

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

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

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

At the beginning of the meeting the oral reading of minutes of July 27 was dispensed with. Each Commissioner has read them personally. Mr. Hambley 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 resolutions to close sections of Styx Hill Road and Mattingly Road for culvert repairs, and approving the annual assessment on improvements and establishing a public watercourse in Lake Medina Reserve Subdivision Phase II. Mr. Hambley moved to approve the 3 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 resolutions amending the appropriations by transferring and increasing appropriations, approving the submission of the FY2006 Felony Delinquent Care/Reclaim grant application with the Ohio Department of Youth Services for renewal funding, approving the annual agreement with Wayne County for the continuation of the Court Mediation Services program, authorizing a agreements on behalf of the Family First Council for the Partnerships for Success Program with Chris Ruf and Dr. Vince DeGeorge for independent contractor services and with Cornerstone Wellness for the AmeriCorps Services clinical portion of the program, declaring it necessary to levy a tax in excess of the ten mill limitation for the MCDAC levy, and the weekly bills in the amount of \$651,960.13. The Court Mediation Services agreement starts July 1 and increases Wayne County's portion to \$32,000/year, plus our judges are also considering increases. The Partnerships for Success Program will cover a split of Ms. Ruf's time on the Help Me Grow Program with 20 hours/ week being for this program; Mr. DeGeorge's services will be for a maximum of \$9200; and the clinical portion with Cornerstone is for a maximum of \$2340. The MCDAC levy is for 5 years with the collection starting in 2007. It is a replacement of a .4 mill levy and a reduction of .05 mill, making the levy a .35 levy that will generate approximately \$1.55 million. This will be on the ballot on November 8. Mr. Hambley moved to approve the 8 resolutions and payment of the bills; Seconded by Ms. Ray.

Mr. Hambley asked if Jeff Vogel of MCDAC would like to say something about the levy issue.

Mr. Vogel stated that the levy being placed on the ballot is a replacement and a reduction. The cost of the levy for a \$100,000 home would be \$10.79/year and would allow MCDAC to continue assisting the programs they support. They help funding for 9 school program, 5 for law enforcement, and 5 outreach programs that include those to families and senior citizens. As a 6-year member of the MCDAC Board he has seen the good work that the levy money accomplishes across the county.

There was no further discussion.

Roll Call on the motion and second to approve the 8 Finance resolutions and payment of the bills showed all Commissioners voting AYE.

Holly Muren, Human Resources Department, presented and reviewed the personnel resolution and a resolution authorizing the continued participation in the CCAO Workers' Compensation Group Rating Plan. Mr. Hambley moved to approve both resolutions; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

John Stricker, County Administrator, presented a resolution convening the Medina County 9-1-1 Planning Committee pursuant to ORC 4931.42(A). House Bill 381 provides for implementation and partial funding for wireless 9-1-1 services for cell phones. This resolution sets up a 3-member board with the President of the Commissioners, the City Manager of Brunswick and Mayor of Medina to work on establishing and implementing the service. Mr. Hambley moved to approve convening the committee; Seconded by Ms. Ray.

Mr. Hambley stated that when he reviewed this resolution he had concerns that the other municipalities and townships did not have representation. Unfortunately the law is written for a 3-member board and only allows for more representation if the county's population is 175,000 or greater. This Board of Commissioners usually appoints boards with representation for all entities.

Mrs. Geissman noted that there will be an advisory committee appointed that will report back to the 9-1-1 Planning Committee and she feels they will take their advice very seriously.

John noted that the resolution was based on what the law allows.

There was no further discussion.

Roll Call on the motion and second to convene the 9-1-1 Planning Committee showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution amending the tipping fee for the Solid Waste District CPF. This provides for a ¾% reduction to commercial haulers if they pay their bill at the CPF before the closing date. It also provides for a penalty charge if they are overdue. Mr. Hambley moved to approve the amendments; Seconded by Ms. Ray.

Mrs. Geissman stated that this is something that probably should have been done from the beginning.

There was no further discussion.

Roll Call on the motion and second to amend the tipping fees showed all Commissioners voting AYE.

Ken presented a resolution declaring the necessity of construction a waterline in S.R. 303 in Hinckley Township and authorizing it to be included in a change order for Underground Utilities. With the cancellation of the contract with Cleveland, this resolution would authorize a change order to a contract with Underground Utilities to extend waterline and expand the supply area to the west in Hinckley Township. Mr. Hambley moved to approve the resolution; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Lynn Remington, County Home Superintendent, reported that in July they had 2 inquiries, 2 admissions, and 1 death to make their resident count 53. They had repairs on their air conditioning, a phone line to the fire panel, and painting was completed in the activity room and front porch. Inspections were done on lab work at the nurses station, which they received their Klia certificate for, the Maintenance Superintendent did a walk through checking on items around the Home, and their financial books were inspected by Chris Jakab. They had 348 hours in volunteer work involving the yard, gardening, landscaping and painting. Donations of tomatoes, zucchini and squash were received. The residents were involved in various activities and they have coupons for the 4-H booth at the Fair.

Mrs. Geissman reviewed a resolution appointing William Hutson to the Port Authority to complete the term of Robert Krisowaty, which ends December 31, 2006. Mr. Hambley moved to approve the appointment; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

The Clerk read the resolution to allow expenses of county officials. Mr. Hambley moved to allow the expenses; Seconded by Ms. Ray.

Mr. Hambley noted that if the travel policy that has been discussed were in affect at this time, the out-of-state request by Transit would meet the requirements as there is no training of this type scheduled for Ohio.

There was no further discussion.

Roll Call on the motion and second to allow expenses showed all Commissioners voting AYE.

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

Ms. Ray noted that in 2003 Medina Works discovered that most positions available were entry level and we didn't have the next step positions with a living wage for those people seeking employment. There were 2 areas identified, construction and medical, that offer higher paid and stable positions. With the help of Congressman Ralph Regula's office over \$600,000 was secured for training in these 2 areas. She introduced William Hanigan, Workforce Development Director.

Bill stated that there are 2 grants that are a flexible approach to job training, which is something that was not previously allowed by WIA. Students, the underemployed, the dislocated worker seeking retraining and professionals that want to advance their careers are eligible for assistance. The 2 programs reach out to employers, such as a construction company that has laborers that want to become carpenters or an LPN that wants to become an RN. The ceiling on wages is not applicable to these 2 grants and there is flexibility to take people that are currently working to the next step up, which then opens the door for others to step in behind them. This is being done in cooperation with career centers in the area; in health care, the program is available to people in Summit & Medina Counties, and in building trades, the program is available to people in Summit, Medina and Ashland Counties as well as for Wayne Homes. People interested in the program should contact Medina Works and will be referred to them if they contact their local career center for these particular programs.

Ms. Ray noted that the money is available for classes that will be starting at the end of August.

Mrs. Geissman noted they will hold their discussion session and that it will be followed by an Executive Session.

Mr. Hambley moved to recess into Executive Session following the discussion session for the purpose of discussion legal/pending litigation and personnel/employment; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley noted that the review of the Expedited Type 2 annexation for land from Wadsworth Township to the City of Wadsworth has been cancelled as the petition was withdrawn.

Commissioners recessed the meeting to move to the conference room for the discussion session at 9:55 a.m.

Mr. Hambley presented written information and noted that there is a choice of giving titles or getting conservation easements at the University/Technology Park. The preference is for conservation easements and the U.S. Army Corps of Engineers has agreed that a third party can hold the easements. The Soil & Water Conservation District put together a proposal for the easements and the cost would be distributed back to the Port Authority as part of the base price

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

agreement when the property is transferred. Eventually the easements would be owned by the eventual property owners, except the University.

Chris Hartman, Soil & Water Conservation District, stated that they generated the endowment formula to calculate the easements and the easement language was developed with the model by the Medina County Land Conservancy.

Mr. Hambley stated that the agreement has to be in place before the property transfers to the University, which the University hopes to have done in the next couple of weeks. He wanted to make sure the Commissioners are all comfortable with this, noting that it would require basically a \$13,000 grant. The original estimate was \$18,000. Part of the conservation easement language indicates that the Prosecutor would be the legal representative on behalf of the Soil & Water Conservation District. Through questioning, the \$13,000 is basically a grant. It is a total endowment that goes to the Soil & Water Conservation District because they are willing to be responsible to enforcement those easements in perpetuity. That \$13,000 will be conveyed over to the Port Authority and then all future property owners will have to pay for that. Bill Thorne, Assistant Prosecutor, agreed to review the documents, and Commissioners agreed there is no problem proceeding with these easements.

There was a discussion relative to correspondence about the Department of Administrative Services (DAS) not receiving funding from the State. DAS is in limbo at this time, but have stated that all personnel forms continue to be sent to them and that they be sent by registered mail for proof of mailing. There is objection to paying the extra money to send these items by registered mail, and Bill Thorne stated that there is a statute that requires sending the forms in, but it does not have to be sent by registered mail.

There was a discussion relative to a rejected annexation petition (177.1326 acres; Wadsworth Township to the City of Wadsworth) that was appealed in the court. Although the resolution contained a finding of facts in making the decision to reject the petition, the judge has remanded the case back to the Board to set forth how and why they determined each finding. After a review of possible dates for the Board to meet about this, Commissioners determined that a discussion is set on August 29th to take care of this matter. Bill agreed to provide copies of the transcript as it was submitted to the court for the Commissioners to review.

Ms. Ray presented a final draft of the proposed written travel policy. The policy is written for all departments under the control of the Commissioners as well as those elected officials that have not adopted their own policy.

Bill noted that ORC 325.20 doesn't say anything about other elected officials, but the Attorney General's opinion does say they should have a written policy and that if they don't they would default to the Commissioners' policy. If they don't like the policy they can adopt their own. There are 3 areas that Commissioners can control the expenditures over \$100; Weights & Measures, Real Estate and DRETAC.

Chris Jakab asked Mike Kovack, Auditor, if his office would require other departments to have their own policy if they don't follow the Commissioners' policy before approving travel expense vouchers.

Bill added that the Auditor's Office should determine that the expenditures are consistent with a policy, whether it is the Commissioners' written policy or the department's own policy.

Mike stated that if they have the policy they will abide by the policy in processing those.

The policy will be written into resolution form for next week's meeting.

Mrs. Geissman stated that she received a call from Ron Rhodes, Hinckley Township Trustee, regarding their desire to re-open the hearing/discussion on the vacation of Jelica Drive, and that the property be divided between the 2 property owners on either side. The farm

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

property in back was discussed at the hearing in that possible future development might need Jelica Drive. That is no longer an issue as the farm is being developed without using that drive.

There was discussion that the development of that farm land has only received preliminary approval by the Planning Commission. At this time the plan could still be changed, and it was noted that a utility easement would still be needed within that drive. Once the development has received final approval, it was agreed that Mike Salay, County Engineer, would be contacted to prepare the legal documents to vacate Jelica Drive and to have the legal description for a utility easement prepared.

Ken Hotz noted that the sanitary sewer and waterline have been completed for the Akron University property. The soil stabilization started on Saturday and the roads will be started on the 15th.

Mike Kovack stated that he was at the meeting because he wasn't sure if the Board was talking about space requirements. He asked that he be notified when this is going to be discussed.

John Stricker noted that he met with John Burke, Treasurer, last week and then John B. met with the Maintenance Superintendent for measurements. He will be reviewing this with John B. later this week.

John B. noted that he will also be talking to Nancy Abbott, Recorder.

The Clerk noted that the Wadsworth annexation that was scheduled for review as an Expedited Type 2 petition this morning will be re-filed in a couple of weeks as a Regular petition. The Agent's attorney filed the required fee for the Expedited Type 2 and the fee for a Regular is an additional \$45. At this time our offices have not incurred any expenses with the Expedited petition and she asked whether the Board felt the full fee needed to be charged at the time of filing the Regular or if they should be charged the \$45.

Through discussion it was agreed that no expenditures were involved on the county's behalf as an Expedited. It was noted that the City of Wadsworth passed an ordinance that they would not accept Expedited Type 2 annexation. Bill understands that the ordinance is that they will not accept annexations that don't involve detachments, such as Expedited Type 2's. The Clerk was asked to get a copy of the ordinance from Wadsworth. Commissioners agreed to charge the \$45 to change the petition from an Expedited Type 2 to a Regular.

There was no further business before the Board of discussion.

Commissioners recessed into Executive Session at 10:20 a.m., which was voted on earlier in the meeting.

At 11:09 a.m. Mr. Hambley moved to adjourn the meeting; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

- 05-0733 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 05-0734 RESOLUTION DETERMINING THE NECESSITY TO CLOSE STYX HILL ROAD (C.H. 119) BETWEEN YODER ROAD (T.H. 105) AND WADSWORTH ROAD (S.R. 57)

- 05-0735 RESOLUTION DETERMINING THE NECESSITY TO CLOSE MATTINGLY ROAD (C.H. 62) BETWEEN RIVER ROAD (S.R. 94) AND RIDGE ROAD (S.R. 3)

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

- 05-0736 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS...24.4797 ACRES IN LOT 69 OF MEDINA TOWNSHIP KNOWN AS LAKE MEDINA RESERVE SUBDIVISION PHASE II AND ESTABLISHING THEREBY SAID IMPROVMENTS AS A PUBLIC WATERCOURSE
- 05-0737 RESOLUTION AMENDING THE 2005 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 05-0738 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 05-0739 APPROVING THE SUBMISSION OF THE FY 2006 FELONY DELINQUENT CARE/RECLAIM GRANT APPLICATION
- 05-0740 APPROVAL OF AN AGREEMENT WITH WAYNE COUNTY FOR THE CONTINUATION OF THE COURT MEDIATION SERVICES PROGRAM
- 05-0741 AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CHRIS RUF FOR INDEPENDENT CONTRACTOR SERVICES FOR THE FAMILY FIRST COUNCIL
- 05-0742 AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DR. VINCE DEGEORGE FOR INDEPENDENT CONTRACTOR SERVICES FOR THE FAMILY FIRST COUNCIL
- 05-0743 AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE FAMILY FIRST COUNCIL AND CORNERSTONE WELLNESS
- 05-0744 RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION (MCDAC)
- 05-0745 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 05-0746 AUTHORIZING CONTINUED PARTICIPATION IN THE CCAO WORKERS' COMPENSATION GROUP RATING PLAN AND EXECUTION AND DELIVERY OF A RENEWAL AGREEMENT
- 05-0747 RESOLUTION CONVENEING THE MEDINA COUNTY 9-1-1 PLANNING COMMITTEE PURSUANT TO O.R.C. 4931.42(A)
- 05-0748 RESOLUTION AMENDING THE TIPPING FEE FOR MEDINA COUNTY SOLID WASTE DISTRICT CENTRAL PROCESSING FACILITY
- 05-0749 RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTION A WATERLINE IN S.R. 303 IN HINCKLEY TOWNSHIP AND AUTHORIZING IT TO BE INCLUDED IN A CHANGE ORDER TO THE CONTRACT WITH UNDERGROUND UTILITIES AS AWARDED IN RESOLUTION NO. 05-587

COMMISSIONERS MEETING – MONDAY, AUGUST 1, 2005

05-0750 RESOLUTION APPOINTING A MEMBER TO THE MEDINA COUNTY PORT AUTHORITY

05-0751 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Patricia G. Geissman

Respectfully submitted,

Stephen D. Hambley

Pamela J. Terrill, Clerk

Sharon A. Ray