 crew cab pickup truck plus estimated costs for outfitting in the amount of \$70,000.

Board approves Equipment Outlay and Request Form for **The Meadows at Osborn Park** re four Smart lift without Scale in the amount of \$15,984.50.

Board authorizes expenses for Sheriff's Office re **Daniel Orzech**, attending 2023 Ohio Narcotics Intelligence Center Law Enforcement Drug Summit in Columbus, Ohio, on 6/21 and 6/22/23 in an estimated amount of \$285.00.

Board authorizes expenses for Sheriff's Office re **Cameron Lloyd**, attending 2023 Ohio School Safety Summit in Columbus, Ohio, on 7/25 and 7/26/23 in an estimated amount \$285.00.

Board authorizes expenses for Sheriff's Office, **Craig Ritz**, attending Police Executive Leadership College, in Dublin, Ohio, on 11/29/23, 1/8 - 1/12/24, 2/12 - 2/16/24 and 3/18 - 3/22/24 in an estimated amount of \$5,175.00.

Board authorizes expenses for Sheriff's Office, **Dennis Papineau**, attending Internal Affairs course in Painesville, Ohio, on 2/12 - 12/16/24 in an estimated amount of \$1,875.00.

Board approves Personnel Action Forms for **ECDJFS** re **Cindy Farch**, Investigator 2, longevity pay effective 5/20/23.

Board approves Job Description for **DOES** re **Utility/Chief Equipment Operator III - Floater, all divisions**.

Board approves Request for Recruitment for **DOES** re **Utility/Chief Equipment Operator III - Floater** (internal posting).

Received letter from Prosecutor Kevin Baxter **requesting separation pay from the Compensated Reserve Fund** in the amount of \$519.18 for Kennedy Naill, who resigned from the Prosecutor's Office effective 5/19/23. Board approves request.

Received letter from Erie Conservation District re **Legal Notice for view and public hearing on the Sanford Ditch drainage improvement project.**

Received copy of memo to Erie County Budget Commission Members from Alyssa Heater, Finance Manager, re **2023 Revised Estimated Resources.**

Received copy of 4/26/23 **Erie-Ottawa International Airport Authority** meeting minutes, 5/24/23 meeting agenda, and financial reports as of 4/30/23.

On motion of Mr. Old and second of Mr. Shoffner, Board **recesses** into **Executive Session**, per O.R.C. Section 121.22(G)(3), regarding pending litigation with Assistant Prosecutor Gery Gross; 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**; Roll Call: All Aye

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