

COMMISSIONERS MEETING – MONDAY, AUGUST 4, 2003

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

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

At the beginning of the meeting the oral reading of the minutes of July 21 (corrected), July 25 and July 28 was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution to close a section of Sanford Road for a culvert replacement. Mrs. Geissman moved to approve the road closing; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed 11 resolutions involving amending the annual appropriations by increasing or decreasing appropriations, purchasing fuel for the Engineering Center from Ports Petroleum, revenue adjustments for various funds, creation of a County Recorder Housing Agency Special Revenue Fund, approving an agreement with Countryview Auto Recycling for disposal of salvage vehicles for the Sheriff's Department, approval of agreements for service coordination and intake & referral services for the Family First Council Help Me Grow Program, approval of an agreement with the Ohio Department of Job & Family Services (JFS) for Workforce Development facility use cost sharing, authorizing the Finance Department to release the escrow account of Carson Paving Inc. and Prestress Services Inc. for Kelcorp Construction for the Nichols Road Bridge No. 8 replacement project, authorizing the submission of a 2003/2004 State DARE Grant Program application, providing for the issuance and sale of Library Improvement Bonds of the County District Library in the maximum principal amount of \$42,300,000, and the weekly bills in the amount of \$587,175.70.

The County Recorder Housing Agency Special Revenue Fund is being created because the Ohio legislature enacted a fee structure that doubles the Recorder's fees. The additional amount collected will be remitted to the State and the County may keep up to 1% for administrative costs. The fund will be set up as a pass through for this money. The agreement with Countryview is a renewal. This is rarely used and only about \$250 maximum has been paid out annually under the agreement. The agreements for the Help Me Grow Program are also renewals for the period of August 2003 through July 2004. These agreements are paid from grant funds. The JFS agreement is for cost sharing in which the State agrees to pay \$677.40 a month for their continued occupancy with Workforce Development. The State has 2 employees at this location. The escrow account being released is for payment to Carson Paving, a subcontractor, and Prestress Services, a supplier, of Kelcorp Corporation. The money was held due to lack of payment by the contractor, Kelcorp. The release of the account is to reimburse Kelcorp's bonding company for payment to the subcontractor and supplier. The DARE application is being submitted to the Ohio Attorney General's Office for the period of August 2003 through June 2004. This funding will offset MCDAC and general fund expenses for DARE. The issuance and sale of Library Improvement Bonds is based on the approved May levy. The full amount will be issued in bonds rather than notes for the lower rate structure. The official statement for rating is being finalized now. A meeting will be held in Chicago at Moody's Investment Service and Standard & Poor's to review their rating and hopefully the county's rating as well.

Mrs. Geissman moved to approve the 10 Finance resolutions and payment of the weekly bills; Seconded by Ms. Ray.

Mr. Hambley noted that he has talked with Nancy Abbott, Recorder, relative to the new fees and she estimates \$1.5 to \$2 million will be generated and turned over to the State for the Ohio Housing Trust Fund. Medina County has never received anything from this fund in the past. At a regional meeting with state representatives a recommendation was made for counties to retain a portion of those funds, and the State did not come through with that as part of their legislation. Medina County will need to devote time and effort to obtain some of this money for housing needs in our area, noting that the number one concern of seniors is being able to fix their

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homes in order to stay in them. Through questioning, he stated that the funds will be available from the State through an application process. Our county has been considered wealthy in the past and some dollars do come in through Community Action; however, this amount of funding has not been available for housing issues before. Medina County has a Housing Task Force, which serves as our Fair Housing Council, and at their last meeting they talked about going after some of this money, which will mean the cooperation of officials, etc.

There was no further discussion.

Roll Call on the motion and second to approve the 10 Finance resolutions and payment of the bills showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve the personnel changes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Dianne Ranftl, Administrative Assistant, presented and reviewed a resolution to submit application for funding under the Research Park Roadwork Infrastructure Assistance Fund Program for the University Center. The application is in the amount of \$1,529,166. Mrs. Geissman moved to approve the application; Seconded by Ms. Ray.

Mr. Hambley noted that this infrastructure program is tied to the gas tax increase that goes to the Ohio Department of Development. This application goes after some of that increased tax funding for this project. Al Zelina has been working with Jim Doult, Economic Development Corporation, as well as the Township and County Engineer in developing the plan for this infrastructure.

There was no further discussion.

Roll Call on the motion and second to approve the application for funding showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution accepting easements from the City of Medina for the reservoir sewer replacement project and vacating previously obtained easements. The new easement will allow for the relocation further away from their waterline in the area. Mrs. Geissman moved to accept the easements and to vacate previously obtained easements; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing the release of the escrow account of Thompson Electric Inc. for the Material Recovery Facility 2001 improvements. Mrs. Geissman moved to authorize the release of the escrow account; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution declaring the necessity for the waterline relocation along State Route 18, approving the plans and specifications, and authorizing the advertisement for construction bids. ODOT asked that the waterlines by I-71 be moved as they are working on the interchange. The line affected on the north side of 18 runs from Rustic Hills Drive to Gateway Drive. On the south side the line runs from Montville Drive to Gateway Drive. Mrs. Geissman moved to approve the resolution of necessity; Seconded by Ms. Ray.

Through questioning, he stated that these lines were built in 1978-1979. ODOT is re-doing the entire intersection. The sanitary sewer has already been relocated when they put in three lanes on I-71.

Mr. Hambley noted that this is one that when we went to the ODOT TRAC for funding of the project we pointed out that this is part of our shared cost. We're picking up some of the cost of the improvement with this relocation. ODOT is spending \$10 million on the interchange improvement.

Ken noted that this will be financed through Ohio Water Development Authority (OWDA).

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There was no further discussion.

Roll Call on the motion and second to approve the resolution of necessity showed all Commissioners voting AYE.

Ken presented a report relative to septage that is being received at the Liverpool Plant, which started in January. In the first quarter they received 173,000 gallons and that increased to 392,000 gallons in the second quarter. There have been no problems with accepting this. The copper, zinc and mercury levels have been higher than anticipated, but they are still within the limits allowed. He noted that new limits are coming out for mercury. The program is working well and the haulers are happy that they don't have to travel into Cuyahoga County. The rates are the same as the Northeast Ohio District.

Joyce Farnsworth, County Home Administrator, noted that the Fair is over and that the Home received many donations of animals for their freezer. They have 50 residents and should have one additional later this week. They also have a couple of applications coming in. The Family Picnic is being planned for September 7. The new Maintenance man has started and has a lot of work to catch up on.

Mr. Hambley noted that the County Home Advisory Council is meeting this week. They will have the draft admissions policy to review and hopefully adopt.

Mead Wilkins, Job & Family Services Director, noted that Elaine Lynch, their Chief Union Steward, has retired. He noted that Commissioners should have received a fiscal agreement for their consolidated funding. This is done every 2 years. The agreement states the county will get the money if they administer the programs. He presented 2 resolutions related to flood disaster relief. The first resolution amends the Prevention, Retention & Contingency (PRC) Plan to allow for TANF funds to be used up to \$1500 per family. This is for families that are at or below 185% of the poverty level. Families are to contact Red Cross to have their applications processed. The second resolution involves non-TANF families. This is to allow up to \$750 per family for the elderly or disabled. Mrs. Geissman moved to approve both resolutions; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

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

Commissioners recessed the meeting at 9:54 a.m.

Commissioners reconvened the meeting at 1:30 p.m. for the discussion session with Mr. Hambley and Ms. Ray present.

Ms. Ray stated that an email was received relative to the Health Department's proposed mosquito program for the West Niles Virus.

Mr. Hambley noted that the Health Department was told that anything received by this office regarding the proposal would be forwarded to them. If they are going to submit this for the ballot they have to do it with more appropriate language. They did not pass a resolution per say and Pat Stevens, Acting Health Commissioner, is forwarding that information to the Prosecutor's Office to make sure everything is in the appropriate form. If the Health Department does want to proceed with this, he would prefer to schedule a public hearing for their presentation and public comments. The last meeting that a hearing could be held would be August 18.

Ms. Ray noted that no information has been received relative to costs, incidents, etc.

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Mr. Hambley stated that they are trying to put the information together. Their board is supposed to be talking with the local entities to see if they have their support. If they decide to proceed and there are no objections, he will have a public hearing scheduled on the 18th.

Ms. Ray agreed.

Mrs. Geissman entered the meeting at this time.

Ms. Ray asked if anyone will be able to speak at the Ohio Leadership Executive Dinner in Shreve.

Mr. Hambley and Mrs. Geissman had other commitments that evening. Mr. Hambley noted that he will be attending the Heartland Heroes sponsored by the Red Cross.

Mr. Hambley updated Mrs. Geissman relative to his proposal for a public hearing if the Health Department decides to pursue their levy issue for a mosquito program. They did not pass a resolution to certify they have insufficient funds and that there is a need for this program. They will be talking with the Prosecutor's Office to make sure they are following the appropriate sections of the Ohio Revised Code. He noted that his proposal is to do nothing until the Health Board contacts our office. If they proceed, a public hearing would be scheduled for the 18th.

There was a brief discussion that comments received at the Fair last week were not in support of a levy or any new taxes. Mrs. Geissman noted that some of the entities are doing things to combat mosquitoes. No one was sure whether the Commissioners are required to place the issue on the ballot if it is requested.

Mr. Hambley stated that if there are no objections he will be submitting the preliminary plan to the Planning Commission for the (Akron) University project. He will be meeting with Mike Salay, Assistant County Engineer, tomorrow to cover over this before submission. He also noted that Commissioners will need to pay for filing this plan.

There were no objections to submitting the preliminary plan.

Mr. Hambley noted that the next NOACA meeting will be held this Friday at the Performing Arts Center in Medina. Pam Vereb, Assistant Clerk, has had some problems getting confirmations last week from the Center, but hopefully that will be taken care of. The meeting is scheduled at 10:00 a.m. and all Commissioners are invited to attend.

There was a discussion relative to the new voting machines that were demonstrated at the Fair last week by the Board of Elections. The machines broke down on Saturday as the cards being used wore out which caused the machines to shut down. The cards are not made to be used 7 days in a row. One of the manufacturers is being checked on because their machines are not reliable. Commissioners feel the required changes should not be rushed into because it will create opportunities for fudging votes and/or mistakes. However, Kenneth Blackwell, Ohio Secretary of State, has made up his mind that all new voting equipment in the State is to be up and operating by the March 2004 election in order to be ready for the November 2004 election. It was noted that the federal government is paying for the new machines. A major concern is whether there will be enough people available for every location if there is a break down of the system.

Mr. Hambley stated that he will be taking care of the August taping for *Your Medina County*. He will probably cover the University Center, why the site was selected, the benefits and the courses that will be available.

There was a discussion about a conflict in scheduling between a regional summit in Lake County and the 2003 Conference of the Ohio Firemen's Association in Wadsworth. The Commissioners have all committed to attending the Firemen's Association Conference, but there should be representation at the summit. Mr. Hambley stated that he will attend the regional summit in Lake County, noting that there is a planned panel discussion regarding Team NEO.

Through questioning, Bill Thorne, Assistant Prosecutor, stated that the Commissioners are required to place a levy on the ballot for the Health Department if their request is properly

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submitted. They must certify they have insufficient funds and that there is a need. They had a meeting scheduled for their Advisory Council's approval, but they could not get a quorum. Generally they show they have a need and insufficient funds and it is then a flow-through process. He feels there is a small group of township people that are pushing for this. He also noted that there were some problems with their agreement with Barberton and the State did approve it. He's not sure the State will certify the agreement every year.

Chris Jakab stated that he had 2 requests for additional funds for this year. The first is for the Recorder. They are getting behind due to the massive amount of filing taking place. Nancy Abbott, Recorder, would like to add a full time person for scanning and microfilming documents. She is asking for \$11,000 additional, plus fringes, in the salary account for this year with plans to keep the position. He noted that their revenues for the first half of the year have increased over \$100,000 for the same period last year. There were no objections to this addition.

The second request is from the Auditor's Office for their Weights & Measures Division. The "prover" used to test accuracy of high speed liquid dispensers. The current one was purchased in 1952 and is stationary. They need \$3,500 for repairs and cleaning of the prover and to purchase a trailer to haul it to various locations.

Through questioning, Joan Heller, Auditor's Office, stated that the State used to loan the office a portable prover for testing the approximate 90 high speed pumps in the County. The high speed pumps are used for diesel fuel and they are tested once a year for certification. She noted that they will be putting in for a new truck next year to haul the prover. There were no objections for this request.

Ken Hotz noted that he has received a demand letter from Northern Valley regarding release of their escrow account for the pump station on Spieth Road. The contract was for the Lorain station, our station and the City of Medina's station. The stations for Lorain and Medina County have been completed. The City has not authorized release. There is a problem with the paint job at the City's pump. He noted that Jim Troike, Assistant Sanitary Engineer, has been working with Frank Gasper, Assistant Prosecutor.

Bill Thorne stated that any portion can be released that doesn't cover the City's portion.

Mr. Hambley noted that there is a Port Authority Committee meeting this afternoon. He recommends that the draft resolution express the provisions that a port authority board will be under the Ohio Ethics Law, Ohio Public Records Act, and Ohio Sunshine Law. It is important that be included within the resolution. Through questioning, he stated that city mayors, city economic directors, chambers of commerce, and township representatives were invited to this meeting to discuss the draft and issues of representation. He hopes to have the resolution ready in a couple of weeks for the Commissioners to pass. It is anticipated that the cities and townships will make nominations for appointment of the 9 board members.

Chris noted that a representative from Squires, Sanders & Dempsey will also be at the meeting.

Chris noted that bids were received for Economic Development's fiber optic business plan. The estimate for the plan was \$25,000. The RFP's received were in excess of \$100,000 and included work that was not within the plan. Jim Douth, Economic Development Corporation Director, sent a letter to those bidding stating that they had put in too much with their proposals. There were 5 resubmissions and they all came in at or around \$25,000. The proposals will be reviewed this week.

There was no further business before the Commissioners for discussion.

Mrs. Geissman moved to adjourn the meeting at 2:04 p.m.; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

03-0613 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER
IN SETTLEMENT OF SUCH LIST OF CLAIMS

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- 03-0614 RESOLUTION DETERMINING THE NECESSITY TO CLOSE SANFORD ROAD (C.H. 102) BETWEEN PAWNEE ROAD (C.H. 28) AND CONGRESS ROAD (C.H. 29)

- 03-0615 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

- 03-0616 RESOLUTION AUTHORIZING THE PURCHASE OF 3,300 GALLONS OF PREMIUM UNLEADED AND 3,900 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

- 03-0617 AUTHORIZING THE SUBMISSION OF A 2003/2004 STATE DARE GRANT PROGRAM APPLICATION

- 03-0618 REVENUE ADJUSTMENTS FOR VARIOUS FUNDS

- 03-0619 CREATION OF A COUNTY RECORDER HOUSING AGENCY SPECIAL REVENUE FUND

- 03-0620 APPROVING AN AGREEMENT WITH COUNTRYVIEW AUTO RECYCLING FOR DISPOSAL OF SALVAGE VEHICLES FOR THE SHERIFF'S DEPARTMENT

- 03-0621 APPROVAL OF AGREEMENTS FOR SERVICE COORDINATION AND INTAKE & REFERRAL SERVICES FOR THE MEDINA COUNTY FAMILY FIRST COUNCIL HELP ME GROW PROGRAM

- 03-0622 APPROVAL OF AN AGREEMENT WITH THE OHIO DEPARTMENT OF JOB & FAMILY SERVICES FOR WORKFORCE DEVELOPMENT FACILITY USE COST SHARING

- 03-0623 AUTHORIZING THE FINANCE DEPARTMENT TO RELEASE THE ESCROW ACCOUNT OF CARSON PAVING INC., AND PRESTRESS SERVICES INC., SUBCONTRACTOR AND SUPPLIER FOR KELCORP CONSTRUCTION FOR THE NICHOLS ROAD, BRIDGE NO. 8 REPLACEMENT PROJECT

- 03-0624 RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF LIBRARY IMPROVEMENTS BONDS OF THE MEDINA COUNTY DISTRICT LIBRARY IN THE MAXIMUM PRINCIPAL AMOUNT OF \$42,300,000 FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING...NEW LIBRARY FACILITIES...RENOVATING...

- 03-0625 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 03-0626 RESOLUTION TO SUBMIT APPLICATION FOR FUNDING UNDER THE RESEARCH PARK ROADWORK INFRASTRUCTURE ASSISTANCE FUND PROGRAM FOR THE MEDINA COUNTY UNIVERSITY CENTER

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- 03-0627 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FROM THE CITY OF MEDINA FOR THE RESERVOIR SEWER REPLACEMENT PROJECT AND VACATING PREVIOUSLY OBTAINED EASEMENTS

- 03-0628 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF THOMPSON ELECTRIC INC. FOR THE MATERIAL RECOVERY FACILITY 2001 IMPROVEMENTS MSCE #700/00-28.3

- 03-0629 RESOLUTION DECLARING THE NECESSITY FOR A WATERLINE RELOCATION ALONG STATE ROUTE 18; APPROVING DETAILED PLANS AND SPECIFICATIONS; AUTHORIZING SANITARY ENGINEER TO COMMENCE ADVERTISING FOR CONSTRUCTION BIDS MCSE #WR-500/00-7.1.2

- 03-0630 RESOLUTION AMENDING THE PREVENTION, RETENTION & CONTINGENCY PLAN (PRC) FOR THE MEDINA COUNTY JOB & FAMILY SERVICES TO INCLUDE DISASTER RELATED PROGRAMS

- 03-0631 RESOLUTION ALLOWING FOR THE EXPENDITURE OF FUNDS FOR CERTAIN ELDERLY AND DISABLED INDIVIDUALS WHO ARE NON-TANF

- 03-0632 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Respectfully submitted,

Sharon A. Ray

Pamela J. Terrill, Clerk

Patricia G. Geissman