

January 9, 2023

The Board of Commissioners of Lorain County, Ohio met this day in a regular (organizational) meeting, in the J. Grant Keys Administration Building, 226 Middle Avenue, Elyria, Ohio, at 9:32 a.m. with the following members present: Commissioner David J. Moore, Commissioner Michelle Hung and Commissioner Jeff Riddell and Secretary Erica Hawkins

JOURNAL ENTRY

Commissioners said the Pledge of Allegiance.  
Secretary Hawkins called roll; Commissioner Hung, Commissioner Moore and Commissioner Riddell - All Present  
The following business was transacted

COMMISSIONERS

A.1 JOURNAL ENTRY

In the matter of electing the President of the Board )  
for the year 2023 ) January 9, 2023

Commissioner Hung opened up nominations for President for the year 2023.  
Commissioner Riddell nominated Commissioner Moore as President of the Board. Commissioner Moore seconded that.  
Commissioner Hung said nominations were closed.  
Commissioner Hung said Madam Clerk in the matter of having David Moore for President of the Board, please call the roll.  
Commissioner Riddell, yes  
Commissioner Moore, yes  
Commissioner Hung, no.  
Following resolution was adopted:

A.1 RESOLUTION NO. 23-1

In the matter of electing the President of the Board )  
For the year 2023 to be Commissioner Moore ) January 9, 2023

WHEREAS, the Lorain County Board of Commissioners at their organizational meeting has to elect a President annually; and  
WHEREAS, Commissioner Hung opened up nominations for President of the Board for the year 2023; and  
WHEREAS, Commissioner Riddell nominated Commissioner Moore for President of the Board; and  
WHEREAS, Commissioner Hung asked if there were any more nominations. There being none, nominations were closed.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby elect Commissioner Moore, President for 2023.

Motion by Riddell, seconded by Moore. Upon roll call the vote taken thereon, resulted as: Ayes: Riddell & Moore / Nays: Hung  
Motion carried.

A.2 JOURNAL ENTRY

In the matter of electing the Vice-President of the Board )  
for the year 2023 ) January 9, 2023

Commissioner Hung opened up nominations for Vice-President for the year 2023.  
Commissioner Hung nominated Commissioner Jeff Riddell as Vice-President of the Board. Commissioner Moore seconded that.  
Commissioner Hung said nominations were closed.  
Commissioner Hung said Madam Clerk in the matter of having Jeff Riddell for Vice-President of the Board, please call the roll.  
Commissioner Hung, yes  
Commissioner Moore, yes  
Commissioner Riddell, yes  
Following resolution was adopted:

A.2

RESOLUTION NO. 23-2

In the matter of electing the Vice-President of the Board )  
For the year 2023 to be Commissioner Riddell ) January 9, 2023

WHEREAS, the Lorain County Board of Commissioners at their organizational meeting has to elect a Vice-President annually; and  
WHEREAS, Commissioner Hung opened up nominations for Vice-President of the Board for the year 2023; and  
WHEREAS, Commissioner Hung nominated Commissioner Riddell for Vice-President of the Board; and  
WHEREAS, Commissioner Hung asked if there were any more nominations. There being none, nominations were closed.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby elect Commissioner Riddell, Vice-President for 2023.

Motion by Hung, seconded by Moore. Upon roll call the vote taken thereon, resulted as: Ayes: Hung, Moore & Riddell/ Nays: None

JOURNAL ENTRY

Commissioner Hung said at this time, she will turn it over to our new President, Commissioner Moore

A.3

JOURNAL ENTRY

In the matter of adopting Roberts Rules as )  
Parliamentary Procedures 13<sup>th</sup> edition to be) January 9, 2023  
followed at all Board meetings during the )  
year 2023 )

Commissioner Moore said unfortunately, they would like to offer some prayers to Theresa, who is off today, she has had a rough couple of weeks and her mother passed away and the funeral is today. So, their prayers go out to Theresa and her family today, so, thank you Erica for stepping up, it has been a couple of interesting weeks for you. Hawkins said yes sir. Moore said thank you, he appreciates that and for coming in. He said so basically they have to make a motion, so moved. Hung seconded.

The following resolution was adopted:

A.3

RESOLUTION NO. 23-3

In the matter of adopting Roberts Rules as )  
Parliamentary Procedures 13<sup>th</sup> edition to be) January 9, 2023  
followed at all Board meetings during the )  
year 2023 )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby adopt Roberts Rules as Parliamentary Procedures 13<sup>th</sup> edition to be followed at all Board meetings during the year 2023.

Motion by Moore, seconded by Hung. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Hung & Riddell/ Nays: None  
Motion carried. (discussion was held on the above)

JOURNAL ENTRY

Commissioner Moore said he is going to really make it uneasy for Erica. There are quite a few people here that want to talk about Res#21, so they are going to move #21 up and deal with it today because probably right now, we have the safest place in the county is right here. The resolution will be read and will start with #21.

911

AA. 21

JOURNAL ENTRY

In the matter of or Rescinding Res#22-909, adopted )  
December 21, 2022 entering into an agreement with ) January 9, 2023  
Cleveland Communications, Inc. to provide goods )  
and services for a public safety radio system on )  
behalf of Lorain County 911 and will be paid from )  
the Act#ARP capital equipment )

Motion by Moore, seconded by Riddell. Secretary called for discussion.

Moore said in regards to discussion and look at item B on the agenda, that is public comment reserved at the end. Unfortunately when you speak at the end, the meeting is done and the public has no abilities to participate in the decision process or at least talking and giving them your input. We have not got to item B yet, which means he is going to go out on some liberties now and think it would be important to allow people to speak in regards to Item #21. Please keep those comments at 3 minutes and he knows a lot of you were here in the 21<sup>st</sup> and that is fine. If anyone is willing to speak in regards to item #21, he feels before they open up the discussion of the County Commissioners, the three of them he would like to hear from anybody in this room that would like to talk about item #21. As he is going through the forms, it looks like everyone is here as they filled out their paperwork in the back room, almost everyone is here to talk about item #21, the radios. Let me see here, so anyone that wishes to participate he can have you come up and speak one at a time or you can line up, it is your call. He asked if they would like him to call you each up, one at a time? Someone said they will speak first, Moore said thanks.

Joe Pronesti, Fire Chief, City of Elyria, 40 Cedar Street said good morning. He just has one question. He guesses, if you were to throw any, all this out and would like to hear from Commissioner Moore. With all things being equal. Are you for this radio system? Not the pieces parts, but utilizing the relief act money towards the police and sheriff and fire for radios, in the overall theory of it? Moore said this is basically an opportunity for you to advise them, what you want to do and he will be sharing his comments at his point. His thing is, Amiee, where are you at? He asked her to stand up. He asked her if anyone has any called her to set up an appointment to talk to him one on one. She shook her head

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no. He said thank you. Does the City of Elyria have a meeting tomorrow? Presti said for what? Moore said the meeting tomorrow with the City of Elyria is in regards to the resolution that was passed out in regards to radios. Presti said no. (there was a lot of talking from the audience) Presti said secondly, he will say this. He takes offense as everybody out here, saying that they are playing a violin in the Journal. He might have been misconstrued, Commissioner Riddell but he will tell you and he told him at the end he would respect him and he does, but they are not playing a violin with the public. You know the right instrument you should be talking about is the bagpipes because that is what they play when they bury someone.

Jeremy Betsa, Fire Chief City of Avon Lake said good morning. He said Commissioner Hung, he wants to thank her for her continued support for the public safety and the radio communication system and all the work that you have done to get it to this point, he appreciates her. Hung thanked the Chief.

Betsa said to Commissioner Moore, they have attempted to contact you through the Fire Chiefs organizations. Requested to meet with you and you have not been present or responsive to those requests. They have not had him present at any of the meetings where the radio bid was voted on or the resolution to accept the bid was voted on. He said to Commissioner Riddell, he had campaigned on progress not politics. You are halting progress by rescinding this resolution today and you are doing the opposite of what he campaigned against. Wasteful spending, he campaigned on stopping wasteful spending. This will cause more wasteful spending for the county. The county has already been put on notice that if you rescind this today, there will be legal action taken against the county. That is wasteful spending and that is putting more money out of our taxpayers' pockets to stop something that was already approved by this Board and the Prosecutors office. You have unfounded speculation as they sat in his office on Friday, he said his reasoning's were the process, the process was not followed correctly. He asked him to explain that and he was unable to give him an answer on what the process was. In fact, he told them that he has not been able to completely read through the Mission Critical study that was back in 2019 nor have you completely read through the specs that was presented and put out this year, last year by the Commissioners. So, you have unfounded speculation between Commissioner Moore, he is sorry, Commissioner Hung and previous Commissioner Lundy, Harry Williamson, Cleveland Communications and Mission Critical partners, that is speculation. You have no facts to support that. Mission Critical Partners and Cleveland Communications are both respected within this county and several counties through Ohio. They have done good work and they have been upfront and honest throughout the whole process. This process was approved by the county prosecutor's office. You also mentioned that your strong relationship with Mr. Armbruster, Jeffery Armbruster in North Ridgeville and the advice that you take from him. He has single-handedly tried to destroy the Northeast radio system to push his personal political agenda to bring MARCS into this county. They have tested MARCS, tested the CCI system and what is right for Lorain County is Cleveland Communications building out the L3 radio systems for in community use. MARCS does not work for Lorain County. (lots of applause) You stated that you would use your opinion when making these decisions. Sorry, sir, but you are not in a position to use opinion, you are supposed to be using facts. You have a room full of subject matter experts that are telling you, that this was the right way to go. They all at the top of their organizations have people that they surround themselves to give them facts and help them do research. They do not use opinion, they use educated facts to make decisions and that is what you should be doing today. He stands with his brothers and sisters across all public safety agencies.

Hung said at this time, she will move to an additional 3 minutes to the speaker's time. (Audience talking)

Moore said he is ok and the reason why is because he is stating just facts and appreciates the lack of personal attacks, so he has no problem doing that. Thank you.

Betsa said in closing he just wants to say, he just wanted to say he stays with his brothers and sisters in this room across all public safety agencies and urge you not to rescind these 2 pieces of legislation and allow them to continue progress for Lorain County and the public safety agencies that protect all the residents in this county. Thank you. Moore said thank you for coming in.

Mike Freeman, Chief of Police North Ridgeville, Ohio said good morning. His purpose for being here is not to get in the middle of MARCS, Cleveland Communications, but is getting the best deal for the county and that is his concern, business is business. His concern is the process that was in place to get to where we are at. What he does not hear, is taxpayers? He lives in this city of North Ridgeville himself, okay and there are alternates and he is not saying that is fit or best for everybody. But, we have to spend our money wisely because you do not get to re-spend it once it is spent. This is not free money fellas. Because as you know in law enforcement and fire departments there is always a new need and that is his concern. It is not that he cares which radio system they go with, okay, he wants the best for whatever your department thinks is best. But his concern is getting the fair deal and if this process was a fair deal for outside vendors. Was it fair across the board? When there is no competitive bid, what you lose is the aspect of saving money and that is his concern. The Sheriff needs a new jail, okay. Obviously the county roads need to be paved and you spend all your money in one basket, there is no money for something in the future that you may need without competition and without a proper bid spec, you don't get competition, so they throw out whatever number there is. If they are the best number so be it, but without competition it lacks business sense. That is all he is here for today. He is not here to say what is best for Elyria Department or what is best for North Ridgeville Fire Department because he does believe radio systems are the lifeline to law enforcement. (audience talking). He stated he did not interrupt him sir, please okay, so have enough courtesy to sit there and be quiet. (audience talking). Moore said this is not your meeting, this is their meeting, thank you, so let him speak. Freeman said just because he does not represent what the whole thinks (audience talking) Moore said please and thanked the Deputy. Freeman said Commissioners were brought here to make decisions on behalf of all Lorain County residents and residents have to be put first. Safety, Law Enforcement, Firefighting is very important but you cannot put all your cash in one barrel. Let it be a competitive bid process and if Cleveland Communications wins that bid process he respects that and that is all he has to say, thank you. Moore said you still have 2 seconds, but thank you. Freeman said he is good, thank you.

Adam Shaw, President Lorain County Deputy's Association. You know, he was planning to come up here and talk about the safety aspect of the radios and why this system is needed. But realized, you Mr. Moore and Mr. Riddell don't care. Moore said wow. Shaw said you don't care about his safety or the safety of the ones behind him or out working, it is plain and simple. Mr. Riddell's comment in the Morning Journal "but that is the way they are going to the public. It is the way they are going to put the public violin". First off, Commissioner Riddell they don't play violins in public safety, they play bagpipes, okay. You should listen to them one day, because the way their radios are working now, it is only a matter of time until they get played at a funeral. Your comment alone proves it is a sham process to get the system Mr. Moore wants, which is MARCS, this is all this is. You finally reached out yesterday to him to talk Sunday night before the meeting, after all they have asked to meet with you long prior to this. You say this is because the bidding process was illegal. How was it illegal? He did not answer, just that only one bid was received. If the process is illegal. Why would the Lorain County Prosecutors office give the green light on something they know to be illegal? He has read countless articles that state this board will not move forward with things unless the blessing of the Prosecutors office is received. Mr. Petticord, is was this contract process illegal? He is sure you are not allowed to answer that, but someone must ask the hard questions everybody's thinking. So why not him? Mr. Riddell because, you then started something very interesting. You said, "even if the 10 things were legal it is still unethical". What is unethical, Mr. Riddell? He asked him about some campaign contributions from Jeff Armbruster that you and Commissioner Moore received. You acknowledged receiving them and when he asked him if he was aware of any potential relationships between Mr. Armbruster and Motorola MARCS lobbyist, he stated he did not know. Instead you decided to accuse him and his deputies of releasing information about his past. Mr. Riddell, he does not care about your past. It is none of his business or his deputy's business and don't care what you do in your free time. What he cares about is the safety of his co-workers and his friends. Do you? So, let him tell you what he does know Commissioners. These radios have been researched and tested multiple times by multiple agencies and they all come back the same way. Harris is what works for this county and Commissioner Hung knows this, you 2 do not. You expect, you would rather halt the process and cost the county hundreds of thousands of dollars in taxpayer money and lawsuits and pat yourself on the back for stopping something everyone wants. He watched Facebook comments all weekend and saw maybe 4 or 5 comments out of hundreds and hundreds against these radios, most from Tom Williams. Who, he recently learned was releasing information that he should not have even known, which is why these comments have been since deleted off all the messaging places. Where is the unethical behavior now? He calls for an immediate

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investigation into the above claims by either the Lorain County Sherriff's office or an outside agency as soon as possible to the campaign contributions to Mr. Moore and Mr. Riddell, along with Tom Williams. He said don't tell him to hurry up, he said your 30 seconds is up, okay. Shaw said he is going to keep going, thank you. Hung said she will move to give an additional time. Shaw said he does know Tom claimed the process was rushed. Moore said he will allow another minute, thank you. Shaw said the only rush thing about this process, is the fact that you decided to rescind the contract and tell everybody 3 days prior. Neither of you reached out and had any discussions with anyone this affects, neither of you met with the Sheriff prior to this or advise the Sheriff anything illegal is going on. The proper way to do this would be to communicate with the first responders, the guys you are about to screw and then hear all sides. Did you even meet with the County Prosecutor to determine if it was in fact illegal? He does not think so. He spoke with JD yesterday. Tom claimed they received 100 plus radios last year and if the Sheriff knew they were faulty, why did he get them? What Tom failed to include was those radios were for the Corrections Officers not Deputies. When asked about that, Tom said he knew that, however it was still the Sheriff's, under the Sheriff. Talk about political spinning, trying to spread false or half the information is wrong. Facts are what is important and the facts here today, is Mr. Moore wants MARCS radio's and that is a fact. Have your vote, rescind the legal binding contract, spend millions and millions in defending the legal process, waste taxpayer's money, refuse to come to do a ride along. But do that all looking at the men and women before you and the pictures of his deputies and their families right here knowing the next time that you may see them, you could be telling the media some bull crap lie about how you knew them and how good of a dedicated officer they were all while their blood is on your hands, so they die due to radio issues. Moore said thank you. (audience applause)

Adam Trifelliti. Moore said go, ahead he was just looking for his sheet. Deputy said ok, good morning Commissioners. He is a 17-year veteran of the Lorain County Sheriff's Office and also the Vice-President of the Deputy's Association. On September 17, 2014, he was struck by a vehicle while assistant another Lorain County agency to locate a suspect that fled from a vehicle. He was a K-9 officer at this time and his K-9 partner and him were tracking a suspect at the time a vehicle struck him. The vehicle went around and stopped traffic and struck him in the middle of the road and radioed into dispatch advising them what had happened. This is a factor of their safety and had their radios have not been working at this point, he may not have been here today. His wife just found out that they were expecting their first child three weeks prior to his accident. His child at this point could be growing up without a father, due to the radio. He is now an SRO for Firelands School District in an area where they do not get very much signal and is the only deputy in that building. He needs to be able to communicate with his units and his dispatchers to uphold the oath that he took to protect and serve the citizens of this county and their children. They need reliable radios to keep them safe. Their guns and vests are not the most important piece of equipment that they carry, it is their radios. Their radios are their lifeline and it is their safety, thank you. (audience applause)

Chris Wohlever good morning. To his fellow members of the fire and police services he would like to tell you that they have already been told a decision has been made and these measures will pass and the measure will be rescinded. After only 2 weeks in his position, Mr. Riddell stated in the Chronicle Telegram this weekend that this is "about a bad contract done badly" "the contract that was approved by the majority of the Board of Commissioners on December 21<sup>st</sup> is unethical follow that poor process and potentially illegal". "I want the first responders and their families to know that he wants them to have the best equipment we can afford, that is what it is about, he apologized, that is why it is important to take first steps to rescind resolutions 22-909 and 22-910 and restart the process that we open and fair". "A few elected officials play politics with this process and this is what got us here with this mess. We should not be playing politics with taxpayer money". "This is about vendor wanting to receive \$8 million in public money for their business without having to earn it by competing fairly for public money. Competition is a core value, if not the cornerstone of our free enterprise system". The actual facts of this radio project is this. After 4 years of studies, experiments and talking about replacing the current radio system and infrastructure on August 3, 2022 a request for proposal known as an RFP was placed for a new radio system, this is also known commonly as a bid process. Ultimately Motorola Solutions who owns the infrastructure for MARCS radio network submitted a letter of no bid. The current radio vendor VASU Communications submitted a partial bid for approximately \$7 million for only MARCS radio and no infrastructure, which the county would have to pay for themselves. Cleveland Communications submitted the approved bid for free infrastructure with the only cost being the actual radios. No matter what you believe from Tom Cruise movies you could investigate a crime before it occurs. The alleged criminal investigation by The Ohio Auditors Office has yet yielded nothing in almost a year. The subpoena was issued requesting documents for the contract before the bids were sought and before a contract was signed. Mr. Moore was quoted in December 2021 alleging Ms. Hung was steering the contract towards CCI. Yet, it was not until August 2022 that an actual bid was sought. Since the incarnation, the previous board there has been numerous allegations back and forth regarding this radio contract. To be clear on December 21 of last year, Lorain County entered into a binding contract with CCI. Should this vote actually go and they say they want to rescind that opens Lorain County residents to financial liability. Specifically, CCI will still get their money and they will get no radios. There is a \$41 million carryover and this money for these radios are not from local monies. Moore asked if to wrap it up, are you good? Wohlever asked what was his time? Moore said you are already over. Hung said she will move to give the speaker an additional 3 minutes. Moore said another minute is fine, sounds like he was wrapping it up. Wohlever said thank you. None of you have to use these radios. Your life is not on the line. None of you have to use MARCS radios if they get them. None of you have to experience the inability to communicate with your co-workers or dispatch. He cannot eloquently explain the terrifying feeling of not being able to help someone or not being able to ask for help. There are numerous deputies over this last year who have been in physical altercations who have had their gun attempted to be taken from them and they could not get a radio signal out. Dispatch cannot hear you on Abbe Road, 600 feet from the tower. MARCS does not work in buildings without thousands of dollars in antennas. Harris runs off a simple Wi-Fi, everyone has it. He thanked them for their time. Moore said thank you (audience applause)

Jerry Donovan, Lorain citizen and taxpayer. Before he starts, the first thing as he looks around this room he thanked all those who are willing to put their lives on the line for him every day. Thank you. (audience applause) He stated he was a chairman in the Avon Lake Ford Plant for a number of years and one of the things he used to preach to his guys who often objecting to him listening to what the company had to say was, if he wanted them to listen to him, he had an obligation to listen to them. You, Mr. Riddell and anyone that supports this position is not an authority in these radio. There is the authorities sitting out there in this room, the people that use them every day. If he asks them to protect his safety, then by God he has an obligation to make sure that he is protecting theirs, it is that simple. He would like to think that you are of a type of person who, when he sees the opposition to what he is proposed. If he is correct, according to this morning papers, the Chronicle Telegram according to them, it was at a special meeting, yet for some reasons according to the people that no, it was not a special meeting. Someone is lying about something and he would like to know who? One thing he does not like to deal with is people who lie and if you are lying that this was a special meeting and it was not, shame on you. You say it was a bad contract, in fact these questions have already been raised Are we saying that are legal, Prosecutors Office is incompetent? That they are saying contracts that are bad are actually good? Are there other reasons for saying it? He thinks you have an obligation to consult the people whose lives are going to be on the line using these radios before you make a decision as to what you want to do about them. He would hope that you would change your position and support via this contract. He don't know who the hell this company is from Cleveland and don't frankly care where they are from as long as it is helping protect the lives of these people. Thank you. (audience applause). Moore said thank you.,



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、 Hung said hi Mayor. Mayor Hunter said hi, how are you all doing this morning? Moore said good. The Mayor doesn't need to sign in, okay. Mayor asked if it was ok to speak. Moore said you are fine. Mayor said ok, thank you Commissioners. He rushed here from Cleveland University Hospital where his wife is, because he thought this was a very important meeting for all of Lorain County. First he would like to thank Michelle Hung, Commissioner. Also, Commissioner Jeff Riddell for returning his calls all the way back before the election and after the election to talk about the radios. He has made efforts to contact Commissioner Moore, he has called, emailed, text and not got a response back and also called the County Administrator and asked him to deliver a message to have the Commissioner call him. He is President of the Lorain County Mayors and Managers Association and he is Mayor and Safety Director of the Village of Sheffield. He thinks communications regardless of whether we agree or don't agree is key to resolving problems. So, it is first about communication and educating each other about the issue then collaborate to get the problem done. He came here to say that he feels the process has been going on since 2018 on these radios. Ours and Harris have been in these conversations with the 5 major cities that originally were involved; Avon, Avon Lake, Sheffield, Sheffield Lake and North Ridgeville. They have had hundreds of conversations and meetings about these radios. The county has paid for a study to be done and came out with what needed to be done. They talked about it for over a year and half about which radio system to be. Talked about whether to put it out for bid. The County Prosecutors office and lawyer for this organizations said that it was put out properly and advertised property to proceed. He does not know whether it is or not, he is not a lawyer, he is not here to speak about legal terms. He is here to speak about how important these radios are to the service of the residents of Lorain County and those passing through this county. They recently had a fire in Sheffield Village where one of the residents were lost. These radios saved lives because 2 other people were in that house and 2 dogs were lost. These radios worked perfectly. They had Avon, Avon Lake, North Ridgeville, Sheffield Township, Elyria and all the radios from the 5 communities he mentioned were able to communicate with each other, the others were not. Up until this time they could not talk to people even though Sheffield Village is right about 600 yards from the tower and they corrected that problem with this radio system and he thanked the Commissioners for allowing it to put up on the tower that would allow this transmission to be done. All he wants is to prepare for the safety of the employees that take care of us in this county and the safety of our people and residents of the county. Let's move on, unless we have already passed, we have already set aside the money, so let's proceed and get these radios in place faster and communicate with each other that we do the best for what is the residents of Lorain county. Thank you for allowing him to speak, he is sorry he didn't take the time to rush and sign your form today, he knows that is a procedure David, thank you for allowing that. God Bless All of You, God Bless America. Moore said thank you Mayor (audience applause)

、 Deputy Ian Standen, Sergeant at Arms of Lorain County Deputies Association said good morning Commissioners. He has almost 6 years on as a deputy sheriff and run the scale unit for this county. This morning he would like to paint a picture in your head. In today's world with all the communicating they do on a daily basis. How would you feel if a loved one was trying to reach you and you were involved in a car accident and they were not able to communicate with you, and you could have saved their lives? This is exactly what they are going through but instead of a cell phone, it is a county wide radio that can be resolved. However, their lives don't matter to you guys. Anybody in here involved in public safety, he asked them to please stand up. He hopes that you guys are able to look each and every one in their eyes in the face and be able to tell their families why they are not coming home at night. Regardless of the fact when you call, they will still be there. That is it, thank you. Moore said thank you. (audience applause)

Moore said he is just writing down everyone's comments.

、 Hung said good morning. Good Morning, Mike Wetherbee, Fire Chief Wellington Fire District and President of the County Fire Chief's Association. He is here today on behalf of his board of directors, officers and firefighters and his district covers 5 townships and 1 village and nearly 13,000 residents. That is 125 square miles or approximately 22% of the southern portion of Lorain County and does this with 27 guys. Many of these people are responsible for putting you in those chairs. He also represents the Lorain County Fire Chiefs and it is both ironic and sad that you sit here today and turn your backs on the voters who chose you to represent them in their safety. (audience applause) As well as the safety of their personnel who are tasked with protecting them. That is the end of his violin playing as newly elected Commissioner Riddell put it. He personally don't care for violin music. Thank you to Commissioner Hung for standing true and understanding the importance of their communication issues (audience applause) and Lorain County's 911 system and she ran her campaign on that wanting to help and make it better and she has done just that. He said Director Young has got their county 911 system light years ahead of where it used to be. We must also thank former Commissioner Matt Lundy for meeting with them and gaining an understanding of what their problems are and his support of the project. Commissioner Moore has declined their efforts to meet with him. His path perhaps predetermined one of not his choosing. It stands to reason his absence on days that this was voted on, certainly easier not to vote than to disclose why he has to vote no. Even Commissioner Riddell, 4 days into his term took time to sit and discussed with them the topic with the fire chiefs. Although, they feel his decision was seemingly also a predetermined one. He would like to express his disappointment that this is back on the agenda. They continually told the primary reason being that the investigation is in process of the process. They have been in this process for a year now and noting has been found to be illegal. Could it be that everything has been done in a transparent manner in accordance with the law? It has been reviewed extensively and delayed by their own prosecutors office and no illegal activity has been reported, thus possibly throwing a monkey wrench into the plan. Could it be that this project has been purposely delayed excessively because it did not fit in with the competitors plans of pushing their system into and taking over Lorain County? This process has been dragged out with constant interference, strong arming and ethically questionable behavior by the same competitor. Instead of focusing on their efforts to discredit L3 Harris and CCI, maybe this competitor should have made better use of that time preparing their proposal. That could, a proposal that could compete operationally and financially. Perhaps this competitor is where the investigation should focus. Through the efforts of many, a great deal of time research and diligence has gone into an unbiased comparison of the L3 Harris and the competing systems and outside consulting company hired to conduct a bid process and review has recommended the L3 Harris system. Could it be that the L3 Harris system is simply a proven superior system to its competitors? They remain steadfast and confident of the research and due diligence exercised by many, including the fire chiefs, cities in the northeast, the sheriff's department and county's 911 agency and mission critical partners. He believes a decision in favor of the Harris system should stand best fitting the needs of Lorain County communications moving forward. He would like to address. Moore said you have already gone double your time and he did not interrupt you because you were on a good role and did not want to interrupt you sir, alright okay. Wetherbee said in accordance with the taxpayers. Moore said keep going even though you got your double time. Wetherbee said in respect to the taxpayers. The Harris system is also a more financially sound system and one of the competitors first order of business was to have the county build 5 tower sites and turn them over to the state of Ohio. That does not sound like proper use of tax money in the county by our taxpayers. That would stand to draw an ire right there, so he appreciates your time to talk and thanked them. (audience applause) Moore said thanks for coming in.

、 Robert Hanmer, Fire Chief City of Oberlin said good morning Commissioners. Wow, guys you are between a rock and hard place right now and the decisions we have to make are really sympathize with you. However, he don't think whatever they have to say is going to make a difference he thinks you guys already have your minds made up. Let him just point out a few things here. At the end of the day you will have to face that man in the mirror with the decision you know you make knowing that either the right decision and supporting this project or vote in support of constituents is the only for political gain. You won't face the deputies and firefighter in this room with the decision that you make. This whole project started 3 years ago. It is no surprise to any vendor that sells radios is that Lorain County is looking for a radio system. They have had every opportunity to come together and put together a proposal before they even asked for a request for proposal. You asked before why did it take so long well the law directors and prosecutors knew that it was going to come under much scrutiny if it got approved and it did. That is why they are here today. They wanted to make sure that every I was dotted and every T was crossed and make sure they had it right the first time and think they did their due diligence and did that. The other vendors did not submit bids because they don't meet up with the

specification that the Fire Chiefs and Lorain County Sheriff's Office want. It is that simple. The whole process was fair and square, legal reviewed it, they approved it and think you guys should too, thank you. (audience applause) Moore thanked the Chief.

~ Good morning Commissioners. Her name is Jennifer Stuber, an Attorney at Porter Wright Morrison Arthur and here to represent Cleveland Communications Inc. She sent an email to the Commissioners and to the County Administrator over the weekend and she would like to read that letter into the record. "This firm Porter Wright Morrison Arthur represents Cleveland Communications, Inc., CCI. As you know CCI holds the contract to supply radios related communications equipment and services to Lorain County. This letter to address the resolutions to rescind the contract and to set aside funds to pay, to be paid pursuant to that contract are items numbered 21 and 22 on the agenda of today's meeting. In considering these resolutions, please be advised that CCI is aware of no lawful basis to rescind the contract at this time. In the event that you the Commissioners on behalf of Lorain County terminate the contract, CCI intends to take legal action and to pursue all relief available under Ohio law." Thank you. (audience applause) Moore said thank you.

~ Mary Springowski, Lorain City Council At Large and also a member of the police fire and legislation committee in her city. This is not a matter of politics but a matter of lives, safety is non-partisan. By claiming that there has been politics played and by claiming that there was wrongdoing. All you are doing is trying to obfuscate the question. She is appealing directly to Commissioner Riddell. You have a property at 1254 Washington Ave., Lorain that is vacant. You have another property that you work out of at 2509 North Ridge Road, Lorain, which is a township. If you're your business goes up in flames, these are the people that are going to risk their lives to save it. As a newly elected Commissioner, you ran on non-politics, you wanted to take the nonsense out of the game. She is appealing to you to do just that. As a newly elected Commissioner, what you need to do is always reserve the right to change your mind and in this case, you need to change your mind. You have a room full of subject matter experts. You are a private business owner and she works in private industry and that is something they always do, they are not the experts in everything that they do in their business, they rely on these subject matter experts. There are has been again no evidence of wrongdoing. And to the North Ridgeville Police Chief, who talks about saving money a few bucks here and there. How dare he put a price on these people's lives. (audience applause). How dare he. None of us, none of us in a leadership position is going to get up, suit up and go into a flaming building, she would go up like a roman candle with all the product in her hair, all right. She is just being honest, Dave you don't have to worry about that. So, unless they are willing to go and put their lives on the line we have got to turn to these subject matter experts and acquiesce to what they are saying. They know this subject matter better than any of us could ever hope to know and she is hoping that you are going to man up here and you are going to be honorable and have some integrity and say you know what. When faced with the actual facts and not how you are being directed when you face the actual facts you will realize that these people are right. This is a wrong thing to do, to rescind this vote and she is asking you not to do this. Stand up for yourself, man up. (audience applause)

(Lots of audience talking) Moore said please. Hung said welcome Mayor. Riddell asked where the gavel was? Moore said that he threw it away. Riddell said you are gonna need it pal. Moore said okay, thank you, thank you, go ahead sir. Hung said welcome Mayor Bring.

~ Mayor Bring, Sheffield Lake said he has been listening to all the back and forth. He will tell you that they worked on this radio system they are one of the five communities that worked on this. Hung asked him to move to the microphone a little. Moore said you are kind of tall. Bring said he is short, you know. But they did work on this system for almost 2 years and he knows they sat, they discussed this and they did not always agree but worked on this diligently to get all the facts. What he is listening to now is, that we have a new Commissioner just got here and you have a library of information here with all these people. Why not take the time to, maybe table this and not at on this today and really sit down and talk to these people and talk to the other cities that have this, talk to the Chiefs because he can tell you it works. You know that they do not have a lot of money in the City of Sheffield Lake and they spent it because they finally found a system that worked. He feels safe to say that their police, their fire department now has the proper equipment to make sure that they don't get hurt or something doesn't happen but also have to look at your community and your communities for him, is the most important thing. So, he would just plead to you, don't take any action today. Just think about it, take the time to look at these people and they are not here for any, you know they are not here to bash anybody, they are here because their lives depend on this kind of communication and they took the time to do it. That is all he is saying. He just wants to know, just has one more question? Which one of you two are going to call the family if someone dies and they don't have the proper communication? Are you going to take the time to do that? Because he wants to know, who is going to do that? Because he personally would not like that phone call from you, because you did not take the time to do this. That is all he has to say. (audience applause)

~ Good morning Commissioner Hung said good morning Sheriff. Sheriff Stammitti said as you know it is a shame that we are even here today because this thing has been vetted out. We all know it was voted on already. Mission Critical is not political at all they are an independent consultant. They are the ones that study this thing for over 4 years and they looked at it and there has been RFP's, reference for proposals. The reasons those are put out and there is a reason that specs are put in there. The specs were put in there that they wanted a phase 2 system that is what they recommended, MARCS does not meet the criteria. Sorry, there are a lot of RFP's that are put out that don't meet criteria, then you can't bid on it, unfortunately that is just the way it is. But they know that the L3 Harris system is a phase 2 and it will work. He has stated before that this has been over 4 years that they have been looking at MARCS and L3 Harris, you can see it was bid out, it was vetted, it was passed. He has seen 3 a couple years ago working the and the clarity on that system is unbelievable. He knows Sheriff's that have the MARCS system and they complain about that, no radio system is 100%, he gets that part. But this system is amazing, it is Wi-Fi, you can actually do things on your cell phone with it and he has never seen a system like that. They want this system because it is for the safety and security of their officers and the citizens, noting else. He does not know any of these vendors, he don't know anyone from MARCS and don't know anyone from CCI. But, he guesses he is just disappointed in the newly elected Commissioner Riddell about your comments. You have already made your mind up, you already told the way you are voting against it, instead of vetting things out and listening to things like today. He thinks Commissioner mentioned about his oath and thinks he forgot his oath of office to serve to serve and protect the citizens of Lorain County. He fears that you Mr. Riddell will not be your own man and stand on your own feet. He said Commissioner Moore and Commissioner Riddell have made it more difficult for him as a Sheriff to recruit and retain personnel now, because of your comments by blindly telling people that you are going to cut his budget. His deputies came to him and they are in fear of layoffs and they came from other departments and have a bunch of new guys and now he has to sit there and try to answer their questions for that because of your rhetoric that you are putting out there. Moore said the rhetoric that you put out at 4:30 p.m. Sheriff said hey he is talking. Moore said. Sheriff said you can answer later. Moore said this is their meeting. (audience talking) Moore said he is going to allow the Sheriff to talk for 10 minutes if he wants to, alright, okay. Sheriff said this ARPA money is the chance they can do it, the American Rescue money it is there and can be spent on a communication system and that has already been vetted out through the Prosecutors Office, so they are not sitting her trying to say they don't have that funding and have to come up with general fund money. They have a \$41 million carryover this year and you guys are sometimes up there crying broke. He will continue to do his job as the Chief Law Enforcement Officer in Lorain County, which includes an eye on the Commissioners who only care about the personal agendas from themselves and their friends. Thank you. (audience applause) Moore said hopefully Sheriff you don't mind sticking around they are going to go over his budget in about, as soon as they are done here, so he would appreciate if you would like to stick around so they can talk about it. Thanks Sheriff.

~ Hung said good morning Chief Radman. Moore said thank you for waiting. Chief Radman, City of Lorain Fire Department and the 17 firefighters that are here today. In 2018, the City agreed to have 911 take over dispatch from the county and they promised them a new better radio system and better dispatch. Today in 2023 much of the emergency radio traffic is not readable on scene and dispatch lacks proper info if they can actually hear them. To this day, only one of the present Commissioners has reached out to them to find out what is going on, that is Michelle Hung. Previously Lundy, Commissioner Lundy reached out to them also. He would like to hear from you guys if you are against the radio system, against their safety? He would like to hear from you guys, they should not have to chase you down. You the Commissioners were

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elected to serve the citizens of Lorain County. At this time you are fracturing the county, this is the opportunity to bring the county safety forces together but you are forcing unsafe practices for firefighters. You are jeopardizing firefighter safety and the safety of the citizens. You need to adhere to the promises made to the Lorain Fire Department and do the right thing. He played their normal radio traffic at a previous meeting. Lives matter and pushing them down the road is only going to cost you lawsuits due the faulty multiple radio systems that 911 currently uses. Hold up the county's promises and give them a radio system that was already approved. Thank you. Moore said thank you (audience applause)

Moore said good morning Sanford. He said good morning Commissioners. He is Sanford Washington, Safety Service Director, City of Lorain and he will be brief. The Administration stands in support of their fire department. They have talked to the both the police and fire departments and found that there is some adequate dollars that got to be considered and breaking away from this, just with the police department for radio cars and portables. Check him if he is wrong. The Chief and him know you're over there talking overall cost is \$754,000 with an annual cost of \$26,400, which they would have to consider. They basically want to make sure that they are looking at a public radio system that is working and it is very adequate in all phases before he says anything else. Let him stand and personally thank all the safety forces that are represented in this county and also throughout this state. Thank you, thank you very much. (audience applause) Stanford said in closing he wanted to state they need and want to ensure that there is an adequate public safety service radio system for the safety of each and every one of their citizens. Thank you very much. Moore thanked Sanford. (audience applause)

Good morning Commissioners, he is Deputy Gonzalez, Deputy at the Sheriff's office. He knows that the matters today have all been discussed ad nauseum there is really nothing more that they can say that has not been said. He would just like to take the time to come up here and ask one more time to reconsider. They have to deal with these issues every day, they years they have gone on with the current system. Every day they go by without a tragedy is just another day that they were lucky. That cannot go on for much longer. It is only a matter of time before one day they come back here and complain because the tragedies happen. He knows tensions are high in here and some of them are being frustrated because this is a very personal issue to most of the people in here. All the people behind him today, would gladly lay down their lives without a second thought for any citizen in this county. But, he would only ask that you don't make them do that for no reason, thank you. Moore said thank you (audience applause)

Good morning Commissioners, Chief Visalden of Sheffield Village Police Department and President of Lorain County Chiefs of Police Association. He will start much as everyone else. He turned around to the room and Thank you guys for everything you do day in and day out, especially knowing the communication may never get home for you. Thank you for what you do. (audience applause). Chief said Sheffield Village comes from a unique position, okay. The research has been done before and Mission Critical took over, did the research and recommended L3 Harris radio system and they went that recommendation. They had implemented that in their police department at their cost. So, unique to anyone else here today. Commissioners he invites you, please he opens the doors of the Sheffield Village Police Department to any police car, please reside with the and listen to his radio system then listen to the people that their radio system are inadequate, please. He has no doubt in his mind that L3 radio system is the radio system for Lorain County and he can prove it today. So, he welcomes you anytime, please give them a call and Mayor Hunter will open the doors for you, but come sit down in their cars and take a look, thank you. (audience applause)

Good morning. He is Sergeant Gary Howell, Sheriff's Office, the night shift supervisor. He said day in and day out he chases his guys around all night because they can't hear the radios, can't hear the checkups. He said 3 ½ months ago, they were transporting a guy on 57 right off of North Ridge Road and all they heard (he muffled the microphone) on the radio, nothing, nothing, checkups, checkups and he finally come around the coroner and 2 of his guys were fighting with a guy that jumped out of the back of the car in the middle of 57 and no one had a clue. No one had a clue. Aside from being a deputy sheriff and sergeant at the sheriff's office he wear a couple of different hats. He is a coach in the community and most importantly he is a daddy to 4 kids. He would like them to look him in the eyes while he is speaking please. If you can look his kids in the face because when this thing fails, all the power to you because he couldn't do it for yours. He will leave you guys with a simple quote if he can find it here. "Leaders talk about what they don't want to talk about. Say what they don't want to say and plan for what they don't want to happen" He hopes you guys are planning, that's all. (audience applause)

Good morning. Hung said good morning. She said her name is Lucy DiNardo, she is with the Fraternal Order of Police and represent a lot of your deputies here in this room. First of all she wants to say that it sickens her that she has to be here this morning to listen to this. You are civilians, you don't have the qualifications to decide what radio system is going to work and what radio system isn't. Here are the experts right here they are using it day in and day out. The union will pursue a health and safety grievance if you do rescind this disorder and if you decide to go in the direction that you are going. Also, if something happens she will be the first one to testify against all of you when the wife or husband of a safety worker decides to take you to court because something happened. The radios are their lifeline, she was a dispatcher for 10 years. The radios fail, they all fail. No one gets the help they need, she can't hear what they are saying nor can the dispatchers in this room hear what they are saying and if you are not taking that seriously, then you don't belong in the chairs that you are in. (audience applause)

Moore said okay, looks like everybody spoke that wanted to speak. He asked Commissioner Hung if she had anything to say? Hung asked if there was a motion. Moore said yep, it was about an hour ago, he said our discussion is up here. Hung said Assistant County Prosecutor Petticord. If anyone wanted to withdraw their motion or second, now would be the time to do it? Petticord said you can withdraw a motion, a second until the vote. Moore asked if you have any comments, Commissioner Hung?

Hung said thank you to all the members of the community and safety forces that are here today in support of safe communications for the health, safety and welfare of the residents of Lorain County. The issue before us regarding the Lorain County safe communications program is clearly emotionally charged. She believes it is important to ensure that the historical facts are presented and understood. On May 9<sup>th</sup>, 2018, then County Commissioners, Kokoski, Kalo and Lundy passed Resolution #18-317 and entered into an agreement with Mission Critical Partners to perform an independent assessment of the County's, analog and digital radio communications systems. The purpose was to determine the best approach for replacing the current systems to improve public safety communications within the county. The February 2019 "Radio System Technical Assessment Final Report", made the following five findings and key improvement areas which she will quickly summarize: Several system core components will reach obsolescence within the next 3-5 years. When these components reach end of life, manufacturer technical support will no longer be available and spare parts available only through third party vendors and we are already experiencing this in 21 and 22. The current system design includes single points of failure that can leave first responders with no way to be dispatched or to communicate for an extended time if a system failure occurs. The current system lacks reliable countywide coverage and full interoperability. The current system does not have enough channel capacity for large-scale or multiple simultaneous incidents. The current system does not have encryption for law enforcement. Furthermore, the study stated in their report that the existing communications system cannot be upgraded to meet the requirements in its present configuration. Therefore, a new communications system is required that will replace all existing systems. The 2019 study recommended a County owned and maintained P25 Phase 2, trunked simulcast system that operates in the 700/800 Mhz bands. An estimated cost at the time of such a system was at approximately \$14.7 million. We all know the history on this, no action was taken, seemingly due to--the funds were not available at the time to move the project forward and then COVID hit. However, it is important to note that several municipalities after applying for and receiving a Dept of Homeland Security grant, moved forward with installing the P25 Phase II, trunked communication system. What we in this room all know to be the 5-city radio program; Avon Lake, Avon, North Ridgeville, Sheffield Lake and Sheffield Village. In 2021, approximately \$60 million of American Rescue Plan Act Grant funds were issued to Lorain County. After many inquiries by her to the County Prosecutors office and following the County Commissioners Association reports, it was confirmed ARPA funds could be used for upgrading the County radio safe communications program. On May 4, 2022, the current



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Commissioners, Hung, Lundy and Moore, well it is not current, but the Commissioners Hung, Lundy and Moore unanimously voted for Resolution No. 22-319 to enter into a consulting services agreement to provide services for the acquisition of a new land mobile radio communication system to enhance the County's 911. This was after a 7-week delay in the process due to the Prosecutors office lengthy review of the agreement. It actually started in March folks, 10 months. Then in August 2022, Commissioners Hung and Lundy, Commissioner Moore was absent that day by Resolution, instructed the Clerk to advertise a Request for Proposals for sealed bids for the procurement of access to a P25 Phase 2 trunked radio communication system that were due on September 30, 2022. She said per a phone call from our County Administrator JR White, he informed her, he received a request for a 10 day deadline extension from Cleveland Communications. JR White also informed her in that phone call Motorola requested a 30-day extension. Further investigation and questioning showed the request to be a 60 day extension request from Motorola. JR White in his capacity as County Administrator recommended to her in that phone call that she may want to grant a request for an extension. She agreed, and her thought process was that all the parties knew the consultation process began in May of 2022, and the request for proposals would most likely be passed by Board resolution during the summer, a 15 day extension was a time frame she was comfortable with and she was willing to extend for all parties. As far as Motorola is concerned. They were aware of the February 2019 "Radio System Technical Assessment Final Report", the Mission Critical Study, on June 1, 2021. This date is very important folks. 2021 the former County Administrator Tom Williams sent an email with the Mission Critical Study in the attachment to Chris Pfaff, Senior Account Manager at Motorola. In her experience with attempting to fulfill verbal public records requests made to her in her official capacity for a copy of the Mission Critical Study during the summer of 2022, the Prosecutors office refused the release of the Mission Critical Study report until just recently. The point to remember is Motorola had the Mission Critical Study for 13 months prior to the RFP for a P25 phase 2 communication system being passed on August 3, 2022. She now, in her official capacity requesting the prosecutor's office and the Sheriff open an investigation to determine if there was an advantage or disadvantage provided to any vendor in the RFP process by actions taken by Tom Williams during his tenure at the County. (audience applause) On July 25, 2022, a week PRIOR to the request for proposal passing on August 3, 2022, Mission Critical held a conference call with officials from Motorola. While reviewing the notes from the call, she noted point #2 stated "that the state MARCS would not support an ISSI/CSSI interoperability connection to other systems due to the current user fee configuration". Also to be noted in point #5, "Motorola stated they are not able to build a full service regional system model at the direction of the state MARCS, a go or no go decision would be made after they review the RFP" and finally point #6, "MCP reviewed a high level overview of the RFP process and at this point the exact date of release is unknown." With the notes from the July 25, 2022, meeting, she is comfortable that Motorola was fully informed of the bid process to come. It is also proof that the bid process was not rushed or handled improperly. This takes us back to the resolution passed unanimously in May of 2022, Resolution No. 22-319, where the Board hired Mission Critical Partners to provide these services. And for the public's information, this process was not rushed. This had begun its formal review by the Prosecutors Office in March of 2022. This was a 10-month process by our Prosecutors Office, and legal has signed off on the process every step of the way. She has performed her due diligence and she is satisfied that Mission Critical performed the duties they were hired to do satisfactorily in the bid process. The hard work of the Lorain County Board of Commissioners over 5 years and 2 administrations have led them to this point. Yet, after a bid process overseen by the Lorain County Prosecutors Office her colleagues are willing to add further delay, without a legal basis, in implementing a new Lorain County safe communications system. Without a doubt, further delays continue to risk the health, safety, and welfare of our first responders and the residents of Lorain County. She stands behind and remains steadfast with the decision to move forward with the resolutions passed on December 21, 2022. Moore said thank you. (audience applause) Moore asked Commissioner Riddell.

- Riddell said thank you to everybody who came today to participate in the conversation. He does want to issue a couple of statements. Number 1, his name is Riddell. Bobby Rydell was a signer although most of you are probably too young to remember him, but his name is Riddell and would appreciate that. Second, he appreciates those who came in today and did not impugn his character by trying to make it appear that he is not concerned about the safety of the law enforcement or the fire or any other safety forces. That is absolutely not true, just because they have a differencing difference of opinion does not mean that his difference is based on safety. He has been very clear from the beginning and to the individual who spoke to his manning up and keeping his integrity. He campaigned last year on the very concept that this contract was not done, its first 18 months of life were a no bid contract. That should not be allowed by anyone including those in this room of their tax money. It was then ruled that it would go out to bid, it went out to bid, then the bid constraint came back that the 2 vendors needed a little extra time because they did not have the advantage of the relationship with Mission Critical. That additional time was denied, 15 days was allowed so the other parties had that, they gave the courtesy of a no bid to show them that they could not bid. It was not untechnical reasons, it was on time. The Commissioners at that time declared that there was an emergency, they needed to do only 15 days. He asked this question. If in August it was an emergency and they could only allow 15 days, why was it not on the Commissioners docket until December 21? And to those who like to argue about the details to try to cloud the conversation, it was a special meeting, it was not scheduled to happen until early December. It was a special meeting to clear the board do some things including this contract. So, with those facts he would like to remind you that they are here to represent everyone in Lorain County. They are all for and he is an intercommunicative system of radios or whatever it takes towers so that all our forces in the case of man-made and natural event can communicate with each other safely. Number 2, he does not have a dog in the hunt as far as brands or whatever, he only knows Motorola because his company used to use Motorola radios, that is all he knows about Motorola. He was honest with the Chiefs that met with him, in what he had not complete reading on certain facts because his position is not based on the brand or the technical information included. He knows that he will eventually need to be up to speed on that, but this issue is not about that. Our motion today, the reason he supports it, not exactly sure why anybody else would, but he supported it because they campaigned on it last year. It was a bad deal, there are questions, it is being investigated and if they terminate it now, they can terminate it without undue cost to either the vendor or the county. The threat of lawsuit, anybody can sue anybody any day. So he failed to understand there are times they are going to do the right thing and they are going to get sued anyway and they will have to defend themselves. But, he is committed to doing what he believes is the right thing to do. He does not have all the information on the technical issues of the equipment but have a wealth of experience in contracts and bidding and this one is not right. To those who say they have to do it because lives are at stake tomorrow, he gets it. But, don't think that means he is not concerned about public safety. But if this thing is important enough to spend 4 years on from 19 to now, actually 3, we still are in January of 23. Then another couple of months to make sure they do it right and spend the taxpayers money well should not be that big of an issue and the implication that we are not safe going forward means they are not safe today, he does not believe that. He believes they can be better, they can operate better but he don't see everyone dying because of where we are at today. Now, he reminds everyone in the room his perspective (audience talking) Moore said easy. Riddell said he did not interrupt anybody. Moore said he did Riddell said lastly when it comes to his objectivity and to his integrity he met with everyone who called, He was here at the meeting on the 21<sup>st</sup>, because he knew it would be an issue. He was approached by the President of the Sheriff's Deputies who said he was going to call him to go for a ride along and he said he would be there. He said the call never came. He talked to him on Sunday (audience talking unclear) Riddell said he attended 4 commissioners meeting prior to the 21<sup>st</sup> (audience talking - Someone asked for many, raised to assist you and you campaigned on it, so to know it for a long time, but you can't paint long enough or how many times did you raise this issue, prior to December 24?) Riddell said he did not. (audience applause) Riddell said we need to be clear. Have a little perspective. The ARPA money is not monopoly money, it is their money including everyone in this room and it is money they are spending that they have not yet paid. He takes it seriously that this \$8 million represents the income tax of the future over 2,000 of Lorain residents and it deserves to be spent well. That is all there is to it, it is not \$6.5 million. They have head \$7.9 million, \$7.8 million, let's negotiate, that is not how you spend public money and that is his issue. Public safety, he is committed to having an interface between every 1<sup>st</sup> responder in this county but they are going to have to do this the right way. Moore thanked the Commissioner.



Moore said let's see why we need a reset. It is pretty similar to what happened in March of 01. Pretty much the room was filled this much back in 01 when he exposed the Justice Center when it blew it out to \$80 million. They did a reset, everyone thought they were going to die, judges were accusing him of their safety because they were in the old justice center and being vilified like he is today. Guess what, they came in on time on budget. They did a reset, excuse me sir, he is speaking. We did a reset, we got it in on time on budget. But guess what, some people went to jail over it over the process. Now they are doing a reset on \$8 million today and he sees several elected officials and not going to call you out today, but he is wondering if they are willing to help them out. That is what part of the reset is going to be. There is a lot of elected officials in here that are also calling him up going, how much is this going to cost their community, if you guys move forward on this radio? Because, a lot of letters were sent out after the vote asking people, asking their communities to say, they need your support to this. What is it going to cost them? Okay, there was not a lot of opportunity for those official to get by in and now that buy ins happening now, okay. So this is what happened. He is just going to go back to what happened March 15. There are some meetings and he knows they are not exciting, but you go back to a December 8 meeting in 2021. Take a look at that meeting where he exposed the actual ORC violations. Take a look at the March 15, 2022 meeting, that is very key for what happened here today. On March 15, they were talking about approving a budget to hire Mission Critical to help them out with an RFP request, take a look at it. In their cover letter before their scope of work they bring an independent and objective perspective to every engagement and that is a priority for them, okay that sounds good. They also stated vendor, they stated that there were vendor neutrality is a value that underpins every aspect that they do, that sounds even better. They claim to be free of bias or favoritism to any specific product or service provider. Okay, he thought okay this is sounding good, this is what their cover letter said on a 10 page scope of work. The bid came in at \$4.64 just under the required \$50,000 and inside that scope of work they were going to vote on March 15. It didn't mention Harris, it might have mentioned Harris and Motorola maybe once or twice, but it mentioned a vendor 26 times. He asked the county, he sat there and said he had a problem with this he is just recapping. At the time, Commissioner Lundy said they don't do anything unless they run it by the Prosecutor and the Prosecutor said he had not seen this contract, that is what happened on March 15. They are just doing a reset, it is \$8 million folks. He sees there are people here from the City of Lorain, elected officials and City of Elyria and he is going to call them up and ask them how much they are going to help them out, you know and like to participate? But that is it, end of discussion.

Call the roll.

Commissioner Moore, yes. Commissioner Riddell (audience talking) Moore said he did not ask them to come up (audience talking), oh he did okay. He thought he said he did not want to call you out. Mayor Whitfield said you did. Moore said ok Mayor. Mayor Whitfield, City of Elyria said so first off he wants to say thank you to everybody for showing up today, you are the world heroes of this community. Thank you for that first thought. (audience applause)

Mayor said he was asked earlier if he wanted to give remarks and he told their team play, let's just let the other folks speak. He watched how you treated his chief he didn't appreciate that as well. But, he is very impressed with you Commissioner Moore because he has never seen someone get this much feedback and be able to ignore it the way you have. He has never seen anything like it before. (audience applause). Mayor said he has never seen anything like it. And it is not unique to this issue and this is the truth of why elections have consequences, this is just one issue and if this is any sentiment of how things are going to be for the next 4 years or next 2 years, they need to do whatever they can change this dynamic with you up here and with others if it will support you because this is the sort of toxic governing that they have seen with things. He truly believes if the cure for cancer would have got approved by Hung and Lundy, you would be against it. The thought and mindset is (audience talking and applause) Moore said he knows he is campaigning. Mayor said here is the difference between you and him Here is the difference between him and you and he was making a difference in this community before he was a Mayor and he is going to afterwards. This is your only relevance sitting in that seat and you are going on the Trump train and but with one letter next to your name. His reputation is based on work and he cares about the people, you can look at the value. So, yes we want to go to our city and we're going to advocate to put resources into this and they will have skin in the game. But, what he thought he would hear from you out of everything was, hey the comments you just made at the end to him that should have been the first comment. They were committed to this work, they want to revisit it that does not require you for rescind it, but he gets what you are doing, but the commitment to hey, you believe in this. The folks here don't trust that you do support this and that is where the conversation should have stated, but again when the focus is not on reasonable governing and it is on playing politics, this is the example of what that looks like. He is going to continue to work with you, passing the olive branch, but this is ridiculous Commissioner. He will be honest with you, these games with you this is quite ridiculous. He is just being honest with you and for the fact that you said you were not going to say anything and then you called him up when he is being respected to you and your meeting not coming up here. It is just another testament o why he just, he is very disappointed in you, so that is his conversation to you. (audience applause)

Hung said Mr. President. Moore said he already called the roll. Hung said Mr. President can she add something to her discussion? Moore said he already called the roll. Hung said Mr. President, you are denying her the opportunity to say. Moore said go ahead and add something Commissioner, go ahead.

Hung said she wanted everyone to know the most important role she has as an elected official is the safety of the residents she is elected to represent. She has done everything she can to keep on top of and informed on this process every step of the way and that is the job the residents elected her to do. She certainly does not want any of their First Responders hurt or God forbid there is a major catastrophe that renders them unable to talk to each other. But we have here the Sheriff and elected officials, we have trained professionals in the fire and safety communities throughout Lorain County and they are very concerned about their men and women and that the communication system they currently have is not meeting their needs and they have taken this process very seriously and thank you all for coming. This is and just finally she would like to know this is a substantial investment and yes they are able to make these history making grants, history making grants due to the American Rescue Plan Act funds and it is a substantial investment in their future and she cannot stress enough the future of the safety of their children in the years to come and she hopes Commissioner Riddell will reconsider his vote here. (audience applause)

Following resolution was adopted:

AA.21

RESOLUTION NO. 23-15

In the matter of rescinding Res#22-909, adopted )  
December 21, 2022 authorizing an agreement with )  
Cleveland Communications, Inc., to provide goods )  
And services on behalf of Lorain County 9-1-1 )

January 9, 2023

WHEREAS, on December 21, 2022, Commissioners adopted Res#22-909 entering into an agreement with Cleveland Communications, Inc., to provide goods and services for a public safety radio system on behalf of Lorain County 911 and will be paid from the Act#ARP capital equipment.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby rescind Res#22-909, adopted December 21, 2022 authorizing said agreement with Cleveland Communications, Inc.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell / Nays: Hung  
Motion carried. \_\_\_\_\_(discussion was held on the above)

Moore said investments. (audience talking) Moore said okay, come on Mayor, he is not coming into your place.

Moore said in regards to Issues #4-10, he would like to table them and make a motion to table them until January 18 for that meeting due to the fact that our County Administrator is ill and was not available to go over the actual requisitions and appropriations. So, is he going to get a second to table. Riddell seconded. Clerk called for discussion.

Hung said there are some financial matters that need to be addressed. Moore said we are in discussion mode. So you can come up now. KC Saunders, Budget Director said good morning Commissioners. There is one appropriation that he would like the Commissioners to consider for today's board and it revolves around the emergency rental assistance. So, there is an appropriation that he put in front of you guys that he would like you to consider to allow those ERA payments to continue to be pushed through without. Moore said okay, how can we imagine. Petticord said what he would do is he would make a separate motion from the floor to approve the appropriation as stated by KC and then make that motion Commissioner. He would make that motion then vote and then would suspend the rest of them, okay. Hung said she needs to request legal counsel here. How can we not pay our bills until the next meeting of January? Petticord said we got a bunch of people who are coming in and out and this might be time to, Moore said 2 minutes and they will tell you what words, no he is not going out. Petticord said his understanding is that the only time sensitive requisition is the one brought up by the Budget Director. The remaining requisitions are not time sensitive and can be dealt with adequately next week. Correct? Saunders said appropriation. Petticord said sorry, appropriation is only one to be paid and others wait to be paid until next week that is understanding. Moore said that is what he was informed of. Hung said to address legal counsel here. The motion was made to table the numbers 4-10 and that includes requisitions and bills that need to be paid. With all due respect Assistant County Prosecutor. Do you understand what he is at? Petticord said he understands what he is tabling and his understanding from Ms. Perkins is that and from KC is that nothing that was intended to be approved today is time sensitive except for the ERA Program that KC just spoke about. In the remaining things that were on that portion of the agenda can wait until the 18<sup>th</sup> without causing the county any issues that is his understanding, but he thinks KC is the better person for that and he is just throwing him under the bus, but that is correct KC? KC said that appropriation he has in front of them was the only one that he is aware of that it is the call he received probably 15 minutes before the meeting, requesting that they make sure that one gets though so that is the only appropriation, requisition bill that he is aware that is extremely time sensitive. He cannot make a blank statement that there is no other ones, but that is the only one he is aware of. Petticord said it is also, he means we do this when the board does not meet holiday or over the end of the year they don't approve requisitions and appropriations every week, so this is the only one that they are aware of. He would suggest pulling it out the way he stated and table the rest until next week. Hung said guess it is actually next week, it's the 18<sup>th</sup>. Moore said right, the next meeting. Moore said what is appropriate. Follow me, just table and then open up appropriation Petticord said we have to vote to table. Think there is a motion a second to table. Go ahead take that but then somebody from the floor probably you from the President. Make a motion to pay, KC can you give me a little of what you want? Moore said he gets it okay.

Moore said call the roll that is on the table.  
Following resolution was adopted:

RESOLUTION NO. 23-4A

In the matter of tabling #4-10 on the agenda until)  
January 18 2022 commissioners meeting ) January 9, 2023

WHEREAS, after discussion and determination that the Administration had not had time to review they would like to table these items until the January 18, 2023 Board of Commissioners meeting.

- These are the following items;
- #4. Investments
  - #5. Appropriations
  - #6. Transfers
  - #7. Advances/Repayments
  - #8. Requisitions
  - #9. Travel
  - #10. Bills

Moore moved, seconded by Riddell. Clerk called for discussion. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell / Nays: Hung  
Motion carried.

\_\_\_\_\_(discussion was held on the above)

JOURNAL ENTRY

Moore said KC can help them to pass that, so they can pay some of the bills. Moore said do you want to give it to Erica? KC a motion to approve the appropriation. Petticord said the motion is to approve the appropriation that you have been provided specifically for the rental. KC said emergency rental assistance act, that would be the motion he would state that. Moore said what is the number on that one, is it H22-2201, he got scheduled, oh no that is not, is this the one here? You did not give that to him. Moore said Erica does not have it. Moore said who has it? KC asked Commissioner Hung if she happened to have it? Hung said she thinks so, yeah. Moore said fund number, so you just got to read it, correct you know ERA fund number 10.55 and just read that in as a requisition. KC make sure she reads it right, okay. Moore said the appropriation the same regards to the appropriation.

Hawkins said in regards to the appropriation #5 ERA fund #1055 for appropriations to cover the emergency rental assistance payments.  
Motion by Moore, seconded by Riddell. Clerk called for discussion.

Hung said yes for the publics information, she was handed this as she was walking up to the podium for the meeting. All of this was given to here literally seconds if not minutes before the meeting started. She would hope that is not how the board is going to operate this year and all members and all board members are given the information with ample time to research and do their, perform their due diligence on the topic. She will support it because you know if at least we are getting somebody paid, that is a good thing. Moore said yep, we all got it up here at the same time. Thanks KC

Following resolution was adopted:



Paul Yoo said he is having a hard time getting a ditch cleaned out on Hawley Road, Wellington Township. He has been fighting with his Trustees for 4 years and get a lot of finger pointing and he has contacted ODNR, Ohio Wetlands, Lorain County Health Department and EPA. The ditch is so bad that he has had neighbors, 3 houses upstream where they have had mud in their septic systems. Have another neighbor next door where heavy rains comes out to the top of their septic system. They have tried contacting Don Romancak and ignored them. What it boiled down to is one day their Trustees claimed that they had the County Engineer out there and quoted \$186,000 to clean out the ditch for everybody and they don't have the money to do it. It has been 4 years. The Township Trustee had someone to do it for \$38-40,000 and the county said no. So they are stuck Moore said Karen is giving the looks, she is the Deputy Director and he sees Karen is writing notes and asked if she was going to help this man? He said he was not done. Moore said sorry, okay. Yoo said he has a couple of things that this has been going on for 4 years a lot of finger pointing and he got a meeting with the EPA scheduled on Wednesday to meet with them in Twinsburg. You are having damage having to our homes and no one will take responsibility. If the County Engineer claimed \$186,000 and they filled out a grant form that they submitted and it was denied. Yet their Trustees said they can have a guy who is trustworthy due do it for \$38-40,000 and the county said no. When the guy comes in at 25% of what the county said they can do it and the county still says no. What is the hold up? Moore said that is the story right? Yoo said that is why he is here, it is like is somebody in somebody's pocket at the county? Where their buddy has an excavating company and they charge that much more money for it? Moore said no. He thinks, well last year the previous board approved over \$6.5 million for these projects so he would like to have Karen. Riddell asked what township is this? Moore said Wellington. Perkins said he is referring to ditch cleaning and not sanitary sewer work. Moore said no, we have a ditch cleaning. Perkins said we have always had ditch cleaning, so. Moore asked if this is ditch cleaning or ditch maintenance? Perkins said she believes it may be ditch maintenance. So, let her get together and see what we can come in. Yoo said he has approached his Trustees and had a meeting with them last week and their ditches are draining into their ditches, where the problem is. Moore said ok. Yoo said the ditch is on Cemetery and south of Holly Road south of Cemetery drain into their ditch and



probably contribute 95% of the water and he has videos that he took last week. Yet, they are denying no responsibility and they are saying the county won't clean it out because they don't have the money. They got a guy that said he would clean it out for \$38-40,000 and the county came back and said no you can't touch it. He was advised by somebody saying don't do it on your own because it is a natural water way and if you change the flow or velocity of the water and there is an issue you are held responsible. So, he can't even get that done on his own and he has approached everybody and said okay, if you don't want to do it give him a letter saying he is free to clear out on his own, his professional person and he won't be held financially liable for anything and no one will do that either. Yet they are getting damage to septic systems and there is flooding. It is like when is somebody getting off their butt and get something done, its going on 4 years. Petticord asked him to tell him the name of the ditch? Yoo said he has maps here. Petticord said what is the name of the ditch? When he contacted the EPA years ago they said it was a field drainage ditch. Petticord said it is on Holly Road? Yoo went up and showed the Commissioners & Petticord maps. Yoo said it is concerning that the county comes back and says it is \$186,000 and Trustees have a person to do it for \$38-40,000, 25% of the cost. Moore said he appreciates you coming in this morning Riddell said he would only hope when the county looked at it that the ditch from Cemetery that you mentioned that is overloading it that they were looking at it more globally and trying to make sure that they got the whole problem and not just part of it. Yoo said he does not know. Riddell said he does not know either, but it is going on 4 years. Riddell said that is the key, that is the key argument here. Yoo said he is actively involved again because he just retired so now he has a lot of time and can come to these meetings and approach people. Moore said they appreciate that. Yoo said again, he has a meeting with the EPA on Wednesday he filed a formal complaint with them and want to treat it as such and if does not get resolution from them he will go to Columbus. He said the EPA told him since there is damage to the septic systems and the health department would not even help him, Lorain County Health Department that at the last resort they might be able to step in and do something. So, he is hopefully that they step in and do something. But he does not understand the foot dragging. Moore said Karen does not drag any feet. Do you? Perkins said no. Moore said she will get to the bottom of it. Moore said since you are retired you can come back and give them an update on how Karen did. Hung asked if there was a phone number for him? Moore said yes there is. Moore thanked him.

Moore said he has a list of people that did not speak here and maybe they thought it was all done. But, is there anybody else that wanted to speak that did not? There was no one, he said go onto #11. \_\_\_\_\_(discussion was held on the above)

JOURNAL ENTRY

Moore said sorry, you did not fill out the piece of paper.  
She said hello, her name is Amy Pugh, Patrolman for Portland Police Department but the 3<sup>rd</sup> District Trustee for the State of Ohio Fraternal Order of Police. She is here in support of her brothers and sisters and wanted to let them know for those that are left that she wanted everybody up there to know that the State of Ohio FOP supports them. Just within learning about this she got invited to this meeting 40 hours ago and she did her research all night last night on her shift and she just has no words. She just wanted to let everybody her that is still here know that the State of Ohio has your back whether you are law enforcement, EMS, firefighters and said the Fraternal Order of Police has your back and she has you too. (audience applause) \_\_\_\_\_(discussion was held on the above)

AA11.

JOURNAL ENTRY

In the matter of providing each Wednesday of each month)  
At 9:30 a.m. as regular Board meetings for 2023 ) January 9, 2023

Moore asked if we need discussion, a vote on this or no? Riddell said do you first want discussion. Petticord said you can first call for discussion. Moore said he just wants to discuss this. Moore said he does not think we have to pass this? Petticord said as far as to when you are having a meeting, no.  
Moore said just so the public is aware they are looking at several different options for their public meeting. Let's see he thinks maybe the first time he served 20 some years ago they had a room this size and this is probably the third time they have had a meeting this size. It does not happen that much and usually have a couple people when they took office the 1<sup>st</sup> quarter or first part of 21. They tried to have night meetings and thought it would get more public to attend but COVID was going on at that time. So, this is not a decision to be made, which is great but through the month of January he would like to continue to have discussions in regards to what type of public hearings they should have. His personal opinion he would prefer to have them closer in the afternoons between 3-4 pm, so they can get more public, especially ditch hearings. He said people have to take time off for ditch hearings at 9:30 a.m. and that is why he asked to talk about that. He feels those meetings should be more about 4:30-5 pm because every time they do these letters that they have to pay all these fees they come in and find out they don't have to pay the fees they feel like they have wasted a full day. So, that is kind of some of the things he would like to talk about. Other options, he thought about having 2 meetings in one week, like for example on a Tuesday and a Thursday, give the next week off as a time for their people to keep working and kind of get it out of their way, these are some of the options he wanted to throw out in the public for the 2 of you to think about. If you have any other ideas let's talk about it and for the month of January he don't have a problem he thinks we are okay going Wednesdays at 9:30 a.m., But he would like them to consider maybe having some evening or afternoon meetings so those involved in that we don't interrupt their directors who are working daily, that is just his opinion.  
Riddell said the purpose of this is to provide some more input at a time and schedule when people can do it. So one of the things they are looking for 2 meetings a week is they could hold a Tuesday morning meeting. Do their business and put it on their agenda and the community would get the opportunity to hear the Commissioners and what they are considering and what their opinions are and then hold a meeting fairly close to that maybe like a Thursday evening meeting, so that they can weigh in on that meeting on the record and then if it may be necessary they would meet again 10 days later on a Tuesday and actually take action. So somethings may need to be taken care of sooner than that but what they are trying to do is provide an opportunity for those that are watching today on the televised part and those are in the room and others to see the agenda well in advance to know how to plug in and participate because currently the agenda comes out on Friday and if they are having a meeting and unless people actually see the agenda on the website they don't know what is going to be happening. Many times the resolution does not completely explain what the subject is at hand, so that is why they are trying to get the resolution on the record and provide some vehicle to allow participation and then provide for taking action to have a better connection between the community and Commissioners. They are open to suggestions on that and they all have including him now have an official website and email and this kind of transparency he thinks is important to build trust with what is going on in the Commissioners in the county. Thank you.

\_\_\_\_\_ (discussion was held on the above)

AA12.

JOURNAL ENTRY

Commissioner Moore said should I appoint myself I guess, do you put the President down? Hawkins said yeah. Petticord said you have to move to appoint. Moore said how about we move to appoint the President of the Board to the 9-1-1, let's just do that. \_\_\_\_\_(discussion was held on the above)

JOURNAL ENTRY

Res#23-5 was not utilized

\_\_\_\_\_

AA12.

RESOLUTION NO. 23-6

In the matter of appointing Commissioner Moore)  
As 9-1-1 Review Board Chairman for the year )  
2023 and the various members )

January 9, 2023

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby appoint Commissioner Moore as 9-1-1 Review Board Chairman for the year 2023 and the various members.

Commissioner Moore	Chairman
Chief Jim Wilhelm	Amherst Fire Department
Nicole Cornwell	Amherst Police Department
Chief Dave Swope	Avon Fire Department
Chief Daniel Fishbach	Avon Police Department
Capt. Larry Fischbach	Avon Police Department (alternate)
Chief Jeremy Betsa	Avon Lake Fire Department
Chief Vincent Molnar	Avon Lake Police Department
Chief Adam Woodrum	Camden Township Fire Department
Chief Steve Higgins	Carlisle Township Fire Department
Derek Wendt	Central Lorain County Ambulance District
Chief Raymond Anthony	Columbia Township Fire Department
Chief Robert Resar	Eaton Township Fire Department
Chief Joe Pronesti	Elyria Fire Department
Chief William Pelko	Elyria Police Department
Chief Russ Scarbrough	Elyria Township Fire Department
Asst. Chief Kurt Scholl	Florence Township Fire Department
Chief Dan Clark	Grafton Police Department
Chief Bob Richards	Grafton Township Fire Department
Chief Glen Thompson	Grafton Village Fire Department
Chief Clifton Barnes	Kipton Police Department
Chief James Rader	LaGrange Fire/Rescue
Chief Mark Laubenthal	LaGrange Police Department
Keith McCurdy	Lifecare Ambulance
Jeff Young	Lorain County 9-1-1 Director
Jessica Fetter	L.C. Emergency Management Agency, Director
Chief Paul Hruby Jr.	Lorain County Metro Parks
Ranger Dustin Frey	Lorain County Metro Parks (alternate)
Sheriff Phil Stammitti	Lorain County Sheriff's Office
Capt. Daniel Ashdown	Lorain County Sheriff's Office (alternate)
Chief Christopher Radman	Lorain Fire Department
Chief Jim McCaan	Lorain Police Department
Chief John Reese	North Ridgeville Fire Department
Chief Michael Freeman	North Ridgeville Police Department
Capt. Kevin Jones	North Ridgeville Police Department (alternate)
Chief Robert Hammer	Oberlin Fire Department
Asst. Chief Mike Streator	Oberlin Fire Department (alternate)
Chief Ryan Warfield	Oberlin Police Department
Lt. Clifton Dowell	Ohio State Patrol
Sgt. Vern Pickering	Ohio State Patrol (alternate)
Chief Duane Eaton	Rochester Fire Department
Chief Dave Novak	Sheffield Lake Fire Department
Chief Andrew Kory	Sheffield Lake Police Department
Chief Joe Bandagski Jr.	Sheffield Township Fire Department
Chief Scott Gilles	Sheffield Village Fire Department
Chief William Visalden	Sheffield Village Police Department
Chief Al Schmitz	South Amherst Fire Department
Chief Michael Frazier	South Amherst Police Department
Hank Smitley	South Lorain County Ambulance District, Exec. Dir.
Chief Chris Stempowski	Vermilion Fire Department
Chief Mike Wetherbee	Wellington Fire District
Chief Tim Barfield	Wellington Police Department
Co-Chairman:	Jeff Young, Director 911
Secretary:	Michelle Smith, 911

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell/ Nays: Hung  
Motion carried. \_\_\_\_\_(discussion was held on the above)

AA.13

RESOLUTION 23-7

In the matter of appointing various Commissioners to )  
The Lorain County Data Processing Board, Solid )  
Waste Management Policy Committee, Safety )  
Committee (or designee) and Health Department Board)

January 9, 2023

WHEREAS, the following appointments were made:

- Data Processing Board – President Commissioner Moore
- Safety Committee – President Commissioner Moore / Alternate Commissioner Jeff Riddell
- Health Department Board – President Commissioner Moore / Alternate Commissioner Jeff Riddell
- Solid Waste Management Policy Committee – President Commissioner Moore / Alternate Commissioner Jeff Riddell

NOW, THEREFORE BE IT RESOLVED, the said appointments are made above.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung / Nays: None  
Motion carried.

AA.14

JOURNAL ENTRY

In the matter of appointing Marty Gallagher to )  
A 4-year term to the Port Authority Board )

January 9, 2023

Moore moved, seconded by Riddell. Clerk called for discussion.  
Moore said he wanted to thank Ben Fligner for his service on this board he has done an excellent job. He would also like to thank Roseanne Johnson for filling in when Bill Gardener passed away to finish out his term. So, he just wanted to at least extend that information out there, thank you.  
Hung said in the matter of appointing Marty Gallagher to a 4 year term to the Port Authority. She has not yet seen an application nor has she been given this opportunity to interview this person.  
Moore said he was told Hung was offered but refused the application on Thursday. Hung said not true. Moore said really. Moore asked Karen if that was her or JR that told him? Perkins said she thinks he is talking about the appointment for data processing board. Moore said no, okay. Hung said that is what she had called her about, nothing about Mr. Gallagher. Riddell said duly noted. Hung said Commissioners have always accepted applications for positions on boards. In fact, she recalls Commissioner Moore over the past couple of years stating up here on this very board up here to put in their applications if they are interested. She has not yet seen one or had the opportunity to call him.  
Following resolution was adopted:

AA.14

RESOLUTION NO. 23-8

In the matter of appointing Marty Gallagher to )  
A 4-year term to the Port Authority Board )

January 9, 2023

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby appoint Marty Gallagher to a 4-year term to the Port Authority Board. Term will be effective January 1, 2023 and will expire December 31, 2026.  
  
Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell/ Nays: Hung  
Motion carried. (discussion was held on the above)

AA.15

JOURNAL ENTRY

In the matter of appointing Daniel S. Gross to a )  
4-year term to the Port Authority Board )

January 9, 2023

Moore moved, seconded by Riddell. Clerk called for discussion.  
Hung said on this one she would like to say she likes Dan Gross, he has been a longtime friend of her colleagues here on the board and served as their facilities director since January 4, 2021. Moore said that is the wrong Gross, this is Jr., his son. Hung said oh, okay again another application she did not get to see or was informed of this. With that said she wants to thank Ben Fligner and Roseanne Johnson for their service to the Port Authority Board serving in the calendar year 2022. Roseann Johnson filled the unexpired term of Bill Gardener after his unexpected passing on June 30, 2022. Also, should be noted for the public that this was placed on the agenda prior to any executive session taking place with the newly seated board, so she had no other means to voice her support that she would wish to retain the members that were previously placed in one year terms, that was Ben Fligner and Roseanne Johnson and John Nowak, the third person was John Nowak. She will be supporting his nomination today because she did have the opportunity before an application last year in conversation with him and she is happy with the job he has done.  
Moore said you are not going to see many executive sessions. Call the roll.  
Following resolution was adopted:

AA.15

RESOLUTION NO. 23-9

In the matter of appointing Daniel S. Gross to a )  
4-year term to the Port Authority Board )

January 9, 2023

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby appoint Daniel S. Gross to a 4-year term to the Port Authority Board. Term will be effective January 1, 2023 and will expire December 31, 2026.  
  
Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell/ Nays: Hung  
Motion carried. (discussion was held on the above)



AA.16

JOURNAL ENTRY

In the matter of re-appointing John Novak to )  
A 4-year term to the Port Authority Board )

Moore moved, seconded by Riddell. Clerk called for discussion.  
Moore said he wanted to thank John for the work he has done, he is being re-appointed and he is from the Local 129 of International Brotherhoods of Electricians and has done a good job and he is very excited about the projects that the Port Authority is bringing to the table. He is a good guy  
Following resolution was adopted:

AA.16

RESOLUTION NO. 23-10

In the matter of re-appointing John Novak to )  
A 4-year term to the Port Authority Board )  
January 9, 2023

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby re-appoint John Novak to a 4-year term to the Port Authority Board. Term will be effective January 1, 2023 and will expire December 31, 2026.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell/ Nays: Hung  
Motion carried. \_\_\_\_\_(discussion was held on the above)

AA.17

JOURNAL ENTRY

In the matter of authorizing various personnel issues as)  
Indicated on the summary sheet for employees within )  
The jurisdiction of the Lorain County Commissioners )  
January 9, 2023

Moore said we are not going into an executive session, so he will move to approve the personnel summary sheet. Riddell seconded.  
Clerk called for discussion.  
Following resolution was adopted:

AA.17

RESOLUTION NO. 23-11

In the matter of authorizing various personnel issues as)  
Indicated on the summary sheet for employees within )  
The jurisdiction of the Lorain County Commissioners )  
January 9, 2023

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various personnel issues as indicated on the summary sheet for employees within the jurisdiction of the Lorain County Commissioners

**Workforce Development:**

**Resignation:**

- 1. Jeremy Cordes, Youth Program Manager, effective January 17, 2023

**Commissioners:**

**New Hire:**

- 1. John Gall, Administrative Assistant to Commissioner Riddell, effective January 9, 2023 at a rate of \$23.69/hr.
- 2. John Gall, Administrative Assistant to Commissioner Riddell – Designate personal exemptions for employee within the jurisdiction of the Lorain County Commissioners Office, pursuant to ORC Section 124.11 (A)(8) and the Ohio Administrative Code Section 123:1-5-02; Authorize Administrator to execute necessary documents, effective January 9, 2023

**Facilities:**

**Termination/Probation Failure:**

- 1. Trisha Wilson, Custodial Worker 1, effective December 22, 2022

**Crime Lab:**

**New Hire:**

- 1. Caelan Fisher, Forensic Analyst, effective January 17, 2023 at a rate of \$23.50/hr.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung/ Nays: None  
Motion carried. \_\_\_\_\_

JOURNAL ENTRY

Petticord said the fact that the Clerk states the board can go into executive session is not part of the motion, it is just that a formula that the Clerk will use. So when we get the point where there is an executive session, we will have it on the record, but that is not necessarily part of the motion. Riddell said thank you counselor. \_\_\_\_\_(discussion was held on the above)

Approve the 2023 general fund budget)

Moore moved, seconded by Riddell. Clerk called for discussion.

Moore said yes. The Sheriff is waiting. Shall we talk about the Sheriff first, you look like you are excited. Moore said with the board approval, okay. He said communication seems to be the discussion today Sheriff, right? Sheriff said yes it does.

Moore said he will start. The budget came in at \$74 million, \$74.6 million and that was a requested budget from the hearings, well that was a little bit more than what was requested in the budget hearings. The actual 22 budget was \$70 million, that was the actual spent. So, what they have going on there is \$67.1 million is actual revenue that has been budgeted that is coming and that has been projected by the Auditor an all the other revenue funds that will be coming in. They are short, also have \$4.4 million that is coming back because they loaned some money out and they do that quite a bid loaning money out for project and will get it back so that is \$4.4 million coming back. So that takes them to about \$71.5 million, so they are short about \$31.1 million. So he wants the Sheriff to like realize that for 10 years when they do these budgets, you know they come in and they are always 10% conservative. So they will have excess funds probably within the 1<sup>st</sup> quarter once they get the first sales receipts in. He does not want to think that this ½ million dollar reduction isn't coming to you, he would just like to have a discussion on how many cars, that is all he wanted nothing bad he is not having to cut personnel and they are giving him what he requested in November, the only difference he saw that there was an extra \$70,000 that was added in a couple of weeks ago after the hearing, so they took that away and will not talk about the rest of the budget. But with you standing there he thought if you want to say anything before he had to get back to what he has to do. He just hopes you didn't take, sorry you took offense to what happened based on what you are. Sheriff said when he hears cutting like that he likes an explanation why and right the cars as you know don't even get put into his budget that is capital that the Commissioners buy them out of. Moore said right. Sheriff said the come every year and explain why they need them and how many they need. Moore said you are doing a great job. Sheriff said you are telling him that his budget now is \$7,022,901. Moore said it was just reduced by that \$70,000 that was added in after. Sheriff said no that was the \$7,272,183. Moore said let him make this simple. This is a living document, does that sound good? Sheriff said yeah. He just wants to reiterate too, that he returned \$264,000 to the general fund to you. Moore said thank you. Sheriff said that is ok, he is fragile when. Moore said he knows he always tells him that. Sheriff said you know for yourself now, he don't know whoever did or if you had anything to do with it, but he was cut 2 deputies from the Environmental, Solid waste money. Moore said yep, he heard about that. Sheriff said he had to absorb those 2 deputies into his general fund money, which now shorted him 2 deputies they were going to hire. He don't know if they are short in that fund or what, but he received a letter after his budget hearing. Moore said he knows, he heard. Sheriff said on December 31. Moore said he hear and what his concern in regards to that and hate to jump over here to Solid Waste but they have a lot of issues over at Solid Waste financially and he is trying to do the best he can with what he has. They probably need to revisit a lot of these things and Sheriff was also down 8 deputies, right? Sheriff said yes. Moore asked if he has filled? Sheriff said they have filled some, but still down about 6. Moore said hopefully it does not affect your budget and he hoping the next 90 to 120 days they can shore up Director Blevins and what he is trying to do and what the Sheriff is trying to do. He don't want, he would rather just do this with KC instead of reading it in the papers. Sheriff said Commissioner he wants to add one more thing. Moore said that is fine. Sheriff said the approved contract January 1, 2023 with the deputies that will add about \$300,000 to the general fund. Moore said right. Sheriff said he just wanted them to be aware that is not in that budget right there, okay. So, you all 3 approved. Moore said you won't be giving back the \$280,000 that is all. Sheriff said he is just making them aware of it. Moore said he appreciates it and he does a good job and just didn't appreciate him reading about it. Thank you Sheriff.

Moore asked if there was anybody else here to discuss the budget? Moore asked the Commissioners

Hung said she is not happy with some of the changes but will be supporting it today.

Moore said again, it is a living document. He went through it and analyzed the last 10 years it averaged 10-13% the Auditor who submits all the revenue to them which is consistently 10-13% conservative which means they are going to have \$5-6 million, which puts them a little bit more in the black. So, just let people know although it shows that we have, don't have a balanced revenue budget it is going to be fine.

Riddell said Mr. President. He would also like to for those in the room and remind everybody they are probably headed into the first recession that they have seen here probably in a dozen years that it would be prudent for them to be a little on the conservative side and revisit it and see what sales tax receipts come in because that is by far the lion's share of their budget.

Clerk asked if there was anything else. Riddell said spend often and wisely.

Following resolution was adopted:

RESOLUTION NUMBER: 23-12

**APPROPRIATION RESOLUTION**  
For The General Fund  
**COUNTY OF LORAIN**  
FOR FISCAL YEAR  
**ENDING DECEMBER 31, 2022**  
  
**FILED: January 8, 2023**  
  
BY: \_\_\_\_\_  
**COUNTY AUDITOR**

IN THE STATE OF OHIO, LORAIN COUNTY, ss., I, Erica A. Hawkins, Secretary to the Board of County Commissioners of Lorain County, Ohio and in whose custody the FILES, JOURNALS AND RECORDS of said Board are required by the laws of the State of Ohio to be kept, do hereby certify that the within Annual Appropriation Resolution is taken and copied from the original Resolution No. on file with said Board, that the within Resolution has been compared by me with the said original and that the same is a true and correct copy thereof.

WITNESS my signature, this 9<sup>th</sup> day of January in the year 2023.  
S/Erica A. Hawkins, Secretary  
Lorain County, Ohio

	100.000	BOARD OF COUNTY COMMISSIONERS		
		Personnel Services	\$1,593,000	
		Other	\$162,500	
				\$1,755,500
	100.100	RECORDS CENTER		
		Personnel Services	\$320,350	
		Other	\$18,680	
				\$339,030
	100.114	WORKFORCE DEVELOPMENT		
		Personnel Services	\$1,800,000	
		Other	\$0	
				\$1,800,000
	100.116	ECONOMIC DEVELOPMENT		
		Personnel Services	\$695,719	
		Other	\$281,700	
				\$977,419
	100.118	COUNTY PLANNING		
		Personnel Services	\$126,050	
		Other	\$32,825	
				\$158,875
	200.000	COUNTY AUDITOR		
		Personnel Services	\$1,633,304	
		Other	\$224,900	
				\$1,858,204
	210.000	COUNTY TREASURER		
		Personnel Services	\$441,622	
		Other	\$146,750	
				\$588,372
	220.000	PROSECUTING ATTORNEY		
		Personnel Services	\$4,775,560	
		Other	\$375,412	
				\$5,150,972
	220.220	PROSECUTOR IVD		
		Personnel Services	\$1,140,672	
		Other	\$33,840	
				\$1,174,512
	220.221	PROSECUTOR IVE		
		Personnel Services	\$444,600	
		Other	\$0	
				\$444,600
	340.000	COURT OF APPEALS		
		Personnel Services	\$0	
		Other	\$220,000	
				\$220,000
	360.000	COMMON PLEAS COURT		
		Personnel Services	\$4,378,113	
		Other	\$496,690	
				\$4,874,803
	361.000	COMMON PLEAS COURT-NON OPER.		
		Personnel Services	\$0	
		Other	\$1,385,000	
				\$1,385,000



	400.000	DOMESTIC RELATIONS COURT		
		Personnel Services	\$2,875,728	
		Other	\$150,000	
				<b>\$3,025,728</b>
	400.402	DOMESTIC - JUVENILE COURT		
		Personnel Services	\$2,813,190	
		Other	\$146,000	
				<b>\$2,959,190</b>
	400.404	DOMESTIC - DETENTION HOME		
		Personnel Services	\$1,938,000	
		Other	\$381,250	
				<b>\$2,319,250</b>
	400.406	DOMESTIC - CHILD SUPPORT IVD		
		Personnel Services	\$561,805	
		Other	\$115,905	
				<b>\$677,710</b>
	400.408	DOMESTIC - PATHWAYS		
		Personnel Services	\$0	
		Other	\$8,200	
				<b>\$8,200</b>
	400.436	DOMESTIC - TURNING POINT		
		Personnel Services	\$498,180	
		Other	\$7,000	
				<b>\$505,180</b>
	400.446	DOMESTIC - JUVENILE COMPLEX		
		Personnel Services	\$0	
		Other	\$15,100	
				<b>\$15,100</b>
	401.000	DOMESTIC - NON OPERATING		
		Personnel Services	\$0	
		Other	\$620,000	
				<b>\$620,000</b>
	500.000	PROBATE COURT		
		Personnel Services	\$808,942	
		Other	\$27,492	
				<b>\$836,434</b>
	510.000	CLERK OF COURTS		
		Personnel Services	\$605,422	
		Other	\$105,500	
				<b>\$710,922</b>
	520.000	CORONERS OFFICE		
		Personnel Services	\$793,632	
		Other	\$253,447	
				<b>\$1,047,079</b>
	520.199	CORONERS NON OPERATING		
		Personnel Services	\$0	
		Other	\$25,000	
				<b>\$25,000</b>
	530.000	COUNTY/MUNICIPAL COURTS		
		Personnel Services	\$746,500	
		Other	\$882,500	
				<b>\$1,629,000</b>
	<b>ELECTIONS:</b>			
	540.000	BOARD OF ELECTIONS		
		Personnel Services	\$1,939,358	
		Other	\$1,066,085	
				<b>\$3,005,443</b>

BUILDING & GROUNDS:				
	100.102	CAPITAL IMPROVEMENTS		
		Personnel Services	\$0	
		Other	\$0	
				\$0
	100.104	BUILDING AND GROUNDS		
		Personnel Services	\$684,000	
		Other	\$344,750	
				\$1,028,750
	100.106	OFFICE SERVICES		
		Personnel Services	\$45,500	
		Other	\$373,300	
				\$418,800
	100.108	TELECOMMUNICATIONS		
		Personnel Services	\$524,500	
		Other	\$111,000	
				\$635,500
	100.110	CUSTODIAL		
		Personnel Services	\$245,100	
		Other	\$66,000	
				\$311,100
	100.112	COMMON COSTS		
		Personnel Services	\$0	
		Other	\$2,923,500	
				\$2,923,500
PROTECTION TO PROPERTY & PERSONS:				
	100.124	DISASTER SERVICES		
		Personnel Services	\$207,845	
		Other	\$97,700	
				\$305,545
	550.000	SHERIFF		
		Personnel Services	\$6,645,669	
		Other	\$556,514	
				\$7,202,183
	560.000	RECORDER		
		Personnel Services	\$697,762	
		Other	\$15,000	
				\$712,762
HEALTH AND HUMAN SERVICES:				
	100.126	AGRICULTURE		
		Personnel Services	\$0	
		Other	\$3,500	
				\$3,500
	100.128	REGISTRATION OF VITAL STATISTICS		
		Personnel Services	\$0	
		Other	\$4,000	
				\$4,000
	100.130	PORT AUTHORITY		
		Personnel Services	\$0	
		Other	\$0	
				\$0
	100.132	PUBLIC ASSISTANCE		
		Personnel Services	\$0	
		Other	\$1,100,000	
				\$1,100,000

	100.136	INS/PENSION/TAXES		
		Personnel Services	\$11,410,000	
		Other	\$18,000	
				\$11,428,000
	100.140	LEVY/ASSESSMENTS		
		Personnel Services	\$0	
		Other	\$210,000	
				\$210,000
	610.000	VETERANS SERVICES		
		Personnel Services	\$1,166,000	
		Other	\$2,833,000	
				\$3,999,000
	610.610	VETERANS HONOR FUND		
		Personnel Services	\$0	
		Other	\$300,000	
				\$300,000
	300.320	ENGINEER (TAX MAP)		
		Personnel Services	\$80,900	
		Other	\$0	
				\$80,900
	100.142	COMMISSIONERS ALLOC/OTHER		
		Personnel Services	\$0	
		Other	\$2,834,750	
				\$2,834,750
	CONTINGENCIES:			
	100.144/999	OTHER VITAL EXPENDITURES		
		Personnel Services	\$0	
		Other	\$3,000,000	
				\$3,000,000
	TOTAL PERSONNEL		\$52,637,023	
	TOTAL OTHER		\$21,972,790	
	TOTAL GENERAL FUND			\$74,609,813

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung/ Nays: None  
Motion carried. \_\_\_\_\_ (discussion was held on the above)

AA.19

JOURNAL ENTRY

In the matter of entering into a Loan Agreement with the)  
Lorain County Port Authority to purchase real property )      January 9, 2023

Moore moved, seconded by Riddell. Clerk called for discussion.

Hung said Mr. President. She had a question to Mr. Dan Petticord, Assistant County Prosecutor. Do we have a resolution that is approved from the Prosecutors office on this? Petticord said have a mortgage, he has looked at the draft mortgage agreement document and the security agreement and have approved both of those. He is happy with the resolution, him and Karen spoke this morning and this is the one they talked about this morning, correct? Petticord said generally he is okay with the resolution and mostly concerned with the documents that were going to sign and approved that so he is good. Hung said she is always concerned that the board has as proper resolution. Petticord said he agreed. Hung said what is in front of her that she got from Karen almost happy with, okay. Petticord said he is okay with. He is a lawyer is never truly happy especially when you guys are talking. Hung said they ask him questions a lot and it be muster from their legal department.

Moore said the Port Authority only has until January 13 on a decision on whether or not they are going to proceed. So basically if they don't proceed, we don't even execute it. Petticord said the loan agreement is fine, that is the operative document here and the resolution gives the board the authority to enter into that document, enter into the agreement that is fine. He thinks Commissioner Hung is discussing and this gets into the things he always struggle with Attorney Client privilege. There were some emails that went back and forth between Karen and her, were he expressed his off repeated opinion that saying less is often better than saying more and he would prefer that the resolution itself was narrower or was shorter that is just a general piece. There is nothing wrong with it, it is fine, it is legally what he can say is that you can legally enter into this and you can do that. Moore said thank you

Hung said Mr. President, may she ask another questions? Moore said yes. Hung said the next question she has and she talks to folks in the public quite a bit and they have asked her questions on this and she is looking at the resolution which again, she got just before the meeting. She is looking at the MOU which may be an old copy that Karen provided for here. But one of the biggest hottest questions she gets is. What is the interest rate? Petticord said the MOU to his knowledge the board is not contemplating entering into an MOU that is something they talked about several months ago. The mortgage agreement replaces the MOU. Hung said okay, so she guesses the biggest hottest question out there in the public and what she gets out there, is. What is the interest rate? Do we know that yet? Petticord said he does not have the mortgage agreement in front of him. It gets tied to the prime rate if he remembers correctly believe he has looked at the mortgage agreement in detail for about 2 weeks. Hung asked if she could get a copy of that? Petticord said yes. Hung said terrific, thank you.

Following resolution was adopted:



AA.19

RESOLUTION NO. 23-13

In the matter of entering into a Loan Agreement with the)  
Lorain County Port Authority to purchase real property ) January 9, 2023

WHEREAS, the Lorain County Port authority desires to obtain a \$13.9-million-dollar loan from the Lorain County Board of Commissioners to be used towards the purchase of real property consisting of approximately 57.86 acres in Elyria, Ohio and known as the Midway Mall and Sears Automotive properties for the purpose of holding, redeveloping and ultimately placing such Property back into productive service for the economic benefit of Lorain County.

WHEREAS, the County has funds available for the cleanup of blighted property and economic development;

- WHEREAS, The Port shall execute a promissory note payable to the County at the time the Loan is made containing the following terms:
- a. An interest rate at the applicable federal rate
  - b. A Maturity Date” that is ten (210) years from the date the Port closes on its purchase of the Property;
  - c. Secured by a mortgage on the Property;
  - d. Nonrecourse to the Port and not secured by an collateral other than the Property;
  - e. Outstanding principal and accrued interest on the Note will be reduced by the amount of operating expenses paid by the Port to maintain the property (e.g., taxes and assessments, utilities, remediation and demolition costs, and the like). Documentation of the foregoing described expenses shall be provided by the Port on a quarterly basis; and, absent manifest error, will be applied to a dollar for dollar reduction of the outstanding principal balance and accrued interest on the Note;
  - f. Upon the Port’s sale of any portion of the Property, the Net Proceeds from such sale shall be remitted to the County for application against the outstanding principal balance. “Net Proceeds” is defined as the net amount paid to the Port as ‘seller’ at closing of the sale as reduced by a five percent (5%) administration fee; and
  - g. At the Maturity Date, if the loan is not repaid in full, the County at its option, shall either (i) take title to the portions of the Property that remain unsold by way of a deed-in-lieu of foreclosure, or (ii) forgive the outstanding balance due under the Note.

NOW, THEREFORE BE IT RESOLVED by the Lorain County Board of Commissioners that we do and hereby authorize entering into a Loan Agreement with the Lorain County Port Authority to purchase real estate known as the Midway Mall and Sears Automotive properties **and authorize payment of 13.9 million dollars to the Lorain County Port Authority out of General Fund account 1000.0000.100.000.01.7070.0000 (Other Expenses).** The complete Memorandum of Understanding between the parties is a part hereof and can be found on file in the Commissioners Clerk

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell / Nays: Hung  
Motion carried. \_\_\_\_\_(discussion was held on the above)

AA.20.

JOURNAL ENTRY

In the matter of adopting Lorain County’s )  
Health Plan terms and deductions for all ) January 9, 2023  
Plan participants )

Moore moved, seconded by Riddell. Clerk called for this discussion.

Hung said Mr. President. This resolution is about waiving the 30 day waiting period to start receiving the health care benefits once employed by the county. So, once an employee’s begins work at the county money is withheld from their paycheck to pay for the premium and looks like the county will front that money for that premium, correct? Petticord said don’t know, this is how it was done couple of years ago. Moore said yes, January 21. Petticord said the financial, how the Auditor and Budget Department not to keep throwing KC, but how payroll does it, he does not know. Hung said it is probably more of an Auditor question. Petticord said yes, it probably is more of an Auditor question and thinks Erica does the payroll here? Erica said no. Petticord said he is completely off here. It is a payroll question, an Auditor question and the legal question is, you can do it this way and it was done in the past and was changed a couple of years ago and think this is just going back to the prior practice. Hung said it started on the 4<sup>th</sup> of 2021, before that there was a waiting period. She actually knows that because she went over it with Chris Pyanowski. So there has been, she guesses the point is there has been many times that someone starts and works a couple of days and just becomes a no show and unfortunately it does happen, so it is the taxpayer that puts the Shortall from the result of the employee walking off the job. The problem they encountered with it and her research with it was the payroll departments in the county had issues with implementation and while on the flip side it could help their elected officials throughout the county recruit employees. But, what she does know is she had several conversations with Chris Pyanowski in the Prosecutors Office and he ran through all sides of the issue for the Commissioners last year. Due to the resolution last year not matching their personnel policy manual when first passed in 2021 caused multiple issues for their payroll departments in the Auditors Office. She just does not think they are at the point of approving this today. She is not going to support it, but what she would support is tabling the agenda item and if any of her colleagues want to continue to have a conversation with Chris Pyanowski or the newest Commissioner Riddell would like to have those conversations with Chris that he had with her last year, she just would really hate to see that today this is past and in the coming weeks employees that are fired and others that are hired and then 6 months down the road this is rescinded because there is not good communication with legal happening right now. So, she personally is going to take and vote not just because she thinks it needs to be tabled and have a little more discussion with legal before it is approved.

Moore said he does not have a problem waiting until January 18. Petticord said he talked with Pyanowski last week and he is aware of it. Just for Commissioner Riddell and the 5 people that are watching this, Chris Pyanowski works in his department. Petticord said 10 people, he will be nice. He said Chris Pyanowski works in his department and focuses mostly on employment matters and last year, one of his major programs was revamping the personnel manual. He thinks what Commissioner Hung is referring to is while he was refurbishing the personnel manual with outside counsel a change was made and benefits rolled out that created a problem because there was a lack of communication between his office and prior leadership in the HR depament let’s say. Hung said they did not match. Petticord said they didn’t match and so they did not know that a change was being made, but he has talked to Chris, talked about it last week, so if you want to talk to Chris and want to talk about it more it does not matter to him. Hung said she would like to get an update from him as well, just to get everyone up to speed on it. Petticord said that is up to the board.

Moore moved to table, Riddell seconded.

Hung said we already had a motion, so need to withdraw motion and second.

Petticord said withdraw the original motion or the motion to the original fails if you don’t pass it and then you can bring it up next week.

Moore said then we don’t have to do anything, just write it down that it failed. Petticord said it was moved and seconded, correct? Erica said yes.

Petticord said you either have to make a motion to table. Moore said he did. Petticord said ok then you need a second, Moore said there was.

Petticord said then there needs to be a vote.

Following resolution was adopted:

AA.20.

RESOLUTION NO. 23-14

In the matter of tabling the adoption of )  
Lorain County’s Health Plan terms and )  
Deductions for all plan participants )

January 9, 2023

WHEREAS, after discussion with the Assistant Prosecutor Petticord, it is in the best interest to table at this time for review.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby table the resolution to adopt Lorain County’s Health Plan terms and deductions for all plan participants.

Motion by Moore, seconded by Lundy to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung / Nays: None.  
Motion carried. (discussion was held on the above)

911

JOURNAL ENTRY

AA.21

Was discussed on page 2-9 and is Res#23-15

AA.22

JOURNAL ENTRY

In the matter of rescinding Res#22-910, adopted )  
December 21, 2022 establishing and setting aside )  
a \$4,033,542.97 subgrant for participating political )  
subdivisions for the Lorain County public radio system)

January 9, 2023

Moore moved, seconded by Riddell. Clerk called for discussion.  
Moore said he is sure this will come back after they decide on #21, thanks.  
Hung asked Erica if she read #22. Moore said she just did.  
Following resolution was adopted:

AA.22

RESOLUTION NO. 23-16

In the matter of rescinding Res#22-910, adopted )  
December 21, 2022 establishing and setting aside )  
a \$4,033,542.97 subgrant for participating political )  
subdivisions for the Lorain County public radio system)

January 9, 2023

WHEREAS, on December 21, 2022, Commissioners adopted Res#22-910 establishing a set aside of \$4,033,542.97 subgrant for participating political subdivisions for the Lorain County public radio system to be paid from Acct#ARP other expenses

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby rescinded Res#22-910 on December 21, 2022 establishing and setting aside a subgrant for public radio system **and authorize repayment of the \$4,033,542.97 back to the ARP fund 1060 out of 9-1-1 account 3480.0000.100.000.03.7070.7089 (Refund).**

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore & Riddell / Nays: Hung  
Motion carried. (discussion was held on the above)

COMMUNITY DEVELOPMENT

AA.23

JOURNAL ENTRY

In the matter of rescinding Res#22-913, adopted )  
December 21, 2022 authorizing the Lorain Co. )  
Board of Commissioners to enter into an agreement )  
With Rudolph Libbe, Inc. )

January 9, 2023

Moore moved, seconded by Riddell. Clerk called for discussion.

Hung said she would expect this was one that they had 3 proposals that were into Administrator White and he is hoping to get Commissioner Riddell up to speed on. All the proposals before we move along so, if that is the case she will be supporting it.

Moore said his position is that they should not be doing it at all, this is a Port Authority issue not a County Commissioners issue. So that is why he is rescinding it, that is why he is supporting to rescind it.

Following resolution was adopted:

AA.23

RESOLUTION NO. 23-17

In the matter of rescinding Res#22-913, adopted )  
December 21, 2022 authorizing the Lorain Co. ) January 9, 2023  
Board of Commissioners to enter into an agreement )  
With Rudolph Libbe, Inc. )

WHEREAS, on December 21, 2022 by Res#22-913 an agreement with Rudolph Libbe, Inc. was authorized for Community Development Services.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby rescind Res#22-913, adopted December 21, 2022 authorizing the Lorain County Board of Commissioners to enter into an agreement with Rudolph Libbe, Inc., for Community Development Services.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung / Nays: None  
Motion carried. \_\_\_\_\_(discussion was held on the above)

SANITARY ENGINEER

AA.24

RESOLUTION NO. 23-18

In the matter of awarding and entering into a contract )  
with Wharton Excavating LLC, W. Salem, Ohio in )  
the amount of \$59,059.00 for the Plum Creek WWTP ) January 9, 2023  
Surface Sand Filters Media & Underdrain Replacement )  
Project in Lorain County )

WHEREAS, Ken Carney, Lorain County Sanitary Engineer duly advertised for bids and the following bids were opened on December 15, 2022:

Wharton Excavating LLC	\$59,059.00
Nerone & Songs, Inc.	\$79,830.00

And;

WHEREAS, the work consists of removing and replacing the outdoor sand filter media and underdrains as part of the Plum Creek WWTP; and

WHEREAS, Engineer is recommending Wharton Excavating, LLC and agrees to commence work on or before March 1, 2023 and complete all work by September 30, 2023. They have proposed Dudte Excavating and K.W. Excavating as substitutions or subcontractors for this project; and

WHEREAS, by the Board of Lorain County Commissioners, that based upon the recommendation of Lorain County Sanitary Engineer we hereby approve and enter into a contract with Wharton Excavating LLC, W. Salem, Ohio in the amount of \$59,059.00 for the Plum Creek WWTP Surface Sand Filters Media & Underdrain Replacement project in Lorain County; and

WHEREAS, we will issue a Notice to Proceed upon full execution of the contract authorizing work to begin on or around March 1, 2023 and the work will be completed on or before September 30, 2023; and

NOW, BE IT RESOLVED, funds for the Project will be provided by the Lorain County Sanitary Engineer through Sanitary Capital Equipment Account 7100-7100-300-304-11-6380-0000

BE IT FURTHER RESOLVED, we hereby authorize the Lorain County Administrator to notify the County Auditor to release retainage at the completion of the project.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung / Nays: None  
Motion carried. \_\_\_\_\_

AA.25

RESOLUTION NO. 23-19

In the matter of amending the contract )  
Total with North Bay Construction for the )  
Cresthaven Homes Wastewater Treatment Plant ) January 9, 2023  
UV Disinfection Conversion from \$145,695.00 )  
To \$170,105.60 )

WHEREAS, in March of 2022, the Board of Commissioners adopted Resolution No. 22-168 entering into a contract with North Bay Construction, Westlake, Ohio for the Cresthaven Homes Wastewater Treatment Plan UV Disinfection Conversion Project; and

WHEREAS, the contract amount was \$145,695.00 and funds were made available in Sanitary Capital Equipment Account No. 7100-7100-300-304-11-6050-6052; and

WHEREAS, during construction, two additional work items were encountered which were determined to be outside the scope of the project; and

WHEREAS, the first extra work item required additional cutting of the wier wall in the chlorine contact tank for an extra charge of \$1,464.76

WHEREAS, the second extra work item required the relocation and replacement of the flow meter system for an extra charge of \$22,945.84; and

WHEREAS, the total amount of these two extra work orders was \$24,410.60 resulting in a new contract total of \$170,105.60; and

WHEREAS, additional funds for these extra work items will be made available in Sanitary Capital Equipment Account No. 7100-7100-300-304-11-6050-6052.

NOW, THEREFORE, BE IT RESOLVED by the Lorain County Board of Commissioners that based upon the request of the Lorain County Sanitary Engineer we hereby amend the contract total with North Bay Construction, Westlake, Ohio for the Cresthaven Homes Wastewater Treatment Plan UV Disinfection Conversion from \$145,695.00 to \$170,105.60.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung / Nays: None  
Motion carried.

AA. 26

JOURNAL ENTRY

Approve the issuance of Waivers from Designation )  
Designation pursuant to a standard )  
form of Waiver Agreement for calendar year )  
(March 1, 2022 – December 31, 2022) for Rumpke )  
Of Northern Ohio, Inc., Broadview Heights, Ohio, )  
Kimble Recycling & Disposal, Inc., Dover, Ohio, )  
Waste Management of Ohio, Inc./Great Lakes Area )  
Pete and Pete Container Service, Inc., Garfield )  
Heights, Ohio, Legacy Waste & Recycling, Inc., )  
Elyria, Ohio, 1-2-3 Disposal Incorporated, Norton, )  
Ohio and Fabrizi Disposal, Inc., Middleburg Heights )

January 9, 2023

Moore said the Commissioner was asking since he did not have sufficient time to talk to Dave Blevins in regards to #26. He said he does not have a problem waiting until the 18<sup>th</sup> either, if that is okay with the Board, Commissioner Hung? Hung said yeah are you going to move to table then? Moore asked if he needed to table or are we good? Petticord said it is on the agenda, it is better to table.

Following resolution was adopted:

AA. 26.

RESOLUTION NO. 23-19 A

In the matter of tabling to approve the issuance of )  
Waivers from Designation pursuant to a standard )  
form of Waiver Agreement for calendar year )  
(March 1, 2022 – December 31, 2022) for Rumpke )  
Of Northern Ohio, Inc., Broadview Heights, Ohio, )  
Kimble Recycling & Disposal, Inc., Dover, Ohio, )  
Waste Management of Ohio, Inc./Great Lakes Area )  
Pete and Pete Container Service, Inc., Garfield )  
Heights, Ohio, Legacy Waste & Recycling, Inc., )  
Elyria, Ohio, 1-2-3 Disposal Incorporated, Norton, )  
Ohio and Fabrizi Disposal, Inc., Middleburg Heights )

January 9, 2023

WHEREAS, after discussion and determination that the Commissioners would like to have further review and table this item until the January 18, 2023 Board of Commissioners meeting.

Motion by Moore, seconded by Hung. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Hung & Riddell / Nays: None  
Motion carried.

(discussion was held on the above)

JOURNAL ENTRY

Res#23-20 was not utilized

SHERIFF

AA.27

RESOLUTION NO. 23-21

In the matter of receiving and filing the annual )  
Report of the Lorain County Sheriff on fees due )  
And unpaid for more than one (1) year prior to )  
January 1, 2023 in accordance with Ohio )  
Revised Code Section 325.31 )

January 9, 2023

WHEREAS, pursuant to Section 325.31 of the Ohio Revised Code, the Lorain County Sheriff has to certify all fees due during his tenure in office; and

WHEREAS, the fees due during his tenure in office and unpaid for more than one (1) year prior to January 1, 2023 are \$3,584,675.52; and

WHEREAS, all processes having unpaid fees were returned to the issuing courts with the fees endorsed thereon to be taxed in by the respective Clerk of Courts as costs to be collected in said cases and paid to this office; and

WHEREAS, as noted in prior reports, fees in cases entitles “State of Ohio vs.” make up the majority of unpaid fees (criminal cases etc.) and they comprise the bulk of the unpaid fees, which are included in the total of this report.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby receive and file the annual report of the Lorain County Sheriff of fees due and unpaid for more than one year prior to January 1, 2023.

Motion by Moore, seconded by Riddell. Upon roll call the vote taken thereon, resulted as: Ayes: Moore, Riddell & Hung / Nays: None  
Motion carried.



AIRPORT

AA.28

RESOLUTION NO. 23-22

In the matter of authorizing a matching grant )  
Application be submitted to the Ohio Department )  
Of Transportation Office of Aviation for Fiscal )  
year 2023 Ohio Airport Grant Program to )  
Rehabilitate Runway 7/25, Reconstruct Runway )  
7/25 lighting, Install Vertical/Visual Guidance )  
System, Reconstruct Airport Beacon, Reconstruct )  
Airport Lighting Vault )

January 9, 2023

WHEREAS, the submission of the application will allow our project to compete for available funding based on specific selection criteria established by the Ohio Department of Transportation Office of Aviation. Eligible construction costs include project inspection, design and construction engineering costs.

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize a grant Application be submitted to the Ohio Department of Transportation, Office of Aviation for Fiscal Year 2023 Ohio Airport Matching Grant Program for the following project: Rehabilitate Runway 7/25 (5,002 Feet-Design and Construct), Reconstruct Runway 7/26 Lighting (Design and Construct), Install Vertical/Visual Guidance System (Design and Construct), Reconstruct Airport Beacon (Design and Construct), Reconstruct Airport Lighting Vault (Design and Construct).

Hung moved, seconded by Riddell. Upon roll call the vote taken thereon resulted as: Ayes: Hung, Riddell & Moore / Nays: None  
Motion carried.

CLERKS REPORT

- #1. Wednesday, January 18 at 9:30 a.m. – Commissioners Board meeting
- #2. Thursday, January 19 at 9:30 a.m. – Landbank meeting
- #3. Tuesday, January 24 at 9:30 a.m. – Stormwater Management District
- #4. Tuesday, January 24 at 11:00 a.m. – Investment Advisory meeting
- #5. Wednesday, January 25 at 9:30 a.m. – Commissioners Board meeting

G

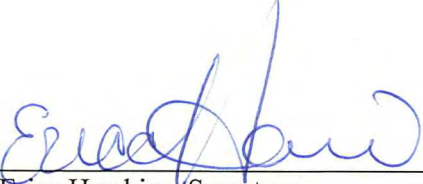
BOARD CORRESPONDENCE

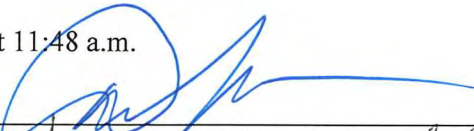
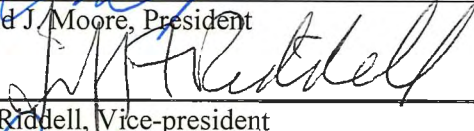
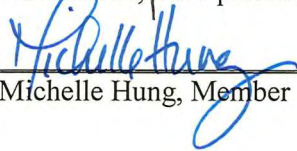
Commissioner Moore, seconded by Riddell to waive the reading of the correspondence. Upon roll call the vote taken thereon resulted as: Ayes: Moore, Riddell & Hung / Nays: None  
Motion carried.

- #1. January 10 at 5:00 pm., Business After Hours at Whiskeyville Golf Club, 9488 Leavitt Road, Elyria register at [www.loraincountychamber.com](http://www.loraincountychamber.com)
- #2. Publications: “Counties Current,” “CCAO Statehouse reports,”; “4H Clover Communication; “NACO news”; “American Agriculturist”
- #3. Sheriff in compliance with ORC 311.20 monthly itemized account of actual cost of keeping and feeding prisoners and other persons placed in his charge for November was 42,807 meals served at a cost of \$1.78
- #4. January 25 at 9:00 am, Lorain County Chamber of Commerce New Member Orientation, Desich Entrepreneur Center, Room 132, 151 Innovation Drive, Elyria – register at [www.loraincountychamber.com](http://www.loraincountychamber.com)

JOURNAL ENTRY

Commissioner Moore said the meeting is adjourned at 11:48 a.m.

Attest:  , Clerk  
Erica Hawkins, Secretary

  
David J. Moore, President )Commissioners )  
  
Jeff Riddell, Vice-president )of )  
  
Michelle Hung, Member )Lorain County )Ohio