

## COMMISSIONERS MEETING – THURSDAY, DECEMBER 2, 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 minutes of November 15 and 22 was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Mr. Hambley, with the correction of a typo. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented resolutions granting a variance to the Engineering Code for Subdivision Development for intersection sight distance in the Autumnwood Subdivision Phase 4 in Brunswick Hills Township and amending the contract for centerline striping and pavement markings with Aero-Mark Inc. Mrs. Geissman moved to approve the 2 resolutions; Seconded by Mr. Hambley.

Mr. Hambley noted that the Autumnwood Subdivision is the one discussed last week and asked if the County Engineer had talked with the Brunswick City Engineer.

Doug stated that part of the problem is that the road is being put where they can get some sight distance. He agreed that Brunswick City is aware of this.

There was no further discussion. Roll Call on the motion and second to approve the 2 Engineer's resolutions showed all Commissioners voting AYE.

Commissioners reviewed the weekly permit lists.

Chris Jakab, Finance Director, presented and reviewed 11 resolutions amending the appropriations by transferring appropriations, various fund transfers, revenue adjustment for Workforce Development Fund, approving submission of a proposal for Family Caregiver Support Program funding for the Office for Older Adults, approving an agreement with Maximus Inc. for professional consulting services, approving a contractual engagement with the Auditor of State, Local Government Services Division for assistance in preparation of the Comprehensive Annual Financial Report, purchasing fuel for the Engineering Center from Petroleum Traders, and the weekly bills in the amount of \$523,658.47.

There was a brief discussion regarding transfers to the Wadsworth Municipal Court and Common Pleas Courts for the assigned counsel fees being for estimated contract amounts. The services rendered in December won't be billed until January. If there is any incumbered money at the end of the year that will be used first and anything else will be included in the 2005 appropriation amounts. As the Public Defender's Office gets up and running the assigned counsel costs will go down.

The funding for the Office for Older Adults is for continuation of their caregiver support program for CY 2005. The Maximus agreement is in the amount of \$13,000, which is a \$500 increase over last year. The agreement with the Auditor of State is down in cost from last year at \$25,900.

Mrs. Geissman moved to approve the 11 resolutions and payment of the bills; Seconded by Mr. Hambley. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Holly Muren, Human Resources Department, presented and reviewed the personnel changes resolution, a resolution approving the removal of an employee of the Transit Department, and a resolution approving a 1 day suspension for an employee of the Sanitary Engineer's Office. Mrs. Geissman moved to approve the 3 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

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John Stricker, County Administrator, presented a resolution approving the final plat for the Medina County University Technology Park Subdivision. This finalizes the changes with moving blocks of the property with the University. Mrs. Geissman moved to approve the final plat; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution authorizing an agreement with Akron University. This authorizes signing the deed when provided to transfer acreage to the University. Mrs. Geissman moved to approve the agreement; Seconded by Mr. Hambley.

Mr. Hambley thanked John and Ken Hotz, Sanitary Engineer as well as Carol Shockley, Assistant Prosecutor, for their work in putting this together. He noted that the University has a December 15<sup>th</sup> deadline on a grant in which this agreement was needed.

There was no further discussion. Roll Call on the motion and second to approve the agreement with Akron University showed all Commissioners voting AYE.

John presented a resolution authorizing a Memorandum of Understanding for financing a Medina County 211 System. The resolution authorizes the Board to sign and sets up the permanent financing base between the Commissioners, JFS, the ADAMH Board, Emergency Management, and the United Way. Mrs. Geissman moved to approve the memorandum; Seconded by Mr. Hambley.

Mr. Hambley noted that this was discussed and approved for submission at the discussion session last week. He thanked John and the Prosecutor's Office for finalizing the agreement. The system is set to start on February 11, 2005 and it will be a benefit to the residents with access to all of the human service agencies in the county. He noted that although the Medina County United Way does not include Wadsworth, this system will cover the Wadsworth area.

Mrs. Geissman stated that it is important to note that there is 100% funding for this, which is a total of \$37,000. United Way is covering 50% with JFS contributing 25%, the Commissioners and the ADAMH Board contributing 8.3%, and EMA contributing 8.34%.

Mr. Hambley stated that 3 years ago this project was budgeted at about \$300,000, but by contracting with Cuyahoga County for the Medina County 2-1-1 and using our data, etc., that cost was reduced. There were also contributions in-kind as well as dollars from the Hands Foundation.

Ms. Ray stated that this is a prime example of government working smarter and not harder by combining resources and spreading the costs out to achieve a goal.

There was no further discussion. Roll Call on the motion and second to approve the Memorandum of Understanding showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the release of the escrow account of Fabrizi Trucking & Paving Company for the Boston Road sanitary sewer replacement project in Hinckley. Mrs. Geissman moved to approve the release; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing the investment of the retainer of Underground Utilities Inc. for the Medina Reservoir sanitary sewer replacement 2004 project. This project is complete between Route 3 and Route 18, which make the project more than 50% complete. Mrs. Geissman moved to approve investment of the retainer; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Jim Doutt, Economic Development Corporation Director, presented a resolution approving the enterprise zone agreement and compensation agreement for Ovation Polymer Technology & Engineered Materials Inc. (OPTM). This is a start-up company that is locating

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to a vacant building on Lake Road in Medina. They have started setting up and this has come together very quickly. OPTEM will concentrate a lot on research and development. A large portion of the office space at the facility will be converted to laboratories. High paying jobs will be created and major capital money is being invested. He introduced Dr. Asis Banerjee that brings years of experience in the plastics industry and has a number of patents to his credit, and Jim Petras and Charlie MacMillan, Early Stage Partners. OPTEM will make an investment of approximately \$6 million in personal property over a 5 year period; \$3.5 million in machinery and equipment, \$1.3 million in associated capital equipment, furniture and fixtures, and \$1.2 million for startup. Over the next 5 years they will create 60 new full time jobs at an annual gross payroll of \$3.1 million. The Economic Development Corporation is working with them to secure tax credits for job creations through the Ohio Department of Development and there is a meeting next week about this. The abatement is proposed at 60% over 10 years. The savings to the company will be approximately \$431,000. The employees will generate approximately \$236,000 in income tax during that period. The Medina City Schools and Board of Education as well as the City of Medina have unanimously approval. The company is going to make annual payments to the City Schools of \$1,500 per year plus \$500 per year to the Career Center.

Mrs. Geissman stated that Commissioners are pleased that the company has chosen Medina County. She is glad everything has worked out for them to set up here.

Mrs. Geissman moved to approve the Enterprise Zone and compensation agreement with OPTEM; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Patrice Theken, Department of Planning Services Director, stated that there is a public participation workshop on December 10. They are hoping for at least one representative from each township, city and village as well as county departments that are involved in planning. This will be an all day workshop being put on by the consultant from Indianapolis. The Planning Commissioner held their end of the year work session last evening and reviewed their operating policies. Some changes are proposed, which will be reviewed again in January. At that time they will pass their recommendation to the Commissioners for approval. The term for Conrad Sarnowski as the Village representative on the Planning Commission expires at the end of the year and the Villages have requested that Dennis Gordon complete the term and that Conrad step back as their alternate representative. Through questioning she stated that they have received 25 RSVP's for the workshop and that they would like to have at least 25 more.

Sharon Township Trustees, Jim Dudek, Emil Bolas and Ray Lurtz, were present to discuss some concerns. Mr. Dudek stated that the first issue is a proposed industrial subdivision. During the concept plan, the Sanitary Engineer's representative stated that approval for the extension of the waterline must be from the City of Wadsworth. However, during a recent annexation hearing Ken Hotz stated that the contracted capacity from the north water tower being reserved included properties fronting Ridge Road. This property and the proposed industrial complex front that road. There seems to be a conflict in this and the Township is trying to encourage industrial development in the area.

Ken stated that when the line was put in the property was assessed. The property in question had their assessment deferred, which has since been paid and the connections were made. They reserved 70 feet of the original frontage of the property and that is where this new development wants to go. The property is using the water except that 70 feet. The City isn't against the development because they sell more water and electricity, but they can't allow the extension until they know they have sufficient capacity. There are still 500 acres along Route 94 that have been assessed for the waterline and they have not tied on. We are waiting for Wadsworth to get their easements and a new contract will be entered with them for extension of lines. Ken also discussed with developer installation of wells and, not knowing how quickly the land will be developed, they can put in wells for some developments and they can even put in dry waterlines that could be connected later. It's not that they are trying to prevent them from getting water, but they have to retain the balance. The contract was for 150,000 gallons and we are already using 80,000 gallons.

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Mr. Hambley asked if there is any idea of the water usage with the new development and also asked about the acreage.

Jim stated that it is zoned light industrial and if they had the water main they could use the water main it is more attractive. It involves almost 40 acres.

Emil Bolas asked about the proposal for Sharon Township water and whether there is a time frame for that.

Ken stated that negotiations are underway now for a sight on the golf course. The question is how much water can be obtained from the ground. If a tank can be filled, then the service area can be extended south to take some of the Wadsworth water away. Through further questioning, he agreed that the additional capacity would be provided to the south if sufficient water comes out of the ground. The further south our service area goes the more reduction in the amount of water being used from Wadsworth plus it would increase availability in Sharon.

Ray Lurtz stated that the Township has contract with Angels on Track for lights and gates at a railroad crossing. The contractor has installed road closed signs and commented that the Commissioners had approved this.

Mrs. Geissman stated that it seems he is an eager contractor and that no approval was given from the Commissioners.

Doug King stated that the Engineer's staff has told the contractor that they had to have their plans submitted for installation and that the Township Trustees are the only ones that can close the road.

Emil noted that the Township has approved their contribution for the lights and gates but only with the County Engineer's approval.

Mr. Hambley added that we are still working with the golf course and Wadsworth relative to water supplies.

Ms. Ray presented a resolution appointing Dennis Gordon as the Village representative with Conrad Sarnowski as the alternate to the Planning Commission to complete the term that expires Dec 31 2004. Mrs. Geissman moved to approve the appointment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution reappointing Millie Fedeckyj as the Commissioners' representative to Community Action Wayne/Medina Counties for 2005. Mrs. Geissman moved to approve the reappointment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution reappointing John Gotheridge as the citizen representative to the Emergency Management Agency Executive Committee for 2005. Mrs. Geissman moved to approve the reappointment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution reappointing John Stricker as the Commissioners' representative to the Medina Municipal Airport Zoning Board of Appeals with his term ending Dec 31 2007.

Ms. Ray presented a resolution commending David Miller for his years of service with the Medina County Engineer's Office and for serving as the Medina County Engineer. Mrs. Geissman moved to approve the commendation; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

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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.

Ms. Ray noted that the Commissioners are leaving for a viewing at Abbeyville Road and the hearing for the vacation will be held following the viewing. The discussion session will immediately follow the hearing.

At 10:46 a.m. the meeting was reconvened for the public hearing on the vacation of a section of Abbeyville Road.

Nevada Johnson stated that Mike Salay, Assistant County Engineer, has the same map he has that was drawn by Cunningham's office with consultation with Fred Boreman in the Engineer's Office. He reviewed the map noting the area that is the old Abbeyville Road right-of-way that they are seeking to have vacated. One concern is that it may disturb the permanent easements that were taken by the county in 1974 when the bridge was reconfigured. He reviewed another map indicating where the 1974 easements were taken. It appears when it was drawn the enlarged easement falls inside the original Abbeyville so that vacating the area will not disturb the current easements. This involves approximately ½ acre. Through questioning he stated that the Gunkleman's deeded the corner property and another lot to their daughters. The easements were taken out of the original Gunkleman property.

Mrs. Geissman asked if vacation isn't the normal thing that would be done when an easement is no longer needed for a road.

Mike reviewed drawings showing what needs to be kept, noting that there is a bridge that will be replaced soon and a channel. Without a right-of-way we would have to acquire a right-of-way. He reviewed the map showing what portion should be kept for future access. His recommendation is to keep the portion from the bridge to the intersection for access whenever reconstruction would be needed for the bridge and channel area. The map will need to be amended for approval of the vacation. The easements were acquired to bring the slope down, but to go in and work on this they would need to go down and around the sloped area and under the bridge area. If there aren't easements on either side the county will have to acquire them. He reviewed the map to show what area needs to be kept.

There was a brief review with Mr. Johnson relative to the location of the daughters' homes in relationship to the easements.

Mike stated that he will contact Cunningham Associates to have the map modified and his office will prepare the language for a resolution approving the partial vacation.

Mrs. Geissman moved to close the public hearing; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman moved to approve the County Engineer's recommendation to vacate a portion of the Abbeyville Road easement; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners convened the discussion session at 11:00 a.m.

Ken Hotz noted that he had discussed the tap in fees for sewer and water for developers. He presented a memo in which he states there is approximately \$98 million invested in sewer facilities and another \$72 million invested in water facilities. In order to retire the debt some of the costs need to be recovered from developers. When the Liverpool plant was built in 1976 Commissioners increased the tap in fees from \$750 to \$1200. The Homebuilders Association

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took the county to court and the result was that the fee was allowed to increase bi-annually to that amount over 10 years. Ten years later the Commissioners extended the bi-annual increase in fees. The present rate expires December 31. His recommendation is to have annual increases for a duration of 5 years at \$100/year. A summary of other areas shows that rates range \$1,250 to \$5400 for sewer tap ins and from \$750 to \$2700 for water tap ins. The intent is to increase the fees to \$2100 affective by the first of the year. He will be asking for an increase in the operational portion of the fees that hasn't gone up in 4 years. Commissioners agreed to have Ken prepare a resolution for the increases for developers.

There was no further business before the Board for discussion.

**RESOLUTIONS PASSED:**

- 04-1079 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
- 04-1080 RESOLUTION COMMENDING DAVID L. MILLER, P.E., P.S. FOR HIS YEARS OF SERVICE WITH THE MEDINA COUNTY ENGINEER'S OFFICE AND FOR SERVING AS THE MEDINA COUNTY ENGINEER
- 04-1081 RESOLUTION TO AMEND THE CONTRACT FOR CENTERLINE STRIPING AND PAVEMENT MARKINGS BY AND BETWEEN AERO-MARK, INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS
- 04-1082 RESOLUTION GRANTING A VARIANCE TO THE MEDINA COUNTY ENGINEERING CODE FOR SUBDIVISION DEVELOPMENT FOR INTERSECTION SIGHT DISTANCE IN THE AUTUMNWOOD SUBDIVISION PHASE FOUR
- 04-1083 RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 04-1084 AUTHORIZING THE TRANSFER OF FUNDS BETWEEN VARIOUS SANITARY ENGINEER FUNDS AND COUNTY FUNDS
- 04-1085 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 04-1086 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR INDIRECT COST ALLOCATION
- 04-1087 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND
- 04-1088 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM
- 04-1089 REVENUE ADJUSTMENT FOR WORKFORCE DEVELOPMENT FUND
- 04-1090 APPROVING THE SUBMISSION OF A PROOSAL FOR FAMILY CAREGIVER SUPPORT PROGRAM FUNDING FOR THE OFFICE FOR OLDER ADULTS
- 04-1091 RESOLUTION APPROVING AN AGREEMENT WITH MAXIMUS, INC. TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR MEDINA COUNTY

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- 04-1092 APPROVING A CONTRACTUAL ENGAGEMENT WITH THE AUDITOR OF STATE, LOCAL GOVERNMENT SERVICES DIVISION, FOR ASSISTANCE IN THE PREPARATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR MEDINA COUNTY
- 04-1093 RESOLUTION AUTHORIZING THE PURCHASE OF 3,000 GALLONS OF PREMIUM UNLEADED AND 3,500 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 04-1094 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 04-1095 RESOLUTION APPROVING AND AUTHORIZING REMOVAL OF THERESA FRANZ, TRANSIT DEPARTMENT
- 04-1096 RESOLUTION APPROVING AND AUTHORIZING THE SUSPENSION OF ONE (1) DAY WITHOUT PAY FOR ADAM FIRSTENCEL, MEDINA COUNTY SANITARY ENGINEER'S OFFICE
- 04-1097 RESOLUTION APPROVING THE FINAL PLAT OR THE MEDINA COUNTY UNIVERSITY TECHNOLOGY PARK SUBDIVISION
- 04-1098 RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN AKRON UNIVERSITY AND MEDINA COUNTY
- 04-1099 RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING FOR FINANCING OF A MEDINA COUNTY 211 SYSTEM
- 04-1100 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF FABRIZI TRUCKING & PAVING COMPANY INC. FOR THE BOSTON ROAD SANITARY SEWER REPLACEMENT PROJECT MCSE #WR-300/00-27.1
- 04-1101 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO INVEST THE RETAINER OF UNDERGROUND UTILITIES INC. FOR THE MEDINA RESERVOIR SANITARY SEWER REPLACEMENT 2004 IN AN ESCROW ACCOUNT MCSE #SR-500/10-1.2
- 04-1102 RESOLUTION APPROVING THE ENTERPRISE ZONE AGREEMENT AND ENTERPRISE ZONE COMPENSATION AGREEMENT FOR OVATION POLYMER TECHNOLOGY AND ENGINEERED MATERIALS, INC.
- 04-1103 RESOLUTION APPOINTING REPRESENTATIVE AND ALTERNATE FOR THE VILLAGES TO THE MEDINA COUNTY PLANNING COMMISSION
- 04-1104 RESOLUTION REAPPOINTING MEMBER TO THE COMMUNITY ACTION WAYNE/MEDINA COUNTIES
- 04-1105 RESOLUTION REAPPOINTING A REPRESENTATIVE TO THE EMERGENCY MANAGEMENT AGENCY EXECUTIVE COMMITTEE
- 04-1106 RESOLUTION APPOINTING THE COMMISSIONERS REPRESENTATIVE TO THE MEDINA MUNICIPAL AIRPORT ZONING BOARD OF APPEALS
- 04-1107 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

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MEDINA COUNTY COMMISSIONERS

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Sharon A. Ray

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Patricia G. Geissman

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Stephen D. Hambley

Respectfully submitted,

Pamela J. Terrill, Clerk