

## COMMISSIONERS MEETING – MONDAY, DECEMBER 5, 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 the November 28 minutes was dispensed with. Each Commissioner has read them personally. Mr. Hambley moved to approve the minutes; Seconded by Ms. Ray.

Ms. Ray noted a correction on page 3 relative to the purchase of Chippewa Lake. The funding is from the federal government, not the state.

There was no further discussion. Roll Call on the motion and second to approve the November 28 minutes showed all Commissioners voting AYE on the amended minutes.

The County Engineer had no resolutions for today.

Mrs. Geissman stated that there is a change on the agenda relative and that Sheriff Neil Hassinger and John Perrone from Medical Mutual were being moved to the first on the agenda.

Mr. Perrone presented a check to Sheriff Hassinger to support his senior citizen program.

Sheriff Hassinger stated that they are trying to be pro-active and it is sometimes difficult with funding. With this check they will be able to reach out to seniors to issue “life pouches” for their homes. The pouches hold important information and are made to hang on refrigerators. They will get 2500 distributed with this funding. These are distributed at meetings that the Sheriff or others attend, or seniors can contact the Sheriff, Chief Tom Miller or Sgt. Fraser to get the pouches.

Todd from The Mail Room (TMR), who makes the pouches, stated that they are proud to be supplying these for the Sheriff and that TMR will be donating 1000 additional pouches.

Mr. Perrone and Todd were thanked for their contributions to this program.

Chris Jakab, Finance Director, presented and reviewed resolutions amending the 2005 appropriations by transferring and increasing appropriations, various fund transfers, expenditure adjustments, creation of the Juvenile Drug Court Fund & authorizing appropriations, purchasing fuel for the Engineering Center from Ports Petroleum, revising rental fees for the Community Center for 2006, approving submission of a proposal for Title III grant program funding for the Office for Older Adults for 2006, entering an agreement with the ADAMH Board for space at the Old Achievement Center, and the weekly bills in the amount of \$695,817.50. The creation of the Juvenile Drug Court Fund is for \$40,000 grant award from the Department of Youth Services for one year, beginning October 1, 2005. Revision of the Community Center fees represent a 5% increase over 2004-2005, which should allow the operation to remain in the black. The Title III proposal is for the 2006 renewal of funding, plus an additional \$30,000 that brings the total proposal to \$290,664. The renewal with the ADAMH Board for space is a 2-year renewal that begins January 1 for the C-Fit Program. Mr. Hambley moved to approve the 11 resolutions and payment of the bills; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

Gary presented a resolution approving a 2-year contract with the Ohio Association of Public School Employees, AFL-CIO, Local 34, for the Transit Department. The employees of the union ratified the contract on Saturday. The contract is effective through December 31,

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2006. Mr. Hambley moved to approve the contract; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution accepting and awarding the bid for exterior repairs to the County Administration Building and Court House. There were 8 bids received. The bids were broken down by a base bid and Alternate #1, which covered some tuck point work. The bids for Alternate #1 had such a huge range in the amounts that it is felt there was confusion on that portion of the bid. The bid award is to Thomarios for the base bid of \$77,400 with bids for Alternate #1 being rejected. Mr. Hambley moved to approve the bid award and rejection of Alternate #1; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented resolutions amending the Table of Organization for the County Administrator by adding an Assistant County Administrator/Finance Director, and amending the Table of Organization for the Finance Department by adding one full time Account Clerk 1. Mr. Hambley moved to approve both amendments; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing a change order for the Valley City pump station replacement & Boston/Carpenter Road pump station upgrade. This involved water seals and paving the drive with asphalt for better accessibility. Mr. Hambley moved to approve the change order; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution approving an agreement with the Ohio Water Development Authority (OWDA) for Phase 2 of the Chatham water project, which should start later this week. Mr. Hambley moved to approve the agreement; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken noted that the interest rate with the OWDA is 3.79%.

Ken presented a resolution authorizing a change order for the Stony Hill waterline project in Hinckley. This project was bid with a line going half way up Galilee Oval based on petitions that were received. Since the project started more owners along Galilee want added to the project. This change order will complete extension along the entire street. Mr. Hambley moved to approve the change order; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution rescinding Resolution #05-1008. An agreement had been approved with Liquid Resources of Ohio LLC for collection of their sewer benefit charge; however, they have not been able to come up with the money to pay the first payment. This resolution rescinds the agreement until Liquid Resources has the funds needed. Mr. Hambley moved to approve rescinding Resolution #05-1008; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Lynn Remington, County Home Superintendent, stated that they have 51 residents. They had 5 inquiries and 2 of those are preparing their applications for admission. The open house yesterday was wonderful. In November they passed their fire system inspection with a recommendation for a new valve for the dry system. They have been working on ID cards for all residents and employees at the Home. The Home is scheduled to host the May Resource Council meeting. The repairs that were done include securing insulation in the west attic, painting and installation of tin ceiling tiles in 4 areas. She and 2 others attended a Medicare D seminar and they had JFS caseworkers tour the facility. Every week they have Cloverleaf students that donate 6 hours around the Home and they had a total of 71 volunteers that worked 362 hours in November. They received cash donations from the Medina VFW and Medina Moose as well as 40 poinsettias donated from Skip & Kathy Jones. The Medina Moose has chosen the Home for their 2006 charity. The Ohio County Home Association presented each county with a framed

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print of the county's flag as a token of appreciation for their support. Lynn presented Commissioners with their print.

Del Saffle, Dog Warden, stated that the 2006 dog licenses are on sale and going very well. They have been busy at the Auditor's Office and Animal Shelter selling the tags. Irene from the Sheriff's Office held a fund raiser for the Shelter and donated Puppy Chow, rawhides and chew toys. Discount Drug Mart and Dick Goddard sent a check for \$400 and the Gazette donated \$140 to the Shelter. The Shelter employees will start the nursing home visitations again. They have called various homes and there are 2 that want to set up regular visits. He will be meeting with Chris at the Shelter this afternoon to go over their needs. Taping was completed for "Your Medina County" with the Shelter and other animal adoption agencies. At the end of October they had an adoption rate of 79%. The highest ever was 83.3% and he hopes they will meet or top that with the increase in adoptions recently.

Mrs. Geissman presented a resolution approving the application of Richland County for membership in the Northeast Ohio Joint Office of Economic Development (JOED) effective January 1, 2006 upon execution of a counterpart of the amended cooperative agreement entered into by the counties of Ashtabula, Columbiana, Mahoning, Medina, Portage, Stark, Summit, Trumbull and Wayne, and receipt by the Northeast Ohio Trade & Economic Consortium (NEOTEC) of \$25,000 for the first year annual contribution. Mr. Hambley moved to approve the membership; Seconded by Ms. Ray.

Mr. Hambley stated that the County belongs to the JOED for better access to federal trade zones, which is on track and sometime next year we'll have 4 foreign trade zones located in Medina County. He feels it is good that another county wants to join in this.

There were no further comments. Roll Call on the motion and second to approve Richland County's membership with JOED showed all Commissioners voting AYE.

Mrs. Geissman reviewed a resolution appointing Scott Snyder to the District Library Board of Trustees with his term expiring December 31, 2012. Mr. Hambley moved to approve the appointment; Seconded by Ms. Ray.

Ms. Ray stated that every application was wonderful; noting that we are fortunate to have the number of volunteers that we have working on the various boards and giving back to the community. Mrs. Geissman and Mr. Hambley agreed.

There were no further comments. Roll Call on the motion and second to approve the appointment of a District Library Board member showed all Commissioners voting AYE.

Mrs. Geissman reviewed a liquor permit transfer request for a D5 license to Dave's Family Tavern in Brunswick Hills Township. This is a notification only and no action is required.

The Clerk read the resolution to allow expenses of county officials. Mr. Hambley 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.

Mrs. Geissman noted that the discussion session will be followed by an Executive Session and then by an annexation hearing at 10:30 a.m.

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

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Commissioners recessed the meeting to move to the conference room for the discussion session at 10:00 a.m.

Mr. Hambley presented results for the MCDAC levy by precincts. The report goes back to 1992. The MCDAC Board will be discussing this tonight. The largest losses were in Hinckley, Brunswick Hills and Brunswick City. Just under 49% of the voters approved the levy. The MCDAC Board will probably decide to place the levy on the May ballot. He understands there will be at least 3 school levies in May as well.

Ms. Ray noted that she received a call from a company wanting to place a cell tower in the Court House bell tower. She told the gentleman that Commissioners had decided a couple of years ago against placement of a cell tower, but that she would bring it to discussion to be sure that decision still stands. Mrs. Geissman and Mr. Hambley agreed with the stand that no cell tower be placed on the Court House.

Ms. Ray asked if the others had received an email regarding prescription help for low-income people. She will copy the others as well as Mead Wilkins, JFS Director, for their review. The program is based on a program that is funded in Butler County. She will explore this further.

Chris Jakab stated that correspondence was sent to the Treasurer and Auditor regarding a contract and ordering appraisal software and the escrow software for the Treasurer. They both need to approve the contracts.

Ms. Ray stated that the issue of space should be reviewed in an upcoming meeting.

There was a brief discussion relative to indigent costs at the Jail. The Sheriff is implementing this and going to try to have it in place by January. The money goes to the Clerk of Courts general fund except for costs for municipal court cases. A lot of revenue is not anticipated but increasing the work at the Sheriff's Office will occur.

Gary Berkowitz stated that the advertisement for a Transit Director went out last week.

Commissioners recessed the meeting at 10:14 a.m. for the Executive Session that was voted on earlier.

At 10:37 a.m. Commissioners reconvened the meeting for the annexation hearing of 81.6673 acres of land from Wadsworth Township to the City of Wadsworth. This hearing was continued from November 14.

Mrs. Geissman noted that at the last hearing the Attorney for the Agent for Petitioners objected to the Prosecutor's representation of the Township and County due to the appearance of a conflict of interest. Both sides were asked to submit briefs on this issue. Commissioners have reviewed this issue and determined there is no conflict of interest.

Mr. Hambley moved that after review of the briefs and discussion that the Board finds no apparent or substantive merit to the charge of conflict of interest; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman stated that the Board will now continue the hearing.

Trina Devanney, Assistant Prosecutor, stated that she has been second counsel on this issue with James Bennett, main counsel. She requested a one week continuance to prepare and become lead counsel for the Township on this issue.

After a review of upcoming meeting dates, Mr. Hambley moved to continue the annexation hearing to December 19 at 1:00 pm; Seconded by Ms. Ray. There was no further discussion. Roll Call showed all Commissioners voting AYE.

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Mr. Gerney noted that subpoenas were issued to Mr. Mochel, Mr. Kreider and Mr. Greatens as witnesses for the annexation hearing and requested that the subpoenas be continued to cover the new date.

There were no objections and the Board agreed to continuance of the subpoenas.

At 10:44 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:**

- 05-1115 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
  
- 05-1116 RESOLUTION AMENDING THE 2005 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
  
- 05-1117 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
  
- 05-1118 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR DOMESTIC RELATIONS COURT MAGISTRATE SERVICES AND JUVENILE COURT MAGISTRATE SERVICES
  
- 05-1119 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND
  
- 05-1120 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM
  
- 05-1121 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS
  
- 05-1122 CREATION OF THE JUVENILE DRUG COURT FUND AND AUTHORIZING APPROPRIATIONS
  
- 05-1123 AUTHORIZING THE PURCHASE OF 8,700 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
  
- 05-1124 RESOLUTION REVISING RENTAL FEES FOR THE MEDINA COUNTY COMMUNITY CENTER FOR CALENDAR YEAR 2006
  
- 05-1125 APPROVING THE SUBMISSION OF A PROPOSAL FOR TITLE III GRANT PROGRAM FUNDING FOR THE OFFICE FOR OLDER ADULTS FOR FY 2006

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- 05-1126 RESOLUTION ENTERING INTO AN AGREEMENT WITH MEDINA COUNTY ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES BOARD (ADAMH) FOR USE OF SPACE AT THE OLD ACHIEVEMENT CENTER
- 05-1127 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 05-1128 RESOLUTION APPROVING A NEW 2-YEAR CONTRACT BETWEEN THE OHIO ASSOCIATION OF PUBLIC SCHOOL EMPLOYEES, AFL/CIO, LOCAL 34, AND THE MEDINA COUNTY TRANSIT DEPARTMENT
- 05-1129 RESOLUTION ACCEPTING AND AWARING BIDS FOR MEDINA COUNTY EXTERIOR BUILDING REPAIRS AT THE ADMINISTRATION BUILDING AND COURTHOUSE
- 05-1130 RESOLUTION AMENDING THE TABLE OF ORGANIZATION FOR THE MEDINA COUNTY ADMINISTRATOR
- 05-1131 RESOLUTION AMENDING THE TABLE OF ORGANIZATION FOR THE MEDINA COUNTY FINANCE DEPARTMENT
- 05-1132 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE VALLEY CITY PUMP STATION REPLACEMENT & BOST/CARPENTER ROAD PUMP STATION UPGRADE MCSE #S-500/00-5.2
- 05-1133 RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF STATE WATER PROJECT BETWEEN THE COUNTY OF MEDINA AND THE OHIO WATER DEVELOPMENT AUTHORITY
- 05-1134 RESOLUTION AUTHORIZING FINAL ADJUSTING CHANGE ORDER NO. 2 FOR THE STONY HILL WATER LINE PROJECT IN HINCKLEY TOWNSHIP 2005 CONTRACT "A" UNDERGROUND UTILITIES INC. MCSE #W-300/00-1.1
- 05-1135 RESOLUTION RESCINDING RESOLUTION 05-1008 & REVOKING THE AGREEMENT BETWEEN THE COUNTY SANITARY ENGINEER AND LIQUID RESOURCES OF OHIO LLC TO COLLECT A PORTION OF THE SEWER BENEFIT CHARGE ON A BI-MONTHLY BASIS
- 05-1136 RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF RICHLAND FOR MEMBERSHIP IN THE NORTHEAST OHIO JOINT OFFICE OF ECONOMIC DEVELOPMENT (JOED)...RECEIPT BY THE NORTHEAST OHIO TRADE & ECONOMIC CONSORTIUM OF \$25,000 AS THE FIRST YEAR ANNUAL CONTRIBUTION...
- 05-1137 RESOLUTION APPOINTING A MEMBER TO THE MEDINA COUNTY DISTRICT LIBRARY BOARD OF TRUSTEES
- 05-1138 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

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MEDINA COUNTY COMMISSIONERS:

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Patricia G. Geissman

Respectfully submitted,

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Stephen D. Hambley

Pamela J. Terrill, Clerk

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Sharon A. Ray