

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

Stephen D. Hambley called the meeting to order at 9:30 a.m. with Sharon A. Ray and Patricia G. Geissman present.

The meeting opened with the Pledge of Allegiance and a Prayer.

At the beginning of the meeting the oral reading of the minutes of April 7 and the amended minutes of April 14 was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented 2 resolutions involving the necessity to close a section of Hamilton Road for culvert repairs and lifting the weight limit reduction on improved County and Township Roads. Mrs. Geissman moved to approve the 2 resolutions. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed 8 resolutions involving amending the annual appropriations, various fund transfers, submission of a proposal to the Department of Job & Family Services (JFS), and the weekly bills in the amount of \$996,059.37. Large increases in the appropriations for the County Engineer and Child Support Enforcement Agency involve 2002 encumbrances that were released for their 2003 appropriations. The proposal to JFS is by the Office for Older Adults in response to the JFS accepting RFP's for their Adult Protective Services program. The RFP's are due this Friday for the fiscal year starting July 1, 2003. Mrs. Geissman moved to approve the 7 resolutions and payment of the bills. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve the personnel changes. Seconded by Ms. Ray.

Mr. Hambley asked if Bernice Goertzen is a resignation or a retirement.

After a brief discussion, it was noted that Mead Wilkins, JFS Director, had stated last week that Ms. Goertzen was retiring.

There was no further discussion.

Roll Call on the motion and second to approve the personnel changes showed all Commissioners voting AYE.

John Stricker, County Administrator, had no resolutions this week.

Jim Troike, Assistant Sanitary Engineer, presented a resolution awarding the bids for hauling and disposal of cake sludge and hauling of liquid sludge from various Wastewater Facilities. Mrs. Geissman moved to approve the awards. Seconded by Ms. Ray.

Mr. Hambley noted that the award was split between 2 contractors.

Jim stated that the cake sludge is being awarded to Gunkleman Farm, which is a local farmer that will be spreading the sludge on his fields. The liquid sludge is awarded to McClaflyn, the existing hauler that transfers the sludge between the plants.

Mr. Hambley stated that there had been discussion that the Gunkleman Farm is in a rural area, but that if there is development in that area there would be concerns about odors. He and Jim confirmed that this has been checked out and Gunkleman does meet all of the requirements of the specifications.

There was no further discussion.

Roll Call on the motion and second to approve the sludge bid awards showed all Commissioners voting AYE.

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

Jim presented a resolution accepting and awarding the bids for 3 trucks and 1 sedan for their department. Mrs. Geissman moved to accept and award the bids. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Jim presented a resolution to obtain easements for sanitary sewer improvement projects. Mrs. Geissman moved to obtain the easements. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mike Pataky, Child Support Enforcement Agency Director, reported that the office completed the Governor's project involving payments that were made to JFS departments instead of clients. There weren't many refunds in Medina County. Everything went well and the project was finished without any issues. Graduations are coming up and this will be the second year for administrative action to terminate child support cases. He noted that the process used to be done entirely through the courts. They handle 80-90% of the terminations by administrative orders, and the remaining cases go through court because of other issues.

Art Verdoorn, Building Official, presented and reviewed the March report. Single family home permits were up by 14 from last March. For the year totals, they are still within the track for a record year. He believes the economy was the biggest factor in the slow down. Commercial permits picked up but overall they are down 15% from last year at this time. He feels that will come back and that the slow down was more weather related than the new homes. He noted that they have been working on a review of the Medina County Building Code. They will be changing a few items for clarification and a couple of fees will be changed. They will be scheduling public hearings for these changes. Part of their long-range planning includes review of the residential code, which includes review of the 2003 International Residential Code. About 80-90% of the current code is based on that code now and little is expected to change. They probably won't go for enforcement under the new residential code until 2004.

Mr. Hambley noted that the year-to-date figures show that permits are still behind relative to remodeling and additions and the residential permits are only ahead in new homes.

Art agreed, adding that electrical and mechanical permits are still behind. He feels the workload was affected by the weather. They aren't real busy right now, but requests for permits for foundations are starting to come in.

Mrs. Geissman noted that the average cost of a new home is continuing to decrease.

Art noted that the year-to-date figures show that the fees collected are up 3% while the increase in home permits is up 7-8%. This indicates that they are constructing lower cost homes. The Building Department fees are based on square footage and not the estimated cost of the construction. Some people are conservative in their estimated construction costs because they are afraid those costs will be used by the Auditor in determining taxes, although that is not the way the Auditor calculates them.

John Jones, Transportation Services Director, reviewed the Transit statistics for March. There was a 10% drop in the "L" ridership due to the changes in the schedule and hours of operation. The total ridership was up 2.27% in March. For the first quarter, they have traveled 190,000 on demand-response miles with total passenger miles of 204,395 and total vehicle miles of 183,654. They have used 20,895 gallons of fuel for a fleet miles-per-gallon of 8.79. There were a total of 3 vehicle accidents, no passenger accidents and 14 customer complaints in the first quarter. The fare box recovery rate for March was 62% and for the quarter the rate was 25%. The operating expenses for the quarter were \$244,166.87. The quarterly cost per mile was \$1.33, which is still below the state average of \$1.42. One time performance was at 93% and the cost per passenger was \$8.83. The triennial performance preview will be done on May 2. Chris Jakab will be participating in the review. This will be a major review with a compliance review against the state averages. The House acted on the transportation budget last week and approved a budget of \$15.5 million. Transportation programs will receive a small percentage also of the license reinstatement fund. It appears they have eliminated the elderly and disabled fare from the budget for a \$3.1 million projected loss. If this is not put back into the budget, some transit programs in the state will suffer from the cuts, and we will probably lose capital reimbursements.

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

Mrs. Geissman thanked John for his prompt response to the senior pickups in Lodi.

Mr. Hambley noted that we will have to wait to see what the legislation will do. He noted that we are scheduled to purchase a number of buses next year.

John added that another project that may be in jeopardy with budget cuts would be the proposed construction of a new building in 2006-07.

Jim Douth, Economic Development Corporation Director, introduced Darryl Revoldt from the Governor's Office who is visiting Medina County this morning.

Jim presented a resolution revoking the Enterprise Zone Agreement and Compensation Agreement for HVC, Inc. Each year there is a review of every abatement project and the companies involved are to file reports annually for review to make sure they are living up to their commitments of the investments. HVC Inc. was purchased with Vopak and then by Univar USA Inc., which has a newer larger facility in Twinsburg. HVC employees and operations were moved to the Twinsburg and all operations in Medina ceased by the end of the year. Medina City Council revoked the Enterprise Zone Agreement. The company no longer has any personal property at this location, but they do still own the building. HVC had met all of the requirements of the abatement up to the point that they moved out of the city. There have been talks with another company that has put in an offer for the facility in Medina. Mrs. Geissman moved to revoke the agreements with HVC. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented a resolution approving the petition for annexation of 131.9526 acres of land from Sharon Township to the City of Wadsworth, also known as the Greenhaven annexation. The Board denied this annexation last year and the decision was appealed to the Common Pleas Court, which remanded it back to the Commissioners. The statements of facts were reviewed and this annexation petition was found to be in compliance. Mrs. Geissman moved to approve the petition for annexation. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented a liquor permit notice of transfer for Rudy's American Grill in Brunswick Hills Township. No comments or concerns have been received.

The Clerk read the resolution to allow expenses of county officials. Mrs. Geissman moved to allow the expenses. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was opened public comment and there was no one present wishing to comment.

Mr. Hambley noted that the discussion session was moved to the morning so the Commissioners can participate in the ODOT Government Day this afternoon. There will be an Executive Session following the discussion session.

Commissioners moved to the Conference Room for the discussion session.

Chris Hartman, Soil & Water Conservation District, noted that there is a process for enforcement of erosion and sediment control permits. Last September a violation was brought to the Board's attention involving the Windy Hills Phase 2 in Wadsworth Township. A letter was sent by the Prosecutor's Office and those problems were then corrected. Since that time there are new conditions that need to be addressed. This developer seems to want to ignore what needs to be done until they're forced to do so. He presented a list of items that need to be corrected, noting that some items may have been delayed due to weather conditions. However, there were many opportunities between last November and now to take care of the conditions. He asked that the Commissioners contact the Prosecutor's send a letter to try to force the developer to bring the site up to the permit standards. Mrs. Geissman moved that the Prosecutor's Office be asked to address the issues in a letter to the developer. Seconded by Ms. Ray.

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

Bill Thorne, Assistant Prosecutor, entered the meeting at this time and was presented with the information regarding Windy Hills Phase 2. Mr. Hambley noted that there is a motion and second on the floor to request that the Prosecutor's Office to address these.

There was no further discussion.

Roll Call on the motion and second to request the Prosecutor's Office to address the items involving Windy Hills Phase 2 showed all Commissioners voting AYE.

Ms. Ray noted an article in the newspaper regarding a young man from Medina County that was injured during the Iraqi war and asked if a commendation could be prepared. All Commissioners agreed to have the Clerk prepare a commendation. It was also suggested that the gentleman be contacted to let them know in case they would like to be present at the meeting in which it's passed.

Ms. Ray reported that she, Gary Searle and some of the Workforce Policy Board members will be attending a meeting in Kent later this week.

Mr. Hambley presented information regarding the Tobacco Use Prevention & Control Foundation in Ohio. Medina County has been identified as one of the priority counties for tobacco use prevention program. Last year the Health Department applied for funding and didn't receive any, and they were encouraged to apply this year, but they do not have the staff or the ability to run such a program. After talking with Karl Cetina, MCDAC Director, it was decided that he could work with the Health Department to go after those funds. The first year would be building a coalition followed by 2 years of building up the prevention programs. Chris Jakab is working on the budget and the Commissioners would be the fiscal agent with MCDAC being the lead agency. This would be for a countywide coalition. Wadsworth-Rittman Hospital is looking into this funding as well, but their program would not be countywide. Karl is going to contact the hospital to let them know the county will be seeking funds. The goal of MCDAC has been to seek outside funding sources and this is one area they could possibly get assistance. A letter of intent is needed and would require Mr. Hambley signature. Commissioners agreed to this proposal.

Jim Doutt stated that the Economic Development Corporation Board acted on 2 resolutions regarding a port authority. The first resolution recommends that the Commissioners join the Toledo Port Authority. Medina County is eligible for membership and there are no membership fees involved. This would give the companies within the county an opportunity to use their bond reserve funds for projects from \$1 to \$10 million. All that is required is a letter signed by all 3 Commissioners to the Ohio Department of Development. He recommends that this be done as soon as possible as there are already potential businesses that are looking at this for expansion. Commissioners agreed there was no reason to delay. Mrs. Geissman moved to authorize a letter to the Ohio Department of Development. Seconded by Ms. Ray.

Jim further noted the letter just needs to state that the county would like to be part of the Toledo Port Authority program. There is no obligation on the county's behalf but our local businesses would have those funds available to them for projects.

There was no further discussion.

Roll Call on the motion and second authorizing a letter to the Ohio Department of Development showed all Commissioners voting AYE.

Jim stated that the second resolution passed by his board is a recommendation that Medina County create its own port authority. A Board of Directors would need to be appointed by the Commissioners and membership would include representatives from the cities. This will take some time. The primary goal for this would be to set up bond reserve funds. Until reserve funds could be set up, stand-alone projects could still receive bonds on their own merits. This will give companies in the county more flexibility for financing.

Mr. Hambley stated that he would like to see the county proceed with this. He asked Mrs. Geissman to chair a committee to draft a resolution creating a port authority and to work

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

with the different entities on this. He feels the Commissioners should take a leadership role in how a port authority should be designed.

Jim noted that the port authority board would become a separate entity with Commissioners being the appointing authority. There would be no elected officials on that Board. The law is expansive about creating a port authority.

Mrs. Geissman felt it is good that the law is expansive and that it important that the Commissioners have control in the formation because there are some things she wouldn't want to see with a port authority. She agreed to chair a committee for the creation.

John added that it is important that our bond counsel is comfortable with this.

Chris agreed to draft a letter regarding the Toledo Port Authority.

Bill noted that regarding the issue involving the old New Horizons Shelter, Hallock's have stated their intent to use their own people for repair work. He asked about how the Board would like the work information turned in for their reimbursement.

Chris asked that the costs be itemized showing the material used and the hours and what the people are paid for listed out.

There was no further business before the Board for discussion.

Mrs. Geissman moved to recess into Executive Session to discuss personnel/compensation. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners adjourned the meeting at 10:10 a.m.

RESOLUTIONS PASSED:

- 03-0266 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 03-0267 RESOLUTION DETERMINING THE NECESSITY TO CLOSE HAMILTON ROAD (C.H. 76) BETWEEN SUBSTATION ROAD (T.H. 38) AND PEARL ROAD (U.S. 42)

- 03-0268 RESOLUTION LIFTING THE WEIGHT LIMIT REDUCTION ON IMPROVED COUNTY AND TOWNSHIP ROADS

- 03-0269 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

- 03-0270 TRANSFER OF COUNTY GENERAL FUNDS TO THE COUNTY DIVERSION PROGRAM

- 03-0271 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE COUNTY GENERAL FUND (0010) TO THE CHILDREN SERVICES FUND (0050) FOR THE BOARD AND CARE OF COUNTY WARDS

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

- 03-0272 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE COUNTY GENERAL FUND (0010) TO THE PUBLIC ASSISTANCE FUND (0120) FOR COUNTY MANDATED SHARE
- 03-0273 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILDREN SERVICES SCPA FUND (0050) TO THE PUBLIC ASSISTANCE FUND (0120) FOR SCPA ADMINISTRATION EXPENDITURES
- 03-0274 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILDREN SERVICES IV-E FUND (0050) TO THE PUBLIC ASSISTANCE FUND (0120) FOR CHILDREN SERVICES (IVE) ADMINISTRATIVE EXPENDITURES
- 03-0275 AUTHORIZING THE SUBMISSION OF A PROPOSAL TO THE MEDINA COUNTY DEPARTMENT OF JOB & FAMILY SERVICES
- 03-0276 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 03-0277 RESOLUTION AWARDED THE BIDS FOR HAULING AND DISPOSAL OF CAKE SLUDGE AND HAULING OF LIQUID SLUDGE FOR VARIOUS MEDINA COUNTY WASTEWATER FACILITIES
- 03-0278 RESOLUTION ACCEPTING AND AWARDED BIDS FOR ONE 2003 PICK-UP TRUCK-8600GVW, ONE 2003 PICK-UP TRUCK-9200GVW, ONE 2003 ONE TON 2-WHEEL DRIVE CHASSIS CAB WITHOUT BED, ONE 2003 MID-SIZE AUTOMOBILE 4-DOOR TO BE UTILIZED BY THE SANITARY ENGINEERING DEPARTMENT
- 03-0279 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS
- 03-0280 RESOLUTION REVOKING THE ENTERPRISE ZONE AGREEMENT AND THE ENTERPRISE ZONE COMPENSATION AGREEMENT FOR HVC, INC., NKA: UNIVAR, USA INC.
- 03-0281 RESOLUTION APPROVING THE PETITION FOR ANNEXATION OF 131.9526 ACRES OF LAND KNOWN AS BEING PART OF LOTS 74 & 75 OF SHARON TOWNSHIP TO THE CITY OF WADSWORTH, MEDINA COUNTY, OHIO
- 03-0282 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

COMMISSIONERS MEETING – MONDAY, APRIL 21, 2003

MEDINA COUNTY COMMISSIONERS

Stephen D. Hambley

Respectfully submitted,

Sharon A. Ray

Pamela J. Terrill, Clerk

Patricia G. Geissman