

COMMISSIONERS MEETING – TUESDAY, FEBRUARY 19, 2002

Patricia G. Geissman called the meeting to order at 9:30 a.m. with Thomas R. Bahr 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 February 11, 2002 minutes was dispensed with. Each Commissioner has read them personally. Mr. Bahr moved to approve the minutes. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented resolutions approving the final plats for Fox Meadow Subdivision Phase V and Phase VII, approving annual assessments and establishing a watercourse for Fox Meadow Subdivision Phase V, and authorizing the advertisement for bids for bituminous patch mix and bituminous liquids for sealing county roads during 2002. Mr. Bahr moved to approve the 4 resolutions. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list

Chris Jakab, Finance Director, presented and reviewed seven (7) resolutions involving various fund transfers, purchasing fuel from Weaver Oil for the Engineering Center, expenditure adjustments for various funds, adopting the 2002 annual appropriation measure and repealing the 2002 temporary appropriations, and the weekly bills in the amount of \$640,473.36.

A summary of the appropriations shows the total budget is \$135,797,000 with the general fund appropriation being \$30,745,713. The expected expenditure level against the appropriation amount is \$29,770,000, which is approximately 5.7% decrease from last year. The appropriation amount also represents a decrease of \$1.25 million in requests by departments. The total revenue estimate for the year is \$30,008,475, which is a 1.2% decrease from last year's receipts. There is an estimated 50% decline in investment income earnings, which are partially offset by property tax revenue by the sexennial reappraisal, but compounded by other sources that are estimated to be flat in growth. Chris believes this is a reasonable revenue estimate that represents a \$2.2 million increase over the current County Budget Commission estimate for the year. The year-end balance is projected to be \$5,786,389 that represents less than 2-1/2 months of general fund operating expenses. It is important to note that the cash carry-over is rolled into subsequent years and it's not transferred out to a contingency or rainy day fund. It is used to meet next year's budgetary needs. The budget also contains a 3% cost of living increase for employees, 15% increase in the employer's portion of the health insurance costs, a 10% decrease across the board in travel line items, in many cases there were decreases in equipment appropriations, a retroactive payment to 1998 for Medina Municipal Court general prosecution services, operating funds for the County Home through July 7, and approximately \$325,000 for capital improvements. Items that could not be funded include computerization projects, approximately \$650,000 in capital improvements, and many replacement vehicles were not funded. The budget is a reasonable financial plan for the county's operation. The cooperation of the elected officials, department heads and agency directors is appreciated in trimming the budget.

Mrs. Geissman agreed about the appreciation to the departments for working with Commissioners so the budget was easier than it could have been. She also thanked Chris for the time he has put in to preparing the budget.

Mr. Bahr moved to approve the 7 Finance resolutions. Seconded by Mr. Hambley.

Mr. Hambley stated that some have read criticisms from the Sheriff's Department concerning the amount of reductions in that department. As noted the overall operating expenses are down 5+% and the Sheriff's overall budget is down 1.15% from last year. His department will still be functional in providing the safety forces required. Unfortunately we are in a recession and have less revenues coming in with increasing costs in many areas. The other item he would like to make clear is that in determining the appropriation for the Medina Municipal Court criminal prosecution, the process deals with a number of issues in the court finding and in reviewing the records during the budget hearings and in meetings individually with Chris to

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review the calculations in prior years that used an average rate of the Assistant County Prosecutor as well as the fringe benefits. That is all included within the budget.

There was no further discussion.

Roll Call on the motion and second to approve the 7 Finance resolutions showed all Commissioners voting AYE.

Roger Harris, Human Resources Director, presented and reviewed the personnel changes resolution. Mr. Bahr moved to approve the personnel changes. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger presented a resolution revising the Commissioners' personnel manual that was adopted July 2, 2001. The revisions correct typographical errors and revises the sick leave plan upon retirement to include prior service time if the employee has been with Medina County more than 5 years. This revision reflects the intent from the original personnel manual. Mr. Bahr moved to approve the revisions. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger presented a resolution adopting a tentative 3-year contract with SEIU, Local 47, representing operators in the Sanitary Engineer's Department. This authorizes the Commissioners to execute the final contract after a final language review. Mr. Bahr moved to adopt the contract. Seconded by Mr. Hambley.

Mr. Bahr thanked Roger for his work and efforts during the negotiations for this contract.

There was no further discussion.

Roll Call on the motion and second to adopt the tentative contract showed all Commissioners voting AYE.

John Stricker, County Administrator, was out ill today.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the advertisement for request for proposals (RFP's) for the collection and final disposal of tires. This action is done annually to allow for the collection and disposal of tires from dealers to ensure they are being disposed of properly instead of going into landfills. Mr. Bahr moved to approve the RFP advertisement. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution creating a restricted sanitary sewer main in Marks Road in Brunswick Hills and Liverpool Townships. This is a private line being installed by a developer on Wegman Drive to Hartneck Road and this restriction allows the developer to recoup the cost of the installation as people connect to the main. Mr. Bahr moved to approve the restricted main. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution requiring renters utilizing the county water service to provide a deposit prior to receiving service. There have been problems in the past when renters move and don't pay their final bills. This allows for a \$100 deposit by renters when they connect and that money is set aside in case this happens or is returned upon final payment. There are a lot of property owners that don't want the responsibility of paying the debts of past renters. Mr. Bahr moved to approve the deposit. Seconded by Mr. Hambley.

Through questioning, Ken stated that if the owner says in writing that they will be responsible for the tenants' water service, this deposit will not be imposed on the tenant.

There was no further discussion.

Roll Call on the motion and second to require a deposit showed all Commissioners voting AYE.

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Susan Hirsch, Department of Planning Services Acting Director, stated that since the beginning of the year the Planning Commission has approved 2 final plats and 2 preliminary plats. The Subdivision Regulations Review Committee has met and the latest update will be going on in early March for comments. They hope to have a meeting in late March to finalize the regulations. Last summer a zoning update program was started with the townships in which they received a copy of their zoning maps for revisions. Once these are revised, the Department will keep the maps as their official zoning maps and they can then be easily updated. Medina Township has recently turned theirs back into the Department and they are working with 7 other townships to get theirs finalized. There has been positive feedback about this program. One zoning map change was approved for Brunswick Hills Township. The Department also has a video available showing a mock Planning Commission meeting. This shows how the process works and they have received good response back on this. A flyer about the video was presented.

Mike Pataky, Child Support Enforcement Agency Director, stated that relative to HB 170, the order to repay money taken from families on assistance, they are continuing the process of information gathering and should be done well before next April's deadline. The State has introduced an interface program that the agency can use to input the information and then the State can start issuing checks. He noted that not everyone will get back checks that were receiving assistance as there are very specific parameters that must be followed. The State is helping with the new interface program and the agency should be online by the end of next month to start utilizing it. He noted that the landlord had Ohio Edison out to the building yesterday because some squirrels were knocking out the power. Ohio Edison installed guards to keep this from happening.

Art Verdoorn, Building Official, presented the January report for the Building Department. They have updated the cover sheet with a one-page overview. In January there were 53 new home permits versus 34 in January 2001. Commercial construction is basically the same based on the valuation, but it is up 2% based on square footage. The reason for the low commercial costs is that it is based on the estimate of the contractor when they apply for a permit. Commercial construction is expected to increase, with a new WalMart planned in Wadsworth and a new high school being planned. The department held an open forum on February 11 and had 30 in attendance. This was a very productive meeting. It was suggested that the new cover sheet for the report be used on the website. Art stated that they have completed the initial training on their new computer system and are continuing with training and updating. They will probably be ready in April or May to start adding items to the website, including being able to process permits, etc. It was noted that Montville and Lafayette Townships lead in the residential permits in January. Brunswick Hills Township is usually second to Montville, and Montville tends to have the higher priced homes with some higher priced homes being constructed in Hinckley as well.

John Jones, Transportation Service Director, presented and reviewed their January statistics. Ridership on the "L" is up 15% with 1431 passengers in January. There were also 287 on the Southwest Circulator, 35 on the Homer Circulator, and the grand total for the system was 9,202. This is a 20% overall increase for the year. The fuel mileage is about the same. There is some revenue being picked up from last year that is reflected on the revenue and expenses portion of the report. They had 3.78% breakdowns per 100,000 miles and shouldn't stay that way throughout the year. There were no accidents in January at Transit's fault. There were 7 complaints mostly due to changes in the contract arrangements with Job & Family Services. The administrative end of the expenses looks high but as the year goes on some of that will be alleviated. Under the revenue, they have started to pick up the first part of the grants and there has been no advertising payments received at this time. Capital planning should be about the same throughout the year. There are 3 vehicles on order that should be delivered in May. They are planning to upgrade the dispatch tower to alleviate transmission problems in the Sharon/Wadsworth area. He presented a copy of the Ohio Public Transportation Association's marketing plan. This will give general statistics and other information of the cities and other state transit services around the State. He will have a new drug and alcohol policy before Commissioners in the new few weeks for approval. This has to be turned into the State by March 15. Through questioning, he stated that the number of trips on the Southwest Circulator is higher leaving Medina because one person can represent 5-6 trips. One person may ride into one location, and then catch an outbound bus to another 1 or more destinations in town before

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leaving town. He can only determine the number of individuals using the demand response transit, but not on the other services.

Commissioners reviewed resolutions commending the Brunswick City Schools on receiving the Award for 2001 Service to the Arts and Homer & Phyllis Baldwin on receiving the Lifetime Service to the Arts Award from the Medina County Arts Council. Mr. Bahr moved to approve the commendations. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman reviewed a resolution appointing Patricia Robertson to the ADAMH Board to fill a vacancy. Her term expires June 30, 2003. Mr. Bahr moved to approve the appointment. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed a notice of new D-1 liquor permit for Sandbaggers Golf & Game Center in Montville Township. In January a notice was received about a C-1 permit for Sandbaggers. There were no comments or concerns received.

The Clerk read the resolution to allow expenses of county officials. Mr. Bahr moved to allow the expenses. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

Commissioners recessed the meeting at 10:15 a.m. and reconvened in the conference room at 10:17 a.m. for the discussion session.

Mr. Hambley requested that the written information regarding the budget decision for the Medina Municipal Court be made a part of the official record. This shows the reasons for the decision and how the final numbers were derived. The information is attached to the end of the minutes as Exhibit A.

Mr. Bahr noted that he is attempting to get in touch with the person in charge of the Earth Day activities to see if they are doing anything different in coordinating this year's activities. There was a brief discussion about last year's activities.

Mrs. Geissman stated that a gentleman has presented information on defibrillators and would like to give a demonstration to the Board.

Mr. Hambley noted that Mary Croft, Loss Control Coordinator, had talked about this a couple of years ago.

The cost, training requirements and liability involved is unknown. This will be referred to Roger Harris to review with Mary. It's uncertain if any other counties have these available in their buildings.

Ken Hotz presented copies of letters support installation of a waterline in the Remsen Chase development in Granger Township. This development is behind the Highland Schools. Many calls, for and against, have been coming in about the possibility of extending the line into the development or along Wilbur Road. Last week there didn't appear to be enough interest, however, over the weekend more residents have requested the extension bringing the total interested close to 50%. Ken suggested that a meeting be held with the residents of the development to determine if there is enough interest in the extension. Commissioners agreed that a meeting should be scheduled.

Commissioners recessed the discussion session to move into the hearing room at 10:30 a.m. for the public hearing on the Foote Road improvement project.

Dave Miller, County Engineer, stated that there have been public meetings held at the township hall and at the Engineering Center regarding this project. There were a few questions raised at the last meeting that hopefully can be answered today. The purpose of this meeting is to hold an official hearing in order to proceed with the project.

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Ken Hotz stated that there is a waterline in the road now that has been providing poor service. There have been talks with the City (of Medina) about the county taking over the water system by installing a new line and abandoning the existing line, and they have no problem with this. A sanitary sewer also needs to be installed. The County Engineer would be letting the contracts for the entire project of installing a new waterline, sanitary sewer and pavement. Connections will be provided to the waterline for those that have waterline service. The cost for the sanitary sewer connection is \$2,000 per lot.

Carol Skubovius, 4773 Foote Road, asked about the cost per home for the project.

Ken stated that the cost is \$2,000 per home for the sewer. There is an existing waterline and those homes currently connected will be connected to the new waterline. Each home will need a new tap and meter, but that cost is included in the Issue 2 funds being used for the project.

Joe Selmants, 4794 Foote Road, asked if the \$2,000 is the cost to tap-in or if that includes the cost to connect to the house.

Ken stated that the \$2,000 is just to pay the cost of the sewer. The property owners have to pay the cost to bring the line from the sewer to the house. He's not sure of the cost.

Hal Gerspacher, County Engineer's Office, stated that laterals will be provided and the owners don't have to go into the street.

Ken agreed, adding that the laterals will be at the property lines on both sides of the street.

Bill Dietz, 4747 Foote Road, stated that at the last meeting he questioned the depth of the sewer because he doesn't believe it will be able to service his existing home, as it's too shallow. He asked if the depth could be changed to allow the service to his home.

Hal stated that the house is on the east side and set back about 500 feet from the road, and he doesn't believe the depth of the sewer will be enough to service by gravity.

Jim Troike, Assistant Sanitary Engineer, stated that he believes the sewer can provide first floor service, but they won't be able to get the basement drain. If there is a drain in the basement for laundry there would need to be a sump pump to lift it up. He will look into it further.

Mr. Dietz stated that there is a sump pump now.

Ron Holzman, 4811 Foote Road, asked the cost will increase if the owners decide not to tie into the sewer right away.

Ken stated that the cost remains \$2,000. There will be no incurred costs.

Mr. Holzman asked about the connection for the water.

Ken stated that the water will be automatically connected. The old waterline has to be taken out. As long as there is a copper line connection into the house, the street-to-house connection doesn't have to be replaced. If the current meter is in a pit, the new meter will be outside in a pit as well. The connection from the main line to the meter has to be copper, but the connection from the meter in a pit to the house can be plastic. The old pits will come out and smaller ones will replace them, not at the owner's expense. As this project is built, the old waterline will be destroyed. First the new waterline will be built and connections will be made as they currently exist, and then the remainder of the project will proceed.

George Roganish, 4787 Foote Road, asked if the reason for the sewer line is for the development of the land in back and along the lake. He understands the city owns 70 acres and there are a couple of large parcels on the east side that probably will be developed. The main concern was that the waterline is deteriorating and everyone needs the new waterline, but it

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seems anytime a sewer line goes in development follows because with septic tanks there has to be so much footage.

Ken stated that a developer could put a sewer line in today if they were going to develop. If the waterline goes in without a sewer today it will cost more to install later. The normal charge is \$4,500, plus the connection costs. This would be \$5,000 to \$6,000 for installation later. It's because of the Issue 2 funds that are available that they're able to go in now. It was an economic decision.

Hal stated that regarding the east side of the road, he understands sewer is there that can be accessed and this new sewer probably wouldn't even be accessed for any development in that area.

Jim stated that this isn't the first time sewer was discussed along Foote Road, but as an overall improvement it was included in the project. He believes the Health Department has shown some problems in septic tanks in the area and it was felt this was a good time to put it together.

Mrs. Geissman added that she believes it is part of the 20-year plan (208 Plan).

Mr. Bahr asked Patrick Patton, Medina City Engineer, if the city has any plans for Lake Medina property.

Mr. Patton stated that the only discussion has involved dedication of a park. There have been discussions of a 40-year agreement with the Medina County Park District, but nothing has been finalized.

A lady noted that access to the land proposed for dedication as a park from Route 18 has been closed up and asked if it will be opened up.

Mr. Patton stated that part of the plan is to rebuild the bridge there to allow use of the road, but the agreement hasn't been finalized.

Mr. Bahr stated the unsafe bridge is the reason it was closed in order to keep people from using it.

James Erne, 4596 Foote Road, stated that there are several acres across from his property and several contractors have looked at that property to develop. He understands it's the owners right to sell for development.

A gentleman stated that the sewer suggest there will be dense housing. The township has frontage and acreage restrictions at this time. He asked if the acreage restrictions will be changed with the sewer going in.

Mr. Bahr stated that local zoning will still be affected. The township controls their zoning.

The gentleman stated that the township used to control the street and now the county does.

Mr. Bahr stated that it would be up to the Township Trustees to change it.

Mr. Hambley stated when the 208 Plan was being reviewed, the Assistant Prosecutor made it clear to the townships not to tie zoning density to sewers. There is no benefit to increase the density other than what is currently zoned. The Medina Township Trustees heeded the Prosecutor's advice and have said the density doesn't have anything to do with whether there are sewers or not.

Mr. Roganish stated that at the last meeting it was noted that the easement was changed from a utility easement to a highway easement. He asked about the distinction.

Hal stated that they are basically taking the easement to relocate the sewer and water lines as well as some existing telephone/electric poles outside of the roadway. A problem arises

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if everyone doesn't agree to giving an easement. A highway easement makes eminent domain easier.

Dave added that part of the problem is State funds are being used and there are time limits on using the funds. If one person doesn't agree to an easement they have to go through the court with a utility easement. With a road easement, it's a quick take and it doesn't delay the project, which could jeopardize the State funds and shoot the entire project down.

Mr. Roganish asked about the average cost per family for the sewers, noting that in Parma the sewer bill is usually double the water bill.

Ken stated that the flat rate currently is \$23.75/month. The rate is reviewed every 2 years. Parma goes by a percentage rate. Our flat rate charge is the lowest rate in Northeast Ohio, including Cleveland and Akron.

A gentleman asked for clarification of the easement. He understands it is 31 feet and asked if it is from the centerline or the edge of the road.

Hal stated that it is from the centerline. When 31 feet was discussed before it was in relation to where some of the utility poles will be located. The additional easement is for 10 feet. There are a couple of parcels that will vary on.

A gentleman asked about the measurement from the back edge of the sidewalk.

Hal stated that will be 29 feet and the sidewalk will be 4 feet. He noted that the sidewalk will only be on the east side.

Mr. Holzman stated that he moved to his home in June and he hasn't received any notices of meetings about this project. He and his wife have called to make sure they'll get notices and they aren't receiving them. He heard about this meeting from neighbors.

Hal stated that he will take responsibility for that. He's not sure why it wasn't updated on the last list he received. He stated that if he has any questions he can give him a call. Through questioning, Hal stated that he's sure the others received notification. This property transferred at the end of May and was somehow overlooked.

Mrs. Didonato, 4677 Foote Road, stated that at the last meeting it wasn't sure if the sidewalks were definite. She understands that this is now definite.

Dave stated that it is in the application and the funds are there from the State. He is proceeding with it unless everyone in the room says no. He doesn't live in this area, but he feels that when the project is done the sidewalk will be wanted. There is 27 feet of pavement with a lot of traffic and there's no way to walk any place.

A lady asked if they will be paid for the frontage with the switch from a utility easement to a road easement.

Hal stated that they will. The payment will be based on the current value of the land by using the property records in the Auditor's Office. If there is conditional frontage on a property, the owner may get a little more. The average cost will be \$1150, which will be adjusted according to frontage.

A gentleman asked about the responsibility of the sidewalk.

Bill Thorne, Assistant Prosecutor, stated that if it stays a county road, the Commissioners have the ability by resolution to require the property owners to maintain the sidewalks.

A gentleman stated that some of the older residents may have problems with cleaning the snow and will have a higher cost to keep them clear.

Bill stated it is up to the Commissioners to make that requirement.

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Mr. Hambley asked if the requirement is on any other county road.

Dave and Hal stated that we don't.

Bill stated that if it is a natural accumulation and it is not cleaned, there is no liability exposure.

Dave stated that when it comes to snow you're better off not to touch it. If someone plows your driveway and piles snow on the sidewalk, it's not a natural accumulation and you have to do something with it.

Hal noted that there was an article in the newspaper a few weeks ago about this issue.

Kim Detchon, Paradise Road, stated that if someone is over 60 years old and unable to shovel their driveway or sidewalks, there is an assistance program through the Sheriff's Department in which the trustees at the jail go out and take care of that. This program is in conjunction of the Office for Older Adults.

Betty Alspach, 4750 Foote Road, as if there will be sidewalks on the west side.

Dave stated that is correct.

Mrs. Alspach stated that she has always been in favor of the sidewalks. She feels the sidewalk will be a convenience, noting that 10 minutes walks are good for everybody.

Donna Madden, 4584 Foote Road, asked if there is any way this can be stopped or is this project going to start in July.

Dave stated that the only way it can be stopped is if the Commissioners tell the County Engineer not to proceed.

Mrs. Geissman noted that after all the hearings the Commissioners have to take action for them to proceed.

A gentleman stated that Foote Road will become a highway and asked if there is any chance that the County can do something about the speed limit. There is a problem and this is why people are against the bike trail and sidewalk. There is enough traffic there and there are