

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 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 August 9 and August 10 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.

The County Engineer's Office had no resolutions today.

Chris Jakab, Finance Director, presented and reviewed resolutions involving amending the annual appropriations by increasing appropriations, various fund transfers, purchasing fuel for the Engineering Center from Ports Petroleum, approving an internship agreement between the Planning Services Department and the University of Akron, approving agreements for service coordination and intake & referral services for the Family First Council Help Me Grow Program, approval of an agreement for telecommunications consulting services, and the weekly bills in the amount of \$898,639.89. The internship agreement for Planning Services is with the Geographic and Planning Department of Akron University. This has been done for a couple of years and is paid through the RPTT funds. The agreements for the Help Me Grow Program are renewals at the same rate with Community Action, Catholic Charities and the MRDD Board. The agreement for telecommunications consulting services is with Business Technology Services. They will perform an inventory and review of the current system, an audit of finances for these services, and make a recommendation for improvements of services and lower costs. Mrs. Geissman moved to approve the 7 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, and Ken Hotz, Sanitary Engineer, had no resolutions today.

Karl Cetina, MCDAC Director, stated that the schools are gearing up for their programs through MCDAC for the next school year. There was a Tobacco Committee meeting last week and one this week in Columbus on the tobacco initiative. They have received good feedback from Columbus regarding the teen and pregnant women programs they are starting. They are in the process of receiving RFP's and hiring a coordinator, and should be providing services by October.

John Jones, Transportation Services Director, presented a resolution terminating the supplemental services agreement with Shields Mobility Services. Shields has been the wheelchair service provider for JFS clients and have contacted him about ceasing their operations as of August 31. Mrs. Geissman moved to approve the termination; Seconded by Mr. Hambley.

Mr. Hambley asked if they are going out of business all together and John responded that they are.

There was no further discussion.

Roll Call on the motion and second to approve the agreement termination showed all Commissioners voting AYE.

John presented a resolution awarding an agreement for supplemental services to Foxx Transportation Company. Foxx has purchased equipment from Shields and will be replacing

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

them as the wheelchair service provider. Currently Foxx is the taxi provider. These services will be re-bid in November. Mrs. Geissman moved to approve the agreement with Foxx Transportation; Seconded by Mr. Hambley.

Mr. Hambley noted that at the last bid for these services Shields and Foxx were the only bidders and he questioned whether this leaves Foxx as the only vendor.

John stated that 2 other vendors have moved into Medina County and they have already requested preliminary information in order to bid in November. There will be some competition this year.

There was no further discussion.

Roll Call on the motion and second to approve the agreement with Foxx showed all Commissioners voting AYE.

Ms. Ray presented a notice of a transfer of a liquor permit for Citgo in Seville. This is given to Commissioners for informational purposes.

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

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 recessed the meeting at 9:44 a.m.

Commissioners reconvened the meeting at 10:00 a.m. for the discussion session.

Ms. Ray noted that the first item for discussion is the review of the annexation petition of 177.1326 acres of land from Wadsworth Township to the City of Wadsworth. She noted that the hearing has been closed on this petition and that no further information can be submitted at this time. The CCAO has supplied a handbook on annexation that will be used in the review.

Ms. Ray reviewed the items on the criteria for approval list with the Clerk. The Clerk responded that all requirements under ORC Sections 709.02, 709.03 and 709.031 have been met and that the requirements under ORC 709.033 are to be determined by the Commissioners.

Mr. Hambley stated that relative to the test of being unreasonably large, he agrees that it is not unreasonably large.

Mrs. Geissman and Ms. Ray agreed.

Ms. Ray read the “on balance” test, which states the general good will be served to the proposed annexation territory and that the benefits will outweigh the detriments to the proposed annexation territory as well as the surrounding township area.

Mr. Hambley stated that although there is a legal distinction between the property and the majority of the property owners that have filed the petition for annexation, in the general good test for this annexation he feels it has failed largely because the majority of the property does not meet the general good of the property. Testimony was heard from some of the property owners and when you assemble those that provided testimony that there is a benefit it was not close to the majority of the property. The largest property owner, General Clay Products, did not appear nor submit testimony. The only testimony he would legitimately identify to represent their interest was the Township Trustees and when they were asked specifically whether they felt annexation would benefit that property owner they did not believe it would. In review of the information from Planning their property tax is going to increase just by virtue of annexation. In

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

his judgment annexation would not benefit that particular property. One among many issues the general good of the territory proposed to be annexed does not benefit and he would say it fails to meet that test.

Mrs. Geissman stated that after reviewing her notes and the testimony, and especially the fact that the owners of the majority of the land did not come forward to express any benefit, she would agree with Mr. Hambley's finding.

Ms. Ray added that although this Board during extensive questioning at the hearing did not find any clear cut case of fraud when the signatures were obtained for the petition, there was a lot of confusion surrounding the annexation. There were several people that expressed the feeling that they were lead to believe that their signatures weren't needed and that the applicant already had enough signatures. There were misrepresentations, or misunderstandings, whether legitimate or not, on both parties parts that cloud this issue. Along with this many neighbors testified that they have nothing to benefit by annexing; specifically several that already have access to city water and city sewer and felt the only thing that would result from annexation is additional taxes to them.

Mr. Hambley noted that the Clerk had given a draft of an annexation resolution that with some editing could reflect that it meets several conditions that were outlined, and that on the second page can be modified to indicate that the petition fails to meet the requirements set forth in ORC 709.033(A)(5) regarding the on balance of good test; specifically that on balance the general good will not be served and that the benefits to the territory proposed to be annexed and the surrounding area will not outweigh the detriments to the territory proposed to be annexed and the surrounding area if the annexation is approved. Mr. Hambley moved to direct the Clerk to prepare the resolution denying the petition for annexation with those modifications to the draft and that it be placed on the agenda for next week.

Ms. Ray noted that she will be out of town next week.

There was a brief discussion relative to proceeding with the adoption of the resolution rejecting the annexation today. The Clerk can prepare the resolution to reject with the modifications noted above after adoption.

Mr. Hambley moved that the petition for annexation be denied on the basis noted; seconded by Mrs. Geissman.

Mrs. Geissman believes this is the first denial that has been done in many years when the annexation actually split a business. It is very difficult decision because of the personal property rights involved. In this case not everyone was clear as to what was happening and then a majority didn't show any benefit.

There was no further discussion.

Roll Call on the motion and second to deny the petition for annexation showed all Commissioners voting AYE.

Commissioners moved the meeting to their conference room to continue the discussion session.

Mrs. Geissman reported that most of the surveys regarding local government funds have been received. There are a couple of township and one city that haven't turned theirs in yet. There has been an extension to get them in after Labor Day.

Ken Hotz reported that they are wrapping up the Chatham waterline project and area ready to start Phase 2, which is the northwest portion of the township. The first thing to be done will be checking to see if there are any low to moderate income people in the area.

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

There was a discussion regarding preparation of a statement for an upcoming Great Lakes Governor's meeting regarding diversion of water from the Great Lakes and the need for backflow. The meeting is scheduled for September 25.

Bill Thorne, Assistant Prosecutor, stated that an environmental group with concerns about some of the proposed language is holding a meeting prior to the September 25 Governor's meeting. He will get that information to Ken.

It was noted that most of the information that has come out about the Governor's meeting has been from the press and that the statement to be sent will be prepared and given to Commissioners' for review once more detailed information is received. Lorain County has key issues with this proposal. Ken is keeping on top of this.

Mr. Hambley stated that work has begun to apply for funds from the State Housing Trust Fund. The goal is to create the position of Housing Coordinator to work and coordinate efforts between the members of the Housing Network. Information was presented projecting expenditures, revenues, showing the framework of the Network ICAT, and a proposed job description for the Coordinator. The proposal is that the Coordinator will be under the County Administrator and take over some of the work that Dianne Ranftl, Administrative Assistant, has been doing for the Network. The match for the funding will be in-kind services. There are various partners on the Housing Network that will be asked to contribute approximately \$3500 each. It is also planned that the Coordinator will be the intake person for County Home placements. The Coordinator will be able to work with the other agencies if a person does not fit into the criteria for placement at the County Home. A licensed professional needs to be involved in these administrative duties at the Home and the Superintendent will still have the final decision. The grant is for 2 years. All involved agencies will be asked to help with continuing the program beyond the 2 years and there is no restriction for renewals from the Housing Trust Fund. They will need to show permanent housing for people in the 2 years. The Housing Network endorses this proposal. Hiring a Coordinator should eliminate the duplication of services that have been occurring. The Coordinator will work with all of the resources for housing assistance and will be able to determine the best housing for individuals as well as the best place they should be. A licensed social worker needs to be in the position and will be required to work with all of the programs within the Network to get people permanent housing. The person will also be responsible for grant reporting as well as grant writing. Someone needs to be in place that can coordinate all of the housing needs and agencies that can assist. Mr. Hambley asked for approval to authorize Dianne and John to put the grant together and forward the application. Ms. Ray and Mrs. Geissman agreed to proceed with this.

Chris Jakab stated that he has talked with Skip Sipos, Metropolitan Housing Authority, regarding their housing assistance vouchers and their waiting list. He will be meeting with Skip and Lynn Remington, County Home Superintendent, on what rooms are available at the County Home. There are currently 5 ADAMH Board clients at the Home that are also eligible for Metro assistance. A breakdown of all costs will be needed as well as a comparison to determine which program these people would be best served by.

Chris reported that the Public Defenders Commission has hired their lead attorney and she will start September 1. She will be filling out payroll forms tomorrow and viewing their office space. They are aiming for October 1 as the start up of taking over indigent defense cases. Through questioning, he stated that the employees will be under the Public Defenders Commission and they will be using the Human Resources Department for payroll paperwork, etc. The indigent forms and background checks will be reviewed with the new director. It is anticipated that more thorough background checks will be made to be sure people are indigent.

Chris noted that the JFS tuition program fund has been discontinued and that entire amount will be saved for the department.

Mrs. Geissman added that she will be meeting with Mead Wilkins, JFS Director, and Representative Chuck Calvert later this week to review the JFS funding concerns.

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

Ms. Ray stated that Chris Jakab, John Stricker and Gary Berkowitz are working on an agenda for the upcoming elected officials/department heads meeting. He date has not been set for the meeting but it should be about a half day session. It was noted that the Human Resources Department handles many things that would be helpful to the other elected officials.

Mr. Hambley stated that the 211 Committee has received proposals from Cuyahoga County and Summit County for administration of 211 services. They will be meeting with the Cuyahoga County United Way that has proposed \$47,000 for 24 hours/7 days a week service. There also needs to be a meeting with the District Library regarding their InfoLink program. There will be some up front costs involved and grants to cover those costs are being looked into. Through questioning, he stated that 211 is a national initiative and that United Ways are moving forward to be the central point for the services. This will be a matter of coordinating information on all agencies. Some agencies are against this because they have their own public relations grants. Verizon is looking into setting up the switches for this program and their costs.

Mr. Hambley moved to recess into Executive Session to discuss personnel/labor negotiations; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Prior to going into the Executive Session there was a discussion with John Jones regarding the Transit budget, noting that the operation budget is to be submitted to ODOT by September 1st.

John stated that they have been working on the budget all summer and are facing a deficit by the end of the year with fuel and maintenance costs that have skyrocketed. He has talked with Chris Jakab who felt it best to submit a realistic budget for next year. That budget has been put together at this time with a \$179,000 deficit. He presented a handout. Given the market information and what has happened this year the fuel costs were increased 20%. In November the plan is to order 5 smaller vehicles under the State contract for next year due to some fleet changes that are being made based on area demands and the ability to get qualified drivers. The operating costs for the smaller vehicles should be less and being new they should have reduced maintenance. However, the older vehicles may need transmission, air conditioning and front end repairs as well as realizing the amount of brakes they go through. The maintenance costs have been increased to \$148,000 for next year. The capital match in the budget is \$27,680 but with the smaller vehicles the end result should be lower. A member of his staff is working on the details of costs for the new vehicles and the amount going in for new vehicles should be lower. The amount for agency billing is projected to go significantly higher and that figure will be refined with the final budget; however, the MRDD Board has indicated they might take a route back, which would bring the revenue down to about the level listed. The 5311 grant and ODOT transit grant are at the same level for next year, and the T21 legislation has not been extended and will not be reauthorized until after the general election in November. The state transit lobbyist is optimistic that T21 will be re-authorized, but Virginia Amsley feels the bill will not pass until a new Congress takes over after the first of the year. The indication is that the authorization will include increases for transit programs nationwide but ODOT will not increase appropriations; therefore, that funding will be flat. An additional \$37,071 is expected in E&D funding. Everyone is wondering where they will come up with money for 94% of return on the gas tax. The problem is the increased ridership and mileage. Transit has been running close to 2400 driver hours and that's the discrepancy seen in the proposed budgeted hours for drivers. Routes and services will need to be trimmed to a level that Transit can operation. They are planning to work at the 2250 level on driver hours for next year and road supervision positions have been added in at basically ¾ time positions at \$12.50/hour along with the standard benefits. A part time dispatcher position will also be increased to full time. Holly Muren, Human Resources Department, is generating a current rate sheet to make sure the salaries are current. Through questioning he stated that revenues could come up depending on what the MRDD Board plans to do. If their routes stay the same the revenue could go up. He agreed there is an allocated cost model that would help identify the actual reduction of costs if the change in routes took place.

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

Chris added that he is concerned that the total personnel is under-budgeted compared to what is being spent this year with the things John itemized as additions to the budget. He estimates that the projected salary cost is only increasing by \$43,000 and the fringe benefit expenses increasing \$30,000. He feels the 20% increase on fuel usage should be checked into. They are still looking to come back to the Board with a potential amount that will be needed to subsidize the operation next year.

Mr. Hambley asked if the biggest proportion of the additional expenses is coming from the fuel and maintenance costs.

John agreed that is the problem.

Chris stated that the decrease in maintenance costs for next year should be offset by the fuel increase. The problem is driver costs, the addition of 60 hours of road supervisions and increasing a dispatch position to 40 hours with benefits. He noted that the submission of the budget isn't necessarily a commitment and there is a chance to revise it based on final revenue figures from ODOT. However, he feels this should be more realistic of what the expectations could be for the general fund subsidy amount. This year we are looking at between \$10,000 and \$25,000 of general fund monies to subsidize the operation.

Mrs. Geissman asked about the \$30,000 contribution for the Medina City "L".

John stated that the figure has not been finalized. Council has been in recess and are just returning today. The \$30,000 is what has been discussed for next year.

Steve added that the last time around Medina contributed around \$14,000. If the "L" were eliminated those costs would shift to demand-response and the costs increase from \$8 per person to \$11 or \$12 per person.

John added that it is a significant increase to go with demand-response. The administrative costs increase because the rides are being called in and scheduled on the manifest. With the deviated fixed routes there is a set bus schedule and people get on and off at specific points. A lot of people on demand-response need the transportation for work or schedule activities. Through questioning, John stated MRDD has said they have no additional money to contribute to the Transit operational costs. The last increase in contract rates was last year. He agreed the rates are reviewed annually. A commitment was made to the Consortium that the rates would not go up. There was a long discussion about this last year and there are some of the contract customers that are paying an allocated amount. Technically the State's perspective is that Transit should be allocated across the board; that the contract customers should be paying the entire cost of the ride. There is no subsidy involved in the rides. This type of allocation would significantly increase revenue.

Ms. Ray stated that she is concerned that the general fund cannot withstand this type of contribution every year. She agreed with Mr. Hambley that addition has been requested at the end of the year every year for Transit, but it is a little bit here and there.

There was a brief discussion that the allocated cost would not decrease for the contract customers other than JFS, as they are structured differently. John stated that all of the contracts would see a huge increase across the board. The ride cost is around \$10/ride and most agencies are paying \$5 or \$6 per ride. That allocated amount would be recomputed with the State model every year. Some of that would fall back to the Commissioners because of increased costs for the Office for Older Adults.

John stated that another scenario would be to go through an eligibility system and knock the demand-response down to only those that need to be in response and to place deviated fixed routes through the county that people ride as they please. Fare revenues would be lower and operational costs would drop. The question is how to take the ridership that is now used to the

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

demand-response system and tell them we aren't going to have that any more and that the system will have bus stops with specific times for buses to be at those stops. Money will be needed to market that and to retrain the drivers for a fixed route system. A para-transit plan would have to be developed for those individuals that must have door-to-door service. He agreed with Mr. Hambley that this would be a reduction of services for most people that use Transit.

Chris stated that they are already doing decreased service next year if they are currently at 2400 driver hours biweekly and that is being decreased next year by 150 hours biweekly. He is somewhat confused by some of the costs, noting that the biweekly ours are planned to decrease and yet the costs are going up in total for the operation, including the capital by \$180,000.

Mrs. Geissman stated that she would like to know how many agencies could afford to pay the actual costs rather than decreasing services. She noted that she understands this would make the Commissioners pay more for the Office for Older Adults and that all agencies involved have similar type budget concerns.

Mr. Hambley noted that eventually the issue of how to bill Transit will need to be addressed countywide. When the program started it was hoped the increased ridership and being more efficient would enable the county to be rewarded and be able to acquire more federal and state funding. That is not the way it has worked out.

John added that the State has consistently cut funding and Transit is operating with about the same amount of dollars from state aid as in 1980.

Ms. Ray noted that part of the problem is that the T21 formula has not changed and they can't seem to get it passed.

Mr. Hambley added that if that does pass our Transit doesn't get direct money. Urban systems get direct money from the FTA and ours goes through ODOT, who could see an increase and say it costs them more to administer the rural programs and not pass the increase along.

John noted that ODOT has indicated at this time that if T21 passes they're going to stick with the appropriations they've given out. He believes they are trying to build up their office that has cut their own costs significantly and that had 22 people on staff in 1998 and are now down to 15 through organizational changes.

Mr. Hambley stated that part of the discussion with Brunswick and looking at a Transit Board is that it would help in the long term with costs. A presentation of population projections for NOACA said that by 2020 the size of the senior citizen population will be doubled. Those people rely on various services such as Transit and there is a need to build a transit system that will meet those needs. He feels there would be more efficiency if there was a Transit Board that could use urban and rural dollars and pool them.

Ms. Ray noted that Wadsworth has not contributed to Transit, with Mr. Hambley adding that they are going with Akron.

John noted that Akron's system is in very bad shape and have cut their services below their 1990 levels. Akron Metro has abandoned Portage County, Stow and a route between Kent State and Akron University. The only thing Akron has going out of their county is North Coast, which is subsidized under some other funding. He doesn't feel Wadsworth has any hope of getting any subsidized services out of Summit County. Akron Metro has pulled their mid-day service and has gone with morning and afternoon peak hour service only, which is one of the worst things a fixed route service can do. He feels consideration needs to be given to some of the good plans they have and possibly going to the scenario he explained earlier. Arrangements could be made where people could drive to congregate to ride the bus and deviate things through areas of high concentration of riders and placing more money into marketing to attract people.

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

That type of system along with developing eligibility requirements for para-transit versus demand-response would reduce costs overall. The passenger counts and mileage would stay up and the federal formula monies once the T21 is decided will return. We face a 5311 system under the State the way it's funded now, and once we reach \$1 million in federal allocations they cut the funding off and you have to subsidize it from there.

It was agreed that Chris and John would review the budget further and bring something workable back to the Board next Monday.

At 11:24 a.m. Commissioners recessed into Executive Session, which was voted on prior to the Transit budget discussion.

Mr. Hambley moved to adjourn the meeting at 11:56 a.m.; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 1:30 p.m. the Clerk received bids for a bridge resurfacing on Bellus Road from Bridge Overlay Systems, Velotta Company, and Dot Construction Corporation. The bids were turned to Rick Tomko, Engineer's Office, for their review and recommendation.

RESOLUTIONS PASSED:

- 04-0760 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 04-0761 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

- 04-0762 TRANSFER OF COUNTY GENERAL FUNDS TO THE COUNTY DIVERSION PROGRAM

- 04-0763 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND

- 04-0764 RESOLUTION AUTHORIZING THE PURCHASE OF 3,800 GALLONS OF PREMIUM UNLEADED AND 4,200 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

- 04-0766 APPROVAL OF AGREEMENTS FOR SERVICE COORDINATION AND INTAKE & REFERRAL SERVICES FOR THE MEDINA COUNTY FAMILY FIRST COUNCIL HELP ME GROW PROGRAM

- 04-0767 APPROVAL OF AN AGREEMENT FOR TELECOMMUNICATIONS CONSULTING SERVICES

- 04-0768 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 04-0769 RESOLUTION TERMINATING THE SUPPLEMENTAL SERVICES AGREEMENT BETWEEN THE BOAD OF COMMISSIONERS AND SHIELDS MOBILITY SERVICE

COMMISSIONERS MEETING – MONDAY, AUGUST 23, 2004

04-0770 RESOLUTION AWARDED AN AGREEMENT FOR SUPPLEMENTAL SERVICES TO FOXX
TRANSPORTATION COMPANY

04-0771 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

04-0772 RESOLUTION REJECTING THE PETITION FOR ANNEXATION OF 177.1326 ACRES OF LAND
KNOWN AS BEING PART OF WADSWORTH TOWNSHIP TO THE CITY OF WADSWORTH,
MEDINA COUNTY, OHIO

MEDINA COUNTY COMMISSIONERS:

Sharon A. Ray

Respectfully submitted,

Patricia G. Geissman

Pamela J. Terrill, Clerk

Stephen D. Hambley