

COMMISSIONERS MEETING, TUESDAY, FEBRUARY 20, 2007

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

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

The minutes of the February 5 public hearing had been tabled on February 12. The oral reading of those minutes and the regular meeting minutes of February 12 were dispensed with as each Commissioner had read them personally. Mrs. Geissman moved to approve the February 5 public hearing minutes and the minutes of the regular meeting of February 12; the motion was seconded Mr. Hambley. There was no discussion. Roll call showed all commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed the following resolutions: (1) requesting the Ohio Department of Transportation to determine and declare a reasonable and safe prima facie speed limit on County Highway No. 127, Hartman Road, between County Highway No. 123, Reimer Road, and the Wadsworth north corporation limits; and, (2) granting a variance to the Medina County Engineering Code for subdivision development to Fox Village, LLC, for the installation of a boulevard island in the Fox Village Subdivision. Mrs. Geissman made a motion to approve the two resolutions and Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits lists for February 8 through February 14, 2007.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the Annual Appropriation Resolution; (2) cash transfer to the Crippled Children's Health Fund; (3) revenue adjustment for the Family First Council Fund; (4) authorizing the purchase of 5,000 gallons of diesel and 1,000 gallons of regular unleaded gasoline for the Medina County Highway Garage; and, (5) approving a lease agreement with the Ohio Department of Administrative Services for office space at the Brunswick Human Services Center for the Bureau of Vocational Rehabilitation. Mr. Miller requested payment of the weekly bills in the amount of \$878,272.37. Mrs. Geissman moved to approve the five finance resolutions and payment of the weekly bills; the motion was seconded by Mr. Hambley. There was no discussion. Roll call showed all commissioners voting AYE.

Holly Muren from the Human Resources Department presented and reviewed a resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners. Mrs. Geissman moved to approve the resolution; the motion was seconded by Mr. Hambley. There was no discussion. Roll call showed all commissioners voting AYE.

Chris Jakab, County Administrator, presented and reviewed a resolution approving a lease agreement addendum with the Ohio Department of Public Safety for additional space. Mrs. Geissman moved to approve the resolution; the motion was seconded by Mr. Hambley. There was no discussion. Roll call showed all commissioners voting AYE.

Mr. Jakab said the next four resolutions go hand-in-hand. The first of those resolutions was a resolution creating a Community Improvements Board (CIB) and recommending guidelines for its operation. The Board would consist of nine members as provided in the Ohio Revised Code and would be responsible for distribution of sales tax revenues collected for permanent improvements of county schools. Mrs. Geissman moved to approve the resolution; the motion was seconded by Mr. Hambley. There was no discussion. Roll call showed Mr. Hambley and Ms. Ray voting AYE and Mrs. Geissman ABSTAINING. Mrs. Geissman stated she was abstaining because there were still legal issues that needed to be answered. The motion carried.

The next resolution to Mr. Jakab presented was determining to submit to the electors the question of levying a county sales tax at the rate of one-half of one percent for 30 years to provide additional revenue for permanent improvements within the county to be distributed by the Community Improvements Board (CIB) for school districts, pursuant to Section 5739.026 of the Revised Code. Mrs. Geissman moved to approve the resolution; the motion was seconded by Mr.

COMMISSIONERS MEETING, TUESDAY, FEBRUARY 20, 2007

Hambley. There was no discussion. Roll call showed Mr. Hambley and Ms. Ray voting AYE and Mrs. Geissman voting NAY. Mrs. Geissman stated that she has been clear at the public hearings and public meetings that she feels that the county cannot give away their sales taxing authority for 30 years and there are also legal issues that needed to be answered. The motion carried.

The next resolution was levying a county use tax at the rate of one-half of one percent for 30 years to provide additional revenue for permanent improvements within the county to be distributed by the Community Improvements Board (CIB) established by Resolution No. 07-150, for school districts, pursuant to Section 5741.023 of the Revised Code. Mrs. Geissman moved to approve the resolution; the motion was seconded by Mr. Hambley. There was no discussion. Roll call showed Mr. Hambley and Ms. Ray voting AYE and Mrs. Geissman voting NAY. Mrs. Geissman stated that her reasons are the same as those previously mentioned. The motion carried.

Mr. Jakab presented the final resolution for the approval of a Memorandum of Understanding (MOU) with local school districts corresponding to the levy of a sales and use tax for the benefit of local schools. Mrs. Geissman moved to approve the resolution; the motion was seconded by Mr. Hambley. Mr. Hambley pointed out that the MOU recognizes and acknowledges that should, in the future, the laws change and the state ever enable the school districts to place their own sales tax on the ballot, the Commissioners could submit a repeal of the sales tax and provide the schools with sufficient time to place their own sales tax on the ballot. There was no further discussion. Roll call showed Mr. Hambley and Ms. Ray voting AYE and Mrs. Geissman ABSTAINING. Mrs. Geissman stated that legal issues needed to be answered. The motion carried.

Jim Troike, Sanitary Engineer, presented a resolution entering into a temporary ingress/egress agreement with Kokosing Construction Company Inc. consisting of a forty-foot wide drive off Friendsville Road. Mrs. Geissman moved to approve the resolution; Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Patrice Theken, Department of Planning Services Director, reported that a workshop will be held Thursday, February 22. The topic is "Tourism Opportunities in Medina County" and the workshop is being directed at communities performing comprehensive planning. Ms. Theken stated that they will be reviewing changes to the subdivision regulations at the Planning Commission meeting on March 7. The public hearing will begin at 7:00 p.m. and several agencies will discuss their recommended changes. The Planning Commission will then approve changes at their April meeting and they will be submitted in May or June to the County Commissioners for review. She presented an annual report brochure prepared by the Department of Planning Services and she said much of the financial information was presented previously to the Commissioners. The report lists 2006 accomplishments, including workshops and conferences, subdivision regulations, the Balanced Growth Project and Rocky River Upper West Branch Watershed Project, and community assistance (including comprehensive planning).

Charles Huber, Building Official, presented the January report for building activity. The written report provided data on construction values and housing starts; there were 40 starts in January. Revenues collected (through permits and other fees) showed a downward trend for 1-, 2- and 3-family residential buildings. In the non-residential area, \$71,071 was collected in January 2007 compared to \$89,002 was collected in January 2006. Brunswick Hills Township had the most permit activity (50), followed by Montville Township (43) and York Township (24). Non-residential permits showed Medina Township and Wadsworth City with four permits each and Sharon Township with three permits. Mrs. Geissman noted that the average cost of homes has increased 16%.

Debra Radecky, Office for Older Adults Director, reported that activities will include:

- Feb. 21 Craft project
- Feb. 23 Medina County Sheriff's Office will present check frauds and scams affecting senior citizens
- Feb. 28 Bingo and movie ("The Devil Wears Prada")

COMMISSIONERS MEETING, TUESDAY, FEBRUARY 20, 2007

- Mar. 2 New changes in Medicaid program
- Mar. 7 Bingo
- Mar. 9 Senior Employment Center talks to those 55+ seeking employment

January outreach included 3 health units, 83 supportive units, 35 Alzheimer units, 1,230 congregate meals, 5,271 home-delivered meals (over 260 meals a day), and 1,553 transit trips (12,383 miles). She has requested state funds to help fund the Seniors' Farmers Market. Mrs. Geissman stated that the resolution regarding the amended bylaws for the Advisory Council on Aging will be prepared and presented next week.

The Clerk read the resolution to allow the expenses of county officials and another resolution to allow expenses of the County Engineer. Mrs. Geissman moved to approve the resolutions and Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Ms. Ray noted that there were two new applications for new C1 and C2 liquor permits from Free Enterprises, Inc. One was DBA Litchfield Sunoco, 9240 Norwalk Road, Litchfield Township, Litchfield, Ohio 44253, and the other was DBA Center Marks Sunoco, 5329 Center Road, Brunswick Hills Township, Brunswick, Ohio 44212. C1 is "Beer only in original sealed container for carry out only", and C2 is "Wine and certain prepackaged mixed drinks in sealed containers for carry out". There were no comments.

The meeting was opened for public comment. There was no one wishing to speak.

Mr. Hambley moved to schedule an Executive Session immediately after the Discussion Session for the purpose of discussing personnel/appointment; the motion was seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting recessed at 9:52 a.m.

Discussion Session

The meeting reconvened at 10:00 a.m. for the Discussion Session.

Mrs. Geissman stated that she will share changes regarding the Board of Elections next week.

Charles Huber stated that he will be proposing an 18% building permit fee increases "across the board" that should carry through 2009. He has provided information to the Commissioners, the Homebuilders Association, and other construction industry professional organizations. He will meet with the Commissioners on March 5 to present more information. Ms. Ray (Building Department liaison) stated that she had reviewed the changes. Mr. Hambley said that the increase is significant and he appreciated the comparison of the three cities and adjoining counties. At the suggestion of Mr. Hambley, Mr. Huber will also contact Lorain County.

Mr. Huber discussed new Ohio statute and rules regarding manufactured home installation. He distributed information to the Commissioners and asked for guidance. He noted that he had briefly discussed the issue with Bill Thorne. A manufactured home is defined by the National Manufactured Housing Construction Safety Standards Act (a federal law) as a "mobile home"; the "kissing cousin" is a "modular home" (an industrialized unit). Industrialized units are regulated in their construction and design by the State of Ohio; manufactured homes are regulated in their design, construction and assembly by the Federal Government through the U.S. Department of Housing and Urban Development (HUD). Since the mid-70's, federal law has given HUD exclusive regulatory authority over manufactured homes. Until recently, Ohio gave local jurisdictions authority to develop standards and regulate installation of the manufactured homes (footing, foundation, tie-downs, water, sanitary and storm sewer connections, and fuel and electric connections). Until May 2006, Medina County regulated the installation of manufactured homes. State statute, inside manufactured home parks, granted exclusive authority to the Ohio Department of Health and the local health districts, unless it was a conventionally-constructed building. The

COMMISSIONERS MEETING, TUESDAY, FEBRUARY 20, 2007

federal law changed with the Federal Manufactured Housing Construction Safety Standards Act, amended by the Manufactured Housing Improvement Act of 2000. It required states to regulate manufactured home installations; the federal government continued to regulate the construction and design of the home itself. In March 2004, Senate Bill 102 was passed and the Ohio Manufactured Homes Commission (OMHC) was created to develop the technical criteria for the installation of manufactured homes and to enforce the rules themselves, through contracted third parties, or OMHC-certified local jurisdictions (the zoning or building departments).

Mr. Huber asked whether the Commissioners were interested in pursuing OMHC certification so that the Building Department could issue permits and inspect manufactured homes (outside the manufactured home parks). There are about six permits issued a year. There are costs associated with training, certification, and continuing education to maintain certification. The fee schedule would need to be revised to cover those costs. Mr. Huber has spoken with the cities of Brunswick, Medina and Wadsworth and asked if they were pursuing local certification and, if not, if they would be interested in entering into an agreement where the county would perform the enforcement for them. The response has been positive; there are about two installations per city per year. Medina County Health Department is interested in pursuing discussions so that the Building Department would provide the inspection services inside the manufactured home parks (there are approximately 12 in Medina County).

Mrs. Geissman asked how many employees would need to be certified. Mr. Huber answered that the state requires that one field inspector and one back-up field inspector be certified. The state also requires that a minimum of one person be certified as a plans examiner to review plans and the permit application; Mr. Huber felt that a back-up examiner would also be needed. Mr. Hambley clarified that to cover the costs, the permit fee would be raised from \$100 to \$160. Ms. Ray asked that he obtain additional information from the Health Department and the cities regarding counts. Mrs. Geissman stated that we might expect an increase in modular homes; the CCAO toured a facility in southern Ohio (near Dayton) last summer and she was impressed with the quality of the homes. Mr. Huber stated that pursuant to state statute, two public hearings are required for local building regulations.

Mr. Huber stated that the National Insurance Services Office is an entity of the insurance industry. In jurisdictions where there is a good fire department, they could sell insurance cheaper because property insurance was a better risk. Where there isn't a good fire department, the risk is higher and property insurance costs are higher. After Hurricane Andrew about 15 years ago, they noticed a town that was still standing in the midst of others that were destroyed. They discovered that the reason was that the town had state-of-the-art building codes and enough quality people trained to enforce them. The Building Code Evaluation Grading System was begun and building departments began to be graded and the scores published for use by insurance companies to set pricing. The evaluations are updated approximately every five years; they will be visiting the Medina County Building Department to measure the effectiveness of the department. He will keep the Commissioners informed.

Mr. Hambley noted that he is hopeful that the Secretary of State helps them reduce the average cost of elections.

Ms. Ray stated that the Medina Police Department had a SWAT exercise at the old Prosecutor's office/house on Sunday. They found the use of the building to be very useful. She also thanked the police department for posting signs notifying the public that there was a police training exercise in progress. Ms. Ray and Mr. Jakab will be meeting with Mark Olson on Wednesday to talk about the Courthouse Expansion Project.

At 10:25 a.m., Mr. Hambley motioned to adjourn the meeting to move into the Executive Session; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

RESOLUTIONS PASSED 2/20/07

NUMBER

RESOLUTION TITLE

COMMISSIONERS MEETING, TUESDAY, FEBRUARY 20, 2007

- 07-140 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TRASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
- 07-141 RESOLUTION REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A REASONABLE AND SAFE PRIMA FACIE SPEED LIMIT ON COUNTY HIGHWAY NO. 127, HARTMAN ROAD, BETWEEN COUNTY HIGHWAY NO. 123, REIMER ROAD, AND THE WADSWORTH NORTH CORPORATION LIMITS IN MEDINA COUNTY, OHIO
- 07-142 RESOLUTION GRANTING A VARIANCE TO THE MEDINA COUNTY ENGINEERING CODE FOR SUBDIVISION DEVELOPMENT TO FOX VILLAGE, LLC, FOR THE INSTALLATION OF A BOULEVARD ISLAND IN THE FOX VILLAGE SUBDIVISION
- 07-143 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 07-144 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 07-145 REVENUE ADJUSTMENT FOR THE FAMILY FIRST COUNCIL FUND
- 07-146 RESOLUTION AUTHORIZING THE PURCHASE OF 5,000 GALLONS OF DIESEL AND 1,000 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE MEDINA COUNTY HIGHWAY GARAGE
- 07-147 RESOLUTION APPROVING A LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES FOR OFFICE SPACE AT THE BRUNSWICK HUMAN SERVICES CENTER FOR THE BUREAU OF VOCATIONAL REHABILITATION
- 07-148 APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 07-149 APPROVING A LEASE AGREEMENT ADDENDUM WITH THE OHIO DEPARTMENT OF PUBLIC SAFETY
- 07-150 CREATING A COMMUNITY IMPROVEMENTS BOARD AND RECOMMENDING GUIDELINES FOR ITS OPERATION
- 07-151 A RESOLUTON DETERMINING TO SUBMIT TO THE ELECTORS THE QUESTION OF LEVYING A COUNTY SALES TAX AT THE RATE OF ONE-HALF OF ONE PERCENT FOR 30 YEARS TO PROVIDE ADDITIONAL REVENUE FOR PERMANENT IMPROVEMENTS WITHIN THE COUNTY TO BE DISTRIBUTED BY THE COMMUNITY IMPROVEMENTS BOARD ESTABLISHED BY RESOLUTION NO. 07-145, FOR SCHOOL DISTRICTS, PURSUANT TO SECTION 5739.026 OF THE REVISED CODE
- 07-152 A RESOLUTON LEVYING A COUNTY USE TAX AT THE RATE OF ONE-HALF OF ONE PERCENT FOR 30 YEARS TO PROVIDE ADDITIONAL REVENUE FOR PERMANENT IMPROVEMENTS WITHIN THE COUNTY TO BE DISTRIBUTED BY THE COMMUNITY IMPROVEMENTS BOARD ESTABLISHED BY RESOLUTION NO. 07-145, FOR SCHOOL DISTRICTS, PURSUANT TO SECTION 5741.023 OF THE REVISED CODE
- 07-153 APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH LOCAL SCHOOL DISTRICT CORRESPONDING TO THE LEVY OF A SALES & USE TAX FOR THE BENEFIT OF LOCAL SCHOOLS
- 07-154 RESOLUTION ENTERING INTO A TEMPORARY INGRESS/EGRESS AGREEMENT WITH KOKOSING CONSTRUCTION COMPANY INC. CONSISTING OF A FORTY-FOOT WIDE DRIVE OFF OF FRIENDSVILLE ROAD
- 07-155 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 07-156 RESOLUTION TO ALLOW EXPENSES OF THE COUNTY ENGINEER

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this twentieth day of February, 2007.

Respectfully submitted,

Pam Vereb, Clerk

COMMISSIONERS _____
Sharon A. Ray

OF _____
Patricia G. Geissman

MEDINA COUNTY _____
Stephen D. Hambley