

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

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

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

At the beginning of the meeting the oral reading of the April 12 and April 19 minutes was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution to close a section of Pawnee Road until further notice. There was a bridge hit by a train on Friday that needs to be taken care of. Mrs. Geissman moved to approve the road closing; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed resolutions involving amending the annual appropriations by transferring appropriations, various cash transfers, revenue adjustment for Workforce Development, purchasing fuel for the Engineering Center from Weaver Oil, amending an agreement for Family First Council Help Me Grow contract services, authorizing the submission of a grant application for Family First Help Me Grow Part C Funding, approving a lease renewal amendment with the Battered Women's Shelter of Summit and Medina County Inc., authorizing the submission of a grant application for Family First Council Foundation Grant Funding, and the weekly bills in the amount of \$1,144,465.45. The amendment to the agreement for Help Me Grow is with the Health Department for the new born home visit program. The contract amount is increasing from \$28,600 to \$33,000. The grant application for Part C Funding is in the amount of \$85,484. The original lease with the Battered Women's Shelter was in 1999 and is renewed annually. The current lease expires April 30 and the renewal is for another 1-year period. The grant application for Family First Council Foundation funding is for funds from the Robert Wood Johnson Foundation in the amount of \$150,000 for a senior collaborative project. There are 24 applicants for this funding nationwide. There is a local match and the participating council member agencies will be providing that match. Mrs. Geissman moved to approve the 10 resolutions and payment of the bills; Seconded by Mr. Hambley. 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 Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, had no resolutions today.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the replacement of the trunk sewer for Medina Reservoir and authorizing the advertisement for bids. The existing concrete line that was installed in 1968 is deteriorating due to salt run off, etc. The sewer will be replaced with plastic. Mrs. Geissman moved to approve the replacement; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing the investment of the retainer of Fabrizi Trucking & Paving into an escrow account for the Chatham, SR 83 and Coon Club Road waterline project, which is now complete. Mrs. Geissman moved to approve the investment of the retainer; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mead Wilkins, Job & Family Services Director, presented a resolution amending the Prevention, Retention & Contingency Plan (PRC). This re-establishes the higher cap for PRC, but does not include mortgage payments as allowable. Four resolutions were presented for their

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

second year extensions. Those extensions are for the clinician services to help with child welfare placements, TANF work experience & job readiness services with Goodwill Industries and the Career Center, family literacy & TANF education services with The Literacy Council for Project Learn & the Career Center for Fast Track, and for child and adult protective services with Catholic Charities and the Office for Older Adults. Mrs. Geissman moved to approve the 5 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mead stated that he will have a couple more resolutions next week for the 2004 fiscal year. He presented drawings of proposed design changes for their lobby that will improve the work flow and services as well as use all of the usable space in their building. They have been moving people around at desks while some employees have been on leave and this will help with their return to work. Maximizing the space will create 2 screening desks and 4 workstations.

Karl Cetina, MCDAC Director, reported that proposals for grants were turned in by last Friday for 16 existing and 5 new programs. The total amount available is \$1.2 million, which is similar to last year. Over the next 6 weeks he and the MCDAC Board will be reviewing the applications. Relative to the Tobacco Coalition, they have submitted a grant to start providing services in their second year. The matching money will be provided through in-kind services. They are targeting pregnancy women and youth. They should know by June about the funding with the start up planned in July. It was planned to submit for funding through the Byrne Foundation for Treatment Alternatives to Street Crimes, but that is being put off until next year so the group can work with the probation departments county-wide to put their resources together for providing more services for adults and juveniles at the jail and municipal systems. He has a meeting tomorrow for a State Director's meeting with ODADAS. There is some new leadership at ODADAS.

Ms. Ray presented a resolution proclaiming May 8, 2004 as "Special Olympics Day". Mrs. Geissman moved to approve the proclamation; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution proclaiming April 28 as "Faith In Action Medina County Caregivers Day". Mrs. Geissman moved to approve the proclamation; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented and read a resolution commending Carol Schindler for her years of service with the Auditor's Office. Mrs. Geissman moved to approve the commendation; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

The resolution was presented to Carol with congratulations from the Board.

Ms. Ray presented a liquor permit transfer notice for Lager Heads in York Township. These are presented for informational purpose and no comments have been received.

The meeting was opened for public comment.

Mr. Hambley announced that Bob Arnold was hired to produce a landscaping plan for the Technology Park and University Center area and that he has established a website, www.MedinaArch.com, for the public to review and comment on the proposed landscaping plan. He has also left information with the residents in that area.

The Clerk read the resolution to allow expenses of county officials. Mrs. Geissman moved to allow the expenses; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting Aye.

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

At 9:54 a.m. Mr. Hambley moved to recess into Executive Session for the purpose of discussion personnel/appointment; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reconvened the meeting at 1:30 p.m. for the discussion session.

Ken Hotz noted that last month he had reported for the first time the county made some money on recyclables in the amount of \$600. This month the county made \$3100. He presented a breakdown of the values for December 2003 and March 2004. The base value of the recyclables has to be reached before there is a sharing of the money received. The Appliance Roundup helps in collection of white goods, washers, etc., and those are making money because they are scrapped. There are 4 types of aluminum with cans being the highest received and 2 types of plastic, with one being items such as pop bottles.

Ken also presented a draft of a sign proposed by Kauffman Tire that would be attached under the CPF sign. They have proposed a sign with a border the same width as the CPF sign. They propose a yellow background with red, black & white lettering, but would agree to a white background so it won't clash with the CPF sign. Their change in their sign is required by the Township and does meet their zoning code. Commissioners approved the sign with a white background.

Jim Doust, Economic Development Corporation Director, reported that the official letter from the Toledo-Lucas County Port Authority (TLCPA) was received in today's mail that they are electing to no longer service Medina County through their revenue bond fund. This is basically a result of pressure by the Cleveland/Cuyahoga Port Authority (CPA). Toledo is backing away from their agreement with Lorain County also. Through questioning, Jim stated that the CPA felt they had an opportunity to do programs in Lorain and Medina Counties as well. The law reads that any county contiguous to an existing port authority county can do projects within them. Medina County was eligible for the TLCPA because they were working in Lorain County. Cleveland has done one project in Medina County, which was the MTD technology center on Grafton Road. That was a stand alone project and was not done as part of their revenue bond program. Those bonds were sold on the good name of MTD. He had met with Gary Failor and Linda Highsmith of the CPA as well as Jerry Arkebauer of the TLCPA. His recommendation to go with the TLCPA was based on their lengthier track record for this type of bonds project and they didn't include a non-compete clause. The CPA has a non-compete clause that states they would not finance a Cuyahoga County company wanting to relocate to Medina County or offer financing in Medina County for a company that was considering sites in Cuyahoga and Medina Counties. He noted that his office does not actively or aggressively go after companies from other counties. If a company approaches his office he does talk aggressively with them, noting that there is a Cuyahoga County based company that has contacted him.

Mr. Hambley stated that he talked with Mr. Failor last week and his contention is that the TLCPA has gone beyond the intent of the law and has become too expansive. He said other entities were also putting pressure on the TLCPA about expanding. They felt that with the TLCPA operating in Medina County they could fund something that would embarrass Cuyahoga County public officials such as financing a company to move out of their county. He did admit that projects should be examined on a case by case basis, but that the CPA would do everything within their power and authority to prevent a company from moving out of their county, which includes making sure the same tools can't be used in outlying counties. Mr. Hambley agreed with others in the meeting that the CPA is putting pressure on because a Cuyahoga based company has contacted Jim. He also noted that once the Ohio Department of Development (ODOD) approved the relationship with the TLCPA it was marketed to our businesses as a resource for them. Now, a year later, there is a potential company approaching Medina County and the CPA voices their opposition. Mr. Failor said it was a conscious decision by him to wait until something came through. He further said he is willing to meet with the Commissioners and that we haven't lost anything because there are other sources of revenue bond funds through the

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

State, Summit County, and, of course, the CPA as long as it doesn't involve Cuyahoga businesses or potential businesses.

Jim agreed there are other tools available, which we have had since the beginning. In fact he has a meeting with a Medina County based company and the ODOD about the Ohio Enterprise Bond Fund tomorrow, but that project was also being discussed with the TLCPA.

Mr. Hambley stated that one of the advantages of the TLCPA was that a portion of any proceeds would stay in Medina County. That money could have been part of the operating revenue for the Economic Development Corporation. Jim goes out, promotes this, and does all of the upfront work. Getting a portion of these proceeds would have been a way to pay some of those expenses. Now it is up to the Commissioners and the membership to provide funds to Economic Development.

Jim added that these fees are paid upfront by a company to engage in the program plus annual incentive fees, and 20% of those were going to be shared back with Economic Development. The TLCPA has this same agreement with 29 other counties.

It was noted through the discussion that people from the State and other port authorities were also opposed this partnership because they felt TLCPA is in competition with the state funding and they feel the TLCPA is expanding too much.

The discussion turned to preparing a response to the TLCPA, notification to the State, and looking at the options for Medina County. It was agreed that Jim will respond to Mr. Arkebauer and will invite Mr. Failor to meet with the Economic Development Corporation Executive Committee and Commissioners. Part of that discussion will involve the possibility of changing the non-compete clause to not involve companies looking at potential sites in both counties, noting that many companies look at multiple sites to locate or relocate. Chris Jakab will work with Jim to prepare a letter for this Board's signatures to ODOD even though the TLCPA is supposed to handle that notification. Summit County has a revenue bond program and may be interested in partnering. Relative to our Port Authority funding a revenue bond program, a million or more dollars would be required from each party. Once a bond project is sold that bond fund is a guarantee against that project defaulting. That seed money has to be available, and Medina County is not in that position yet.

Mr. Hambley noted that this kind of speaks to the larger discussion that occurring on the regional level about beneficial competition and incentives that should be applied to businesses seeking to move across county borders. There is another summit on June 25th that we are to be hosting and the agenda is economic development. There have also been talks at the NOACA level about this and other issues. It's been a general agreement that if it's a net economic gain to the region it's fine and the competition has occurred. If it's just a move to stay the same or there's a net loss it doesn't make sense to support it. They need to be playing with equal rules. If partnering with the CPA and there is no equal access to funding then the conversation about policy should be made with the people that appoint those board members.

There was no further discussion relative to the revenue bond programs.

Mr. Hambley noted that a proposal for expansion of transportation services is being submitted to United Way. They will be the lead agency and we would be providing the services. This is a Community Impact Grant and it is due by the end of this week. We are looking at adding hours to provide assistance in terms of expanding services for the coordination of volunteers and clients for agencies such as Faith in Action, Kidney Foundation, and Society for Handicapped Citizens. One of the components is that many of those using those agencies could use public transit and they either prefer not to or they don't understand using it. Part of the proposal is to do an educational/marketing program and having the routes, times and usage explained to them on how they can be served, and encouraging them to use public transit as opposed to utilizing the limited dollars the non-profit agencies have.

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

Mr. Hambley stated that there is a meeting tomorrow night with the Lafayette Zoning Commission to finalize the PUD zoning text. Once the text is completed it will be submitted to the Zoning Commission along with the landscape plan for their legal process to adopt them. He asked if Ms. Ray and Mrs. Geissman would like to review this information before it is submitted.

Both Ms. Ray and Mrs. Geissman expressed interest in seeing the information before it is submitted to the Zoning Commission.

Mr. Hambley stated that as soon as it is complete he will have a copy available for discussion. He noted that Commissioners don't formally adopt it but should indicate that it should move to the formal process of being submitted.

Ms. Ray presented a letter received from Cuyahoga County seeking assistance for litigation involving JFS funding.

Mrs. Geissman stated that the CCAO turned this down for money last week, but agreed to spend up to \$5,000 on behalf of all counties to file a legal brief. She voted against this expenditure. It was brought up in the meeting by a Commissioner in Cincinnati and he wanted to do something. There was a lot of discussion that if this goes to a higher court and is appealed that the State will use the Local Government Fund to cover the \$66 million in this case.

John Stricker stated that Mead Wilkins, Job & Family Services Director, said this is an area that we couldn't spend all of the dollars we had already received. Mead is not in favor of this.

Mr. Hambley feels going through the court system is the wrong route to take to resolve a political issue. He is hesitant to endorse their effort without knowing the consequences to the county, especially if this is an area that we had more than enough money and couldn't spend it down. Obviously this affects the urban counties more. He also noted that the Local Government Fund would affect more than county government; it would also impact areas such as libraries and the Park District. In talks with Tom James, Park District Director, he feels they can go to 2008 without going to the ballot. However, if something happens to the Local Government Fund they will not have funds for property acquisitions or for emergency money.

Mrs. Geissman stated that Representative Chuck Calvert is doing everything he can to keep the Local Government Fund, noting that through the last budget process he had to compromise a lot of things to see it kept in place. He has said the Local Government Fund is definitely something that will be used as a negotiating tool.

Ms. Ray agreed that she wouldn't be in favor of even writing an endorsement letter without having Mead talk with the Board about this and reviewing what the ramifications would be for Medina County as well as Cleveland.

There was no further business before the Board for discussion.

Mr. Hambley moved to recess into Executive Session at 2:02 p.m. for the purpose of discussing personnel/interviews for appointment; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 3:32 p.m. Mr. Hambley moved to adjourn the meeting; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

04-0329

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

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

- 04-0330 RESOLUTION PROCLAIMING MAY 8, 2004 AS "SPECIAL OLYMPICS DAY"
- 04-0331 RESOLUTION COMMENDING CAROL SCHINDLER FOR HER YEARS OF SERVICE WITH THE MEDINA COUNTY AUDITOR'S OFFICE
- 04-0332 RESOLUTION PROCLAIMING APRIL 28, 2004 AS "FAITH IN ACTION MEDINA COUNTY CAREGIVERS DAY"
- 04-0333 RESOLUTION DETERMINING THE EMERGENCY CLOSING OF PAWNEE ROAD (C.H. 28) BETWEEN GREENWICH ROAD (US 224) AND SIMCOX ROAD (T.H. 195)
- 04-0334 RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 04-0335 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT FUND TO THE JUVENILE COURT IV-D FUND
- 04-0336 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT FUND TO THE PROSECUTOR TITLE IV-D FUND
- 04-0337 CASH TRANSFERS FOR VARIOUS FUNDS
- 04-0338 REVENUE ADJUSTMENT FOR WORKFORCE DEVELOPMENT FUND
- 04-0339 RESOLUTION AUTHORIZING THE PURCHASE OF 3,400 GALLONS OF PREMIUM UNLEADED AND 4,200 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 04-0341 AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR FAMILY FIRST HELP ME GROW PART C FUNDING
- 04-0342 APPROVING A LEASE RENEWAL AMENDMENT WITH THE BATTERED WOMEN'S SHELTER OF SUMMIT AND MEDINA COUNTY INC.
- 04-0343 AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR FAMILY FIRST COUNCIL FOUNDATION GRANT FUNDING
- 04-0344 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

COMMISSIONERS MEETING – MONDAY, APRIL 26, 2004

- 04-0345 RESOLUTION DECLARING THE NECESSITY OF A SANITARY SEWER LINE REPLACEMENT MEDINA RESERVOIR; APPROVING DETAILED PLANS & SPECIFICATIONS; AUTHORIZING THE SANITARY ENGINEER TO COMMENCE ADVERTISING FOR CONSTRUCTION BIDS MCSE#SR-500/10-1.2
- 04-0346 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO INVEST THE RETAINER OF FABRIZI TRUCKING & PAVING FOR CHATHAM, S.R. 83 AND COON CLUB ROAD WATERLINE PROJECT IN AN ESCROW ACCOUNT MCSE #500/00-5.1.59
- 04-0347 RESOLUTION AMENDING THE PREVENTION, RETENTION & CONTINGENCY PLAN (PRC) FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 04-0348 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS RELATING TO CONSULTING CLINICIAN SERVICES FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 04-0349 RESOLUTION AUTHORIZING AGREEMENTS FOR PROFESSIONAL SERVICES RELATING TO TANF WORK EXPERIENCE & JOB READINESS SERVICES FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 04-0350 RESOLUTION AUTHORIZING AGREEMENTS FOR PROFESSIONAL SERVICES RELATING TO FAMILY LITERACY AND TANF EDUCATIONAL SERVICES FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 04-0351 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS RELATING TO PROTECTIVE SERVICES FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 04-0352 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Sharon A. Ray

Respectfully submitted,

Patricia G. Geissman

Pamela J. Terrill, Clerk

Stephen D. Hambley