

November 20 2020

The Board of Commissioners of Lorain County, Ohio met this day in a special meeting at 3:00 p.m. by doing a Zoom Platform with Live Streaming with Commissioner Lori Kokoski, President being at home, Commissioner Sharon Sweda, Vice-President being at home, Commissioner Matt Lundy, Member being at home, County Administrator James R. Cordes being at home and Theresa L. Upton, Clerk and Prosecutor Gerald A. Innes being in their county offices.

NOTICE: COMMISSIONERS MEETINGS ARE CLOSED TO THE PUBLIC DUE TO THE COVID-19 PANDEMIC.
THE COMMISSIONERS WILL BE DOING A ZOOM PLATFORM WITH LIVE STREAMING THE BOARD MEETING AT [LorainCounty.us/watch](https://www.facebook.com/LCGov) AND <https://www.facebook.com/LCGov>

JOURNAL ENTRY

Commissioners said the Pledge of Allegiance.

Commissioner Lundy gave an inspirational word

The following business was transacted

JOURNAL ENTRY

In the matter of amending Resolution No. 20-670, adopted)
November 4, 2020 approving under guidance of Department)
Of Treasury that provides guidance that costs of such) November 20, 2020
employees may be covered using payments from CARES)
funds for services provided during the period that begins on)
March 1, 2020 and ends December 30, 2020)

Assistant Prosecutor Innes asked about the increase. Clerk stated the increase payment to the jail is \$1,128,438.38. He also indicated the Auditor had question this and Prosecutor stated that the feds have the final say and the county has complied with the federal regulations.

Following resolution was adopted:

RESOLUTION NO. 20-725

In the matter of amending Resolution No. 20-670, adopted)
November 4, 2020 approving under guidance of Department)
Of Treasury that provides guidance that costs of such) November 20, 2020
employees may be covered using payments from CARES)
funds for services provided during the period that begins on)
March 1, 2020 and ends December 30, 2020)

WHEREAS, THE Coronavirus Aid, Relief and Economic Security Act, 116 Public Law 136 (the CARES Act) was signed into law on March 27, 2020; and

WHEREAS, guidance subsequently issued by the Department of the Treasury states that CARES Act funds may not be used to cover costs accounted for in the budget most recently approved as of March 27, 2020 unless said costs are for a substantially different use from any expected use of the funds in said budget; and

WHEREAS, the Department of Treasury has also, as an accommodation to local governments, has provided guidance that local governments may presume that public health and public safety employees (including health care, human services and other similar services) is considered to be a substantially different use than accounted for in the most recently approved budget as of March 27, 2020; and

WHEREAS, the Department of the Treasury has further provided guidance that all costs of such employees may be covered using payments from CARES funds for services provided during the period that begins on March 1, 2020 and ends December 30, 2020

THEREFORE, BE IT RESOLVED that the Lorain County public health and safety forces, such as those employed by the Sheriff, and Emergency Services, based upon the guidance of the Department of the Treasury, and advice of its legal counsel, does hereby determine it reasonable and does therefore deem that the following employees and services performed by the same are essential and substantially dedicated to mitigating or responding to the COVID-19 crisis.

NOW BE IT FURTHER RESOLVED, we hereby amend to allocate and authorize payment in the amount of \$12,697,861.99 to Lorain County safety services as follows from Acct#CARES Act funding to be used for personnel expenses to include but limited to salary, PERS, hospitalization, life insurance.

\$2.2 million to Lorain County 911
\$5.6 million to Lorain County Sheriff
\$4,897,861.99 to Lorain County Jail

BE IT RESOLVED, the Board does further determine that there are other employees of the Board who at times perform services that may reasonably deemed essential and substantially dedicated to mitigating and responding to the COVID-19 crisis and approves additional costs for said employees to be further specified.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

RESOLUTION NO. 20-726

In the matter of amending Resolution No. 20-686, adopted)
November 12, 2020 awarding a contract to D&M)
Earthmoving, LTD., Wakeman, Ohio for Clinton Avenue) November 20, 2020
Ditch Stormwater Management Facility 2020 Expansion)

WHEREAS, Resolution No. 20-686 was approved on November 12, 2020 by the Commissioners awarding contract to D&M Earthmoving, LTD Wakeman, Ohio in the amount of \$189,931.00 for the Clinton Avenue Ditch Stormwater Management Facility 2020 Expansion

NOW BE IT RESOLVED, Said amendment is to reflect the account number should be 7100.7118.300.304.11.6200.0000 Storm Water Contract Services and we hereby authorize said payment.

All other provisions remain in effect for said resolution that was adopted

BE IT FURTHER RESOLVED, that we do and hereby issue a Notice to Proceed effective on or before November 20, 2020 and to complete said contract on or before December 29, 2020.

NOW BE IT RESOLVED, the County Administrator is hereby granted the authority to notify the County Auditor to release retainage at the completion of the contract.

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

RESOLUTION NO. 20-727

In the matter of amending Resolution No. 20-671, adopted)
November 4, 2020 authorizing hazard pay for Lorain County)
employees for services rendered for mitigating or responding) November 20, 2020
to health emergency to include the following offices/)
departments and employees within their jurisdiction)

BE IT RESOLVED, the Lorain County Board of Commissioners that we hereby authorize hazard pay for Lorain County employees for services rendered for mitigating or responding to health emergency to include the following offices/departments and employees within their jurisdiction.

- Auditor
• Clerk of Courts
• Commissioners
• Common Pleas
• Coroner
• Domestic Relations
• Engineer
• Probate
• Prosecutor
• Recorder
• Sheriff
• Treasurer
• Board of Elections
• CBCF
• Children Services
• Developmental Disabilities
• District Health
• Law Library
• MHARS
• Port Authority
• Soil & Water
• Veterans

FURTHER BE IT RESOLVED, said hazard pay is not eligible to employees that are no longer employed by the County, no new employees that are within their probationary period and Part-time employees will receive a reduced payment.

BE IT FURTHER RESOLVED, all payments will be paid to employees within the offices/departments within their jurisdiction in accordance with the list provided or funds will be returned to the Lorain County Board of Commissioners.

NOW, BE IT RESOLVED, we hereby amend for clarification that said payment is to be made strictly from the general fund moneys, no CARES funds moneys and to be used and distributed for this purpose.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None
Motion carried. _____

JOURNAL ENTRY

November 20, 2020

#4 Cares Encumbrances – there was nothing further acted on

Assistant County Prosecutor Innes stated the Commissioners had to meet today because State Auditor Faber has been having webinars with the Auditors and expressed concerns with the funds designated to public safety services even through the County Commissioners has followed the guidance with the US Treasury. So this came as a surprise when he had a discussion with County Auditor Snodgrass and he issued a letter basically stating the feds have final say and just following guidelines to a tee and we are in compliance and should be alright so these resolutions acted on today had some wording for informality and clarity with concerns being expended.

County Administrator Cordes said the guidance is tight and the time frames are ridiculous, was end of October now November and all monies are to be spent by December 31 so the county has made every effort to use this money and not return it. The monies have offset in compliance with US Treasury to assist those affected with pandemic and would have been impossible to spend all of it so money went to jail which was provided by general fund making these funds available which were already encumbered and not spend encumbrance and thanked KC, Budget all departments for making these deadlines.

Commissioner Kokoski said if we were not able to do this, money would have to be returned and everything is in compliance with covid regulations. Mr. Cordes said yes, US Department of Treasury guidance and once payroll is justified that is the end of auditability and then the other \$4-4.5 million can be audited for time frames and expenses

Commissioner Sweda said many people have inquired about funds and how they can be used and thanked everyone and now the parameters are clear for distribution and moving quickly. _____(discussion was held don the above)

JOURNAL ENTRY

With no further business before the Board, Motion by Kokoski seconded by Sweda to adjourn at 3:15 p.m. Ayes: Kokoski Sweda & Lundy / Nays: None
Motion carried. _____

The meeting then adjourned.

_____)Commissioners
Lori Kokoski, President)
)
_____)of
Sharon Sweda, Vice-president)
)
_____)Lorain County
Matt Lundy, Member)Ohio

Attest: _____, Clerk
Theresa L. Upton, Clerk