

## COMMISSIONERS MEETING, MONDAY, AUGUST 21, 2006

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 July 31 was dispensed with. Each Commissioner has read them personally. Ms. Ray moved to approve the July 31 minutes; the motion was seconded Mrs. Geissman. There was no discussion. Roll Call showed Ms. Ray abstaining and Mrs. Geissman and Mr. Hambley voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed a resolution to close New London Eastern Road between Firestone Road and Brandon Lane for culvert repair. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list for August 10 through August 16, 2006.

Scott Miller, Assistant Finance Director, presented and reviewed the following resolutions: (1) amending the annual appropriations resolution; (2) amending the 2006 appropriations resolution by transferring appropriations; (3) creating an Office for Older Adults Home Energy Assistance Program (HEAP) FY06 Fund and authorizing appropriations; (4) transferring cash to the crippled children's health fund; (5) transferring funds in the amount of \$150,000 from the General Fund to the Children Services Fund for the board and care of County wards; (6) transferring funds from the General Fund to the Public Assistance Fund for the County mandated share; (7) establishing the Expanded Transit Fund; (8) approval of an intern agreement between the Department of Planning Services and The University of Akron in an amount not to exceed \$4,824 during the period of August 27 through December 16; (9) authorizing the purchase of gasoline for the Engineering Center; and, (10) declaring Medina County property as excess property from the old Prosecutor's building and authorizing the disposal of those items. Mr. Miller requested payment of the weekly bills in the amount of \$802,539.22. Ms. Ray moved to approve the ten finance resolutions and payment of the weekly bills; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented a resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution to obtain easements for a Lafayette Township subdivision. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hotz presented a resolution to release the escrow of G. E. Baker Construction, Inc. for the Brookdale Sanitary Pump Station on Lafayette Road. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Patrice Theken, Director of the Department of Planning Services, informed the Commissioners that the Farmers' Market will be Saturday, August 26, 9 a.m. to 1 p.m. in the parking lot behind the Medina Courthouse. This is a different location than it has been held in the past because of the work being done on Medina City Square. Susan Hirsch, Deputy Director from her office, is working on this project with the OSU Extension. The Farmers' Market is improving every year in size, quantity, and attendance.

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Ms. Theken said that on September 8, the Department of Planning Services will be holding their annual Bus Tour/Mobile Workshop. They will visit mixed-use developments throughout Northeast Ohio. They will be meeting at the Department of Planning Services at 8:30 a.m. and it ends about 2:30 to 3:00 p.m. The charge will be \$18.00 and that includes lunch.

Charles Huber, Chief Building Official, presented and reviewed the Building Department's July 2006 Monthly Report. The first page gave an overview of estimated construction costs for permitting activity comparing July 2006 to July 2005 showing Medina County is experiencing a downward trend. The second page details the types of permits issued and revenues generated by the Building Department. Comparing July 2006 to July 2005, it shows a downward trend of 23% with only \$86,504.09 being taken compared to \$113,276.02 the year before. The third page shows year-to-date permits, also showing a downward trend of about 4% in commercial and residential permits. The fourth page gives a breakdown of permit activity. The fifth page shows a bar graph of new dwelling permits in July 2006 and year-to-date by township and village. Montville Township is "leading the pack" with new dwelling permits in July 2006, followed by York Township. Montville Township is also leading with new permits issued to date, followed by Brunswick Hills Township. The sixth page shows permit quantities by townships and the last page lists the details of the commercial and industrial permits issued in July 2006.

Clerk Pam Vereb read the regular resolution to allow expenses for County officials and the resolution for the County Engineer's expenses. Ms. Ray moved to allow the expenses; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley stated that there is a Certificate of Recognition to be awarded to Jason Colegrove for his creative community service project of building an agility course to train search and rescue dogs and for accomplishing the Gold Medal of Achievement in the Royal Rangers. The project is going to be dedicated Saturday, August 26, in Hinckley.

Mr. Hambley read the notice from the Ohio Division of Liquor Control regarding a new liquor license application for Boones Corner Family Restaurant, 2175 Pearl Road, Brunswick Hills Township. They have requested a D51 permit class, which is "Beer and intoxicating liquor by the glass or container for on premises consumption only until 2:30 a.m." There were no objections and no hearing requested.

Mr. Hambley requested Executive Sessions for the purpose of discussing imminent litigation, pending litigation, purchase of property, and personnel/interviews. Ms. Ray moved to allow the Executive Sessions; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley introduced guest Larry Long, Executive Director of the County Commissioners Association of Ohio (CCAO).

The meeting was opened for public comment. Dan Ramsire, Guilford Township stated that Guilford Township acted on the annexation request for 15.5631 acres of land to the City of Rittman about a week ago. They feel this was not good for their community and will cost Rittman City taxpayers in the long run. There was a map of a Phase 1 and a Phase 2, and the second phase will be 82 more acres of this farm. The first phase was an Expedited 2 Type Annexation and there was very little anybody could do to stop it. They ask that when Phase 2 is presented, that Commissioners legally block it because it would put him in an island surrounded by the City of Rittman.

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There being no further public comments, the meeting recessed at 9:55 a.m. for the Commissioners to move to the Conference Room for the discussion session at 10:00 a.m.

### Discussion Session

Larry Long, Executive Director of the County Commissioner Association of Ohio (CCAO), gave a presentation of the proposal for the CCAO dues revision. He explained that dues are now calculated on the basis of 4.5% of the combined salaries of the three county commissioners. They stand to lose some small county members with budgets below \$5 million so they felt they had to revise the rate structure. CCAO proposed alternative dues structures based on population and General Fund expenditures; the tentative recommendation is for a per capita (with a cap)/population-based system. This would be done by a three-year phase-in period in equal dollar increments. Under the current formula, Medina County pays dues of \$8,473 per year and with the same formula (with a 3% increase per year) the dues would increase to \$9,259 per year. The new proposal dues would be raised to \$11,038 per year. In 2010, the proposal is for a percentage increase that would take CCAO Board action each year, probably not to exceed 3%. None of the analyzed methods would generate any new net revenue for CCAO, but would reallocate the dues with some of the larger counties picking up a greater share. The last two pages of the presentation show the current savings and the potential advantages to CCAO members. The CCAO Board will be discussing this at their next meeting to make some final recommendations.

Mr. Jakab asked if the impetus for the dues analysis was the small county problem and Mr. Long said yes. The other rate structure was on a General Fund expenditures basis. They have had concern expressed by some counties with that method. The dues in 2009 for Medina County with an expenditure-based method (using 2005 DRF expenditures of \$35 million) would be \$10,649. The budget relative to population in comparison to other counties is in very good shape so they would save some money on an expenditure base. Counties adversely affected by straight population basis are Lorain, Stark and Mahoning. They are rather populous counties, but their budgets are very low. This will be discussed next week.

Ms. Ray asked if counties that are struggling to afford their dues will continue to participate under this new structure. Mr. Long said he thinks the five small counties (Vinton, Morgan, Monroe, Noble, and Harrison) with small budgets will continue to participate. Mr. Jakab asked if the small counties were taking advantage of some of their programs and recouping the dues through savings. Mr. Long said yes, and one of the reasons they have been able to maintain a couple of the small counties is a result of the Workers Compensation Program where CCAO membership is required. Dues might be \$4,000 for example, but their Workers Comp savings might be \$28,000, so they wouldn't want to lose that. Mrs. Geissman said one or two counties just could not pay the dues and their membership was not turned down. Ms. Ray said that would defeat the effectiveness and strength of the organization and it is admirable that is the way they want to continue. Mrs. Geissman added that it is not that they don't want to participate, they just did not have the money. Mr. Long said he hopes they do not have a problem with the large counties because if they lose two of them they would be in worse shape than losing six small counties. Mr. Hambley said it is a fair way to distribute the increase by per capita and capping it.

Mr. Long encouraged a new program offered to the National Association of Counties (NACO) that they endorse, an energy and telecommunications (utilities, telephones and cell phones) audit program offered by Cost Control Associates. It is done on a contingency basis, and it doesn't cost anything unless savings are found.

Mrs. Geissman discussed the letter from the Greater Cleveland Poison Control Center announcing they had become a certified regional poison center by the American Association of Poison Control Centers. She offered press releases to the press in attendance.

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Ms. Ray discussed an anonymous memo requesting court dockets be put on line. Commissioners agreed to forward it to the administrative judge.

Ms. Ray said they had a Community Corrections Planning Committee meeting last week and they received a report showing that 12,782 jail days have been saved by adding the additional counselor funded through the Alternative Paths/Medina Municipal Court/Wadsworth Municipal Court CCA Grant Project in the two-year period August 2004 – July 2006. At a cost of \$93 per day, this has saved the County \$1,118,726. Gail Carmon said the intense counseling for substance abuse has been found to be very effective in cutting down on the recidivism at the Jail. Mrs. Geissman said the Sheriff showed her some reports on how many people are on prescription drugs when they come into the Jail or get on prescription drugs in Jail. Ms. Ray added that every day a person is not in Jail they are, hopefully, working and contributing to society so there are a lot of savings in addition to what is shown on this report.

Mr. Hambley said they needed to review the annexation of 41.0702 acres from Brunswick Hills Township to the City of Brunswick before next week. There is a draft of the minutes from the hearing for review with as much verbatim as possible. In communication between Greg Happ, Agent for the Petitioner, and the Bill Thorne, Assistant Prosecutor, Mr. Happ contends he stated clearly that there was a benefit to the property owner. Mr. Hambley said, in reading the minutes, he is not sure he saw the benefit stated. Mrs. Geissman said when she left the meeting, she was asking herself where the benefit was because it was never stated. Mr. Hambley said it appears to be implied and not stated. The Commissioners need to make a decision by next week whether to approve, disapprove, or whether it is withdrawn. They will allow Mr. Thorne to communicate with Mr. Happ. Mrs. Scheutzow, Brunswick Hills Township Trustee, stated that she attended the annexation hearing and she also left the meeting not hearing Mr. Happ state a benefit. Their counsel (Assistant Prosecutor Trina Devanney) said there was no reason stated as to a benefit. Mrs. Geissman said she does not remember Mr. Happ ever expressing a benefit. Mr. Hambley said they retained the recording if there are questions as to what was said. Mrs. Scheutzow said nobody came back to refute Ms. Devanney's statement that a benefit was not stated. Mrs. Geissman said he had the opportunity, but he did not take it.

Mr. Hambley said they received a road-closure notification for State Road in the City of Medina starting August 21 and the ending date says August 13, so there must be an error. He commented that the closing will greatly impact traffic from S.R. 18 to Smith Road.

Mr. Jakab updated Commissioners on the Fiber Optic Project. He and Economic Development Corporation Director Jim Doult met with Squire, Sanders and Dempsey to discuss possible collaboration with the various utilities (Armstrong, Time Warner and Verizon) based on current meetings they have had.

Mr. Jakab said he met with Verizon last week in an attempt to move forward with Phase 2 of the Wireless 9-1-1 Project. They are completing Phase 1 and Phase 2 is the actual procurement of the software that would allow the pinpointing of the vehicle or cell phone and provide mapping for the dispatch operation. They have received about \$250,000 of the money that was held in reserve by the State from the cell phone tax. There is more to follow on a monthly basis, but the PUCO has not been very clear regarding the distribution. Mr. Long said he would check and let him know; he had heard there was going to be a three-month lag.

Mr. Jakab said there is public hearing on Wednesday for the CY07 Transit Program funding. He will also be attending a CORSA meeting in Columbus on Friday, August 24.

Pam Vereb, Clerk, said there are seven applicants for the Audit Review Committee and she will set up the interviews at their convenience.

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Ken Hotz, Sanitary Engineer, reported that they had a very successful collection drive for computers and electronic equipment last Saturday. Although it rained, 234 cars dropped off unwanted items.

Commissioners recessed the meeting at 10:23 a.m. for the Executive Session voted on earlier for the purpose of discussing pending litigation, purchase of property and imminent litigation that immediately followed and recessed at 11:30 a.m. on a vote by Ms. Ray and a second by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was reconvened at 12:45 p.m. for the Executive Session for the purpose of discussion personnel/interviews that was voted on earlier. The Executive Session ended at 3:30 p.m. on a vote by Ms. Ray and a second by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE. The meeting adjourned on a vote by Ms. Ray. Mrs. Geissman seconded the motion. Roll Call showed all Commissioners voting AYE.

At 2:00, Joe O'Hara from the Highway Engineers Office accepted bids for the East Smith Road "S" Curve Rehabilitation. These will be reviewed by the Highway Engineers for award.

### RESOLUTIONS PASSED 8/21/06:

NUMBER	RESOLUTION TITLE
06-0791	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
06-0792	RESOLUTION DETERMINING THE NECESSITY TO CLOSE NEW LONDON EASTERN ROAD (C.H.84) BETWEEN FIRESTONE ROAD (C.H. 26) AND BRANDON LANE (T.H. 588)
06-0793	RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
06-0794	RESOLUTION AMENDING THE 2006 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
06-0795	CREATION OF OFFICE FOR OLDER ADULTS HOME ENERGY ASSISTANCE PROGRAM FY06 FUND AND AUTHORIZING APPROPRIATIONS
06-0796	CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
06-0797	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
06-0798	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE COUNTY GENERAL FUND (0010) TO THE PUBLIC ASSISTANCE FUND (0120) FOR COUNTY MANDATED SHARE
06-0799	EXPENDITURE ADJUSTMENT FOR EXPANDED TRANSIT FUND

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- 06-0800 APPROVAL OF AN INTERNSHIP AGREEMENT BETWEEN MEDINA COUNTY PLANNING SERVICES DEPARTMENT AND THE UNIVERSITY OF AKRON
  
- 06-0801 AUTHORIZING THE PURCHASE OF 8,000 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
  
- 06-0802 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
  
- 06-0803 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
  
- 06-0804 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER AND WATER IMPROVEMENT PROJECTS
  
- 06-0805 RESOLUTION AUTHORIZING THE MEDINA COUNTY SANITARY ENGINEER TO RELEASE THE ESCROW OF G.E.BAKER CONSTRUCTION, INC FOR THE BROOKDALE SANITARY PUMP STATION REPLACEMENT MCSE#SR-500/200-20.1
  
- 06-0806 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
  
- 06-0807 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this twenty-first day of August 2006.

Respectfully submitted,

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Pam Vereb, Clerk

COMMISSIONERS \_\_\_\_\_

OF \_\_\_\_\_

MEDINA COUNTY \_\_\_\_\_

Stephen D. Hambley

Sharon A. Ray

Patricia G. Geissman