

COMMISSIONERS MEETING – MONDAY, DECEMBER 8, 2003

Stephen D. Hambley called the meeting to order at 9:30 a.m. with Sharon A. Ray present. Patricia G. Geissman was out of town on county business.

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

At the beginning of the meeting the oral reading of the December 1 & 4 minutes was dispensed with. Each Commissioner has read them personally. Ms. Ray moved to approve the minutes; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution to close a section of Westfield Road for culvert repairs starting today through Wednesday, and a resolution approving the final plat for the Windfall Reserve Subdivision Phase I in Montville Township. Ms. Ray moved to approve the 2 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed resolutions amending the appropriations by transferring and increasing/decreasing appropriations, expenditure adjustments, purchasing fuel for the Engineering Center from Ports Petroleum, and the weekly bills in the amount of \$383,743.45. Ms. Ray moved to approve the 4 resolutions and payment of the bills; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

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

John Stricker, County Administrator, and Ken Hotz, Sanitary Engineer, had no resolutions for today.

Debra Radecky, Office for Older Adults Director, stated that Junior Leadership was in last Tuesday for lunch with the seniors. The seniors are collecting socks and canned goods for the Battered Women's Shelter for the holiday season. Activities for this week include a trip to Stan Hywet tomorrow, the movie "Santa Claus 2" on December 7, and making lighted potpourri jars. Christmas activities for next week include making Christmas pins on Monday, doing soup in a jar on Tuesday, Christmas bingo on Wednesday, decorating cookies on Thursday, and a sing-a-long, all day music, and turkey dinner on Friday. They will not have any programs running on the day before or after Christmas and New Year's. The number of home delivered meals has been staying at 221.

Mary Vance, Job & Family Services Department, presented a resolution to allow the transfer of ownership of excess State computer equipment. OJDFS has replaced 96 computers and they are being transferred to other political subdivisions within the county. There are 34 going to various county departments and the remainder will be going to Cloverleaf Schools and the Achievement Center. Ms. Ray moved to approve the transfer; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mary presented a resolution to allow tuition reimbursement expenses. They have 6 individuals, listed in the resolution, that have applied for expenses for undergraduate and graduate degrees. Ms. Ray moved to allow the expenses; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley presented a resolution adopting an advertising policy and authorizing an agreement for advertising at the Community Center. The agreement is with the Visitor's & Convention Bureau. Ms. Ray moved to approve the policy and agreement; Seconded by Mr. Hambley.

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It was noted that this has been discussed for a couple of months and reviewed by the Visitor's & Convention as well as the Prosecutor's Office.

There was no further discussion.

Roll Call on the motion and second to approve the advertising policy and agreement showed both Commissioners voting AYE.

Mr. Hambley presented a resolution authorizing a contract for beautician services at the County Home with Marlana Buttolph for 2004. Ms. Ray moved to approve the contract; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley presented a resolution reappointing John Gotheridge to the Emergency Management Executive Committee for 2004. Ms. Ray moved to approve the reappointment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley presented a resolution reappointing Joe DeNardi as Granger Township's representative to the Medina Municipal Airport Zoning Board of Appeals with his term expiring December 31, 2006. Ms. Ray moved to approve the reappointment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley presented a resolution appointing Phebe Simpson to fill a vacancy on the County Home Advisory Council for a representative from the mental health/medical field. Ms. Ray moved to approve the appointment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley presented a liquor permit transfer notice from JR&RASS Inc. to Center Road Tavern, dba Buzzards Roost, in Hinckley Township. No comments or questions have been received.

Mr. Hambley read the resolution to allow expenses of county officials. Ms. Ray moved to allow the expenses; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

The meeting was opened for public comment.

John Metter stated that he cannot hear people talking during the presentations to the Board, except for Mr. Hambley, and stated that if there is a PA system it should be used.

Mr. Hambley noted that there is a PA system and it is on. He will make note to have people speak up.

Mr. Metter asked how many bureaucrats it will take to get the I-71 striping completed, stating that there is too much paperwork shuffling going on.

Mr. Hambley stated that the project is at the federal level at this time and they have to approve the project before ODOT can start, noting that Congressman Ralph Regula's Office needs to be contacted. ODOT is ready to go with this. Unfortunately this has to go through the State process and there was a political battle with Cleveland about the striping. It has been frustrating to get the project moving.

Mr. Metter asked how the county can withdraw from NOACA.

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Mr. Hambley stated that it would involve State legislature and the Governor as well as there would legal issues involved. Whether the county is part of NOACA or not the Federal Highway Administration would still oversee the project.

Mr. Metter asked what the benefits are to drivers with the S.R. 18 improvements between the City (of Medina) and Route 94. He feels that the only action taken has been to add traffic lights, which is not enough with the growth that has been occurring.

Mr. Hambley stated that traffic statistics show that the improvements on S.R. 18 are of immense benefit. He noted that there is a meeting tomorrow involving the last section of those improvements. If the numbers are reviewed it does show that the improvements improve traffic flow. It does take a long time for some of these improvements to become a reality, noting that many of these have been discussed for 5-10 years. It does cause a lot of frustration.

Mr. Metter stated that this has been discussed for 30 years and asked when the county is going to do something to bypass the City. There are cities smaller than Medina that have traffic diverted around them. There is nothing being done here.

Mr. Hambley stated that the cost of a bypass is so high because of the development outside of the city. In the last several years this was reviewed to see what could be reasonably done rather than to keep pushing for a bypass. There have been improvements on existing roads and intersections to help improve the flow of traffic. The county has to compete statewide for the federal and state money that is available, and everything brought in is being used to try to meet the demands for traffic flow. The time to build a bypass was 10-20 years ago. It is impossible to plan for a bypass at this time due to the growth of the county and the costs involved.

Mr. Metter stated that he has seen a plan for a southern bypass route and money should be spent to get something like that. The Commissioners should be promoting new roads.

There was no further public comment.

Patrice Theken, Department of Planning Services Director, stated that the Village of Seville has requested help in the preparation of their comprehensive plan. The Department has already been working with them on their zoning code. She needs authority from the Commissioners to continue this work.

Mr. Hambley noted that the total cost is \$5,000 at \$50.00/hour, which is the normal fee.

Ms. Ray moved to authorize the Planning Department to continue work with Seville in the preparation of their comprehensive plan; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Patrice stated that they have been working with Seville on their land use plan and committee members reviewed and approved a map identifying every parcel within the village.

Patrice presented information and asked for approval of a resolution approving a record retention policy for their department. The policy was approved by the Planning Commission about 3 years ago when the department was under their supervision. The policy has been updated and needs approval by the Commissioners. Through questioning, she stated that a copy was sent to the Records Commission and that the Prosecutor's Office has reviewed the policy. The changes made take out the Planning Commission and put the Commissioners in as the supervisors of the department. Ms. Ray moved to approve the record retention policy; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

The meeting was recessed at 9:55 a.m.

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The meeting was reconvened at 10:02 a.m. for the review of an Expedited Type 2 annexation petition for 7.3226 acres of land from Brunswick Hills Township to the City of Brunswick.

Mr. Hambley reviewed the list of criteria for approval. All of the criteria has been met except for the listing of permanent parcel numbers of the land adjacent to the territory.

Dave Lindsey, Agent for the Petitioner, Emmanuel Baptist Temple, stated that the reason for annexation is water. They currently use a well and would like city water and to upgrade the system at the Church.

Mr. Hambley asked if the township has filed an objection.

The Clerk stated that it has not.

Mr. Hambley noted that since the land will not detach the property will be taxed in both the township and city. This will not affect the Church, which is tax exempt; however, if they should decide to sell in the future the taxation could have an impact on any sale.

Mr. Lindsey stated that they understand this position.

Commissioners reviewed a resolution to approve the petition for annexation and there was a brief discussion relative to the missing permanent parcel numbers. The Clerk noted that she had talked with Bill Thorne, Assistant Prosecutor, and this is a procedural defect and the annexation should be approved.

Ms. Ray moved to approve petition for annexation of 7.3226 acres of land from Brunswick Hills Township to the City of Brunswick; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley noted that there will be a 1:30 discussion session followed by public meetings for the Permissive Real Property Transfer Tax and Permissive License Tax. The public meetings are generally a review of how the money is spent and the proposed uses of the money in the next year.

The meeting was recessed at 10:11 a.m.

Commissioners reconvened the meeting at 1:30 p.m. for the discussion session.

A proposed intergovernmental agreement with Summit County for Workforce Development was reviewed. Negotiations included addressing any financial condition that could come up, which was not done in the past when there was a partnership with them. The State is supportive of Medina and Summit Counties joining together. There are some changes needed in wording and there is no set date for start up of the partnership. The agreement is set up that Summit County will be the lead county and that everything will flow through them. JFS employees didn't feel this is the way it was set up. Wording changes would be needed if this flow is changed. Summit County has no desire to impact our operations. Chris Jakab felt this doesn't need to be changed. Ms. Ray and Chris felt that the agreement reflects the items that were discussed in the negotiations. Chris agreed to continue working with Gary Searle, Workforce Director, on the changes needed to some of the language. Once those changes are made a resolution to approve will be prepared.

Ms. Ray noted that the CCAO newsletter reported that the State was receiving money from the federal government for Child Support incentives. There will be \$148,000 coming to Medina County.

Ms. Ray reported that the Building Department survey is almost done and she will prepare a report for the others for next week's discussion session.

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Ms. Ray noted that she asked the Clerk to prepare a resolution for next week for the reappointment of Diana Clarke, Monica Edwards, Vincent DeGeorge, Donald Sutter and Thom Whelan to the Workforce Policy Board.

Mr. Hambley noted that he has talked with Jim Sandor, his representative on the CRA Housing Council, and Mr. Sandor is willing to be reappointed.

Mr. Hambley presented information for discussion on preparation of a memorandum of understanding with the Port Authority for the transfer of property in Lafayette Township. This would be evening except Block A of the University and Technology Park. The Port Authority is appointing a small group to work on this with the Commissioners. Items he has listed to be part of this is that the land will fall under the PUD zoning, there needs to be a property owners association, the County will be fully compensated, that reimbursement will be made to the County Home for the annual loss of money they receive for farmland rental, and that the TID be reimbursed for infrastructure costs, minus grants. Through questioning, he stated that he would like the county reimbursed for the entire 120 acres. A proposal for reimbursement to the County Home is to set aside money from the proceeds from sales, with the interest going to the County Home annually. The estimated expenditures by the TID is \$250,000. He feels the seed money for a County Home trust fund would come from the sale of the property.

Through discussion it was determined that 43.8741 acres are going to the University and that 59.6497 usable acres would be going to the Port Authority. Acreage in Blocks D, E, F & G is unusable for building and is set aside for buffers. It was agreed that some type of trust could be set up for the County Home. A memorandum of understanding is needed to make sure the Port Authority can move forward with development planning.

John Stricker stated that Carol Shockley, Assistant Prosecutor, reported that she has been in touch with the University's attorney on the agreement for transfer of property. She hopes to have a red-lined copy by the end of this week to bring to Commissioners next week. Also, their attorney has requested an electronic copy of the plat and it was agreed to have this done.

Ms. Ray noted that her only concern with the Port Authority memorandum of understanding is how a trust will be set up for the County Home.

There was a discussion about a newly created County Home Auxiliary that is able to raise funds without using taxes. They may be able to set up a trust; however, it was felt best to have that go through the county. This will be looked into further.

Bill Thorne noted that a bill was received from Medina Municipal Court for \$50 in court costs. There have been 2 Attorney General opinions involving municipal courts, and one of those is that if there is an acquittal or dismissal of a case involving an indigent that the county is responsible for the court costs. The other opinion deals with the county's share of the cost for a bailiff and there is some confusion with the opinion as to whether this is allowable for one bailiff per judge or if the county would be deemed responsible if there are more than one bailiff per judge. Bill feels it is for one bailiff per judge, but this may end up being challenged in the future for a better opinion.

Chris noted that the county is also supposed to be receiving revenue from fees from the court and that is supposed to offset the costs to the county for municipal courts. He noted that the county pays for a chief bailiff and chief magistrate in Wadsworth Municipal Court and that Medina Municipal Court has 8 bailiffs.

Ken Hotz reported that the pipe is starting to be laid in Chatham this week.

There was no further business for the discussion session.

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Commissioners recessed the discussion session and convened the public meeting for the Permissive Real Property Transfer Tax (RPTT).

Dave Miller, County Engineer, stated that when this tax was originally set up the resolution established that a public meeting would be held each year to report how the money has been spent and to review the next year's plan.

Lowell Filak, County Engineer's Office, stated that a 2003 project for 2 foot contour aeriels should be completed by the end of the year with payment being made in 2004. The cost for this is \$310,000. Another 2003 project is partnering with the Recorder for scanning records at a cost of \$130,000. The remodeling of the Tax Maps Office has been moved to 2004 at a cost of \$35,000. The remodeling will be to change the layout and smooth out the operation. All old books have been removed.

Dave added that the computer system will be isolated, but accessible, and the staff is being moved around for better public service.

Lowell reported that the 2004 projects will include ½ foot ortho photo updates for county-wide maps showing land use and land cover. The smaller photos will be better and show more detail. It is estimated that this project will be 2 years for completion. They will start with the digital photography and then development of the land use mapping. The estimated cost is \$400,000. He noted that there was a lower bidder; however, they are not sure they can perform under specifications. Also in 2004, they plan to get a natural gas generator for the Engineering Center at a cost of \$35,000 and for geo-referencing survey scans of the Recorder's documents and subdivision plats at a cost of \$11,000.

There was no further discussion relative to RPTT.

The public meeting relative to the \$5 Permissive License Tax was convened.

Dave reported that it was also agreed to hold an annual public meeting on this tax to report their expenditures. This funding is primarily used for bridge and culvert work as well as for a match for Issue 2 funds. This money will continue to be used for this purpose. He noted that ¼ million dollars is generated for the municipalities, ¼ million dollars for the townships, and \$1 million for the county annually. He noted that there are still some vehicle registration problems at the Bureau of Motor Vehicles and he doesn't believe this will be corrected for another year or two. He noted that the biggest problem is with leased vehicles.

Through questioning, Dave stated that the new gas tax does not affect the license tax. The gas tax is only on fuel sold and is distributed on a population basis and road mileage. He also noted that on the flow of the license tax funds will be affected because commercial plates can now be re-done 2 different times during the year. He feels it will be 2007 before everything is figured out on the new gas tax relative to the amount that will be generated due to the phasing out of the Highway Patrol. The county should receive 5 payments this year on the old 2 cent tax. This permissive tax is primarily used for bridges and culverts and normal bridge work is scheduled for next year. One street will need repairs before the bridge is replaced and they are doing emergency repairs now on a River Styx Road bridge due to an accident. That bridge will need to have the design changed next year.

There was no further discussion.

Ms. Ray moved to adjourn the meeting at 2:21 p.m.; Seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

RESOLUTIONS PASSED:

03-1019

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

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- 03-1020 RESOLUTION DETERMINING THE NECESSITY TO CLOSE WESTFIELD ROAD (C.H. 15) BETWEEN CHIPPEWA ROAD (C.H. 50) AND LAFAYETTE ROAD (U.S. 42)

- 03-1021 RESOLUTION APPROVING THE FINAL PLAT FOR THE WINDFALL RESERVE SUBDIVISION PHASE I LOCATED IN LOT 105 OF MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

- 03-1022 RESOLUTION AMENDING THE 2003 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS

- 03-1023 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

- 03-1024 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS

- 03-1025 RESOLUTION AUTHORIZING THE PURCHASE OF 3,900 GALLONS OF PREMIUM UNLEADED AND 3,600 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

- 03-1026 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 03-1027 RESOLUTION TO ALLOW THE TRANSFER OF OWNERSHIP OF EXCESS STATE COMPUTER EQUIPMENT FOR MEDINA COUNTY JOB AND FAMILY SERVICES

- 03-1028 RESOLUTION TO ALLOW TUITION REIMBURSEMENT EXPENSES FOR MEDINA COUNTY JOB AND FAMILY SERVICES

- 03-1029 RESOLUTION ADOPTING AN ADVERTISING POLICY AND AUTHORIZING AN AGREEMENT FOR ADVERTISING AT THE MEDINA COUNTY COMMUNITY CENTER

- 03-1030 RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES OF A BEAUTICIAN AT THE MEDINA COUNTY HOME

- 03-1031 RESOLUTION REAPPOINTING A REPRESENTATIVE TO THE EMERGENCY MANAGEMENT AGENCY EXECUTIVE COMMITTEE

- 03-1032 RESOLUTION REAPPOINTING GRANGER TOWNSHIP'S REPRESENTATIVE TO THE MEDINA MUNICIPAL AIRPORT ZONING BOARD OF APPEALS

- 03-1033 RESOLUTION APPOINTING A MEMBER TO THE MEDINA COUNTY HOME ADVISORY COUNCIL

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- 03-1034 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 03-1035 RESOLUTION APPROVING THE PETITION FOR ANNEXATION OF 7.3226 ACRES OF
LAND KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO THE CITY OF
BRUNSWICK, MEDINA COUNTY, OHIO
- 03-1036 RESOLUTION AUTHORIZING THE RECORD RETENTION POLICY FOR THE MEDINA
COUNTY DEPARTMENT OF PLANNING SERVICES

MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Respectfully submitted,

Sharon A. Ray

Pamela J. Terrill, Clerk