

## COMMISSIONERS MEETING – MONDAY, FEBRUARY 24, 2003

Stephen D. Hambley called the meeting to order at 9:30 a.m. with Sharon A. Ray present. Patricia G. Geissman was delayed by traffic this morning.

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

At the beginning of the meeting the oral reading of the February 10 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 4 resolutions accepting and awarding the bid for sign material for the Highway Department, and authorizing the advertisement for bids for centerline striping and pavement marking for various county highways, bituminous patch mix and herbicidal spraying for roadside vegetation control for the Highway Department. Ms. Ray moved to approve the 4 resolutions. Seconded by Mr. Hambley.

Mrs. Geissman arrived at this time and there was a brief review of the County Engineer's resolutions.

There was no discussion.

Roll Call on the motion and second to approve the Engineer's 4 resolutions showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed 7 resolutions involving amending the temporary appropriations, various transfers of funds, expenditure adjustments for various funds, purchasing fuel for the Highway Garage from Ports Petroleum, approving an agreement between MCDAC and the ADAMH Board, and the weekly bills in the amount of \$625,284.79. One increase in appropriations is for the Sheriff to purchase his 10 vehicles for the year. The agreement between MCDAC and the ADAMH Board is done annually for the cooperative funding of \$20,000 to and from the ADAMH Board. Mrs. Geissman moved to approve the 7 resolutions. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Chris noted that Judge John Lohn will be in at 9:30 for the Juvenile/Probate Courts budget hearing.

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

John Stricker, County Administrator, had no resolutions for today.

Jim Troike, Assistant Sanitary Engineer, presented a resolution authorizing the release of the escrow account of Mosser Construction Inc. for the Liverpool Wastewater Treatment Plant improvements. This is the last of the major contractors for this project. Mrs. Geissman moved to approve the release. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Karl Cetina, MCDAC Director, stated that since he took over as director a month ago he has been familiarizing himself with the different organizations combating drug abuse in the county, the grant process and the various grantees. He's very impressed with the activities being undertaken by the grantees. There will be an open forum discussion this Thursday with the grantees and prospective grantees to review the history of MCDAC and focusing on the future efforts of fighting drug abuse.

Mr. Hambley added the forum is also to talk about the upcoming grant season.

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Karl agreed, adding that they will be reviewing the grant guidelines and applications to try to streamline the process for the different entities as well as open communication about any problems there may have been.

Mr. Hambley noted that there was a lot of concern from grantees last year on changes that were made, and hopefully they'll be some adjustments made that will smooth that out.

Karl stated that some remedies are already in place and others are in the work.

Mr. Hambley presented and reviewed a resolution appointing Stanley M. Haw to the Commercial Board of Building Appeals. This appointment is to fill an unexpired term that ends March 5, 2004. Mrs. Geissman moved to approve the appointment. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The Clerk read the resolution to allow expenses of county officials. Mrs. Geissman moved to allow the expenses. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was opened for public comment.

John Metter Sr. stated that he is upset with the septic system inspection fees charged by the Health Department. Until they inspect every septic tank and every farm run-off in the county he is vehemently against their practices and charges. He further stated that he understands there will be charges to businesses and schools for parking lots that cause surface water run-off. Some of these EPA requirements need to be shut down at this level and spending could be tightened up more.

Mr. Hambley stated that County Commissioners have no jurisdiction over septic tanks or the Health Department. The department is a special district and they receive no county funding. The only relationship between the Commissioners and the Health Department is that the Commissioners are required to put levies on the ballot for them. The cities and townships have representatives on the Health Board, but Commissioners do not appoint that Board. The issue of inspection fees will have to be take up with the Health Board. Regarding the surface water run-off or stormwater, the City of Medina is looking at fees. Medina County is also required to follow the stormwater requirements but we are limited in the stormwater area. There are no fees being discussed at the county level, and no county stormwater department is being established like in the City. He noted that the county level covers 5 townships, but what Mr. Metter is referring to involves the City of Medina.

Mr. Metter stated that everything is coming out of taxpayers' pockets.

Mr. Hambley suggested contacting Congressman Ralph Regula. This is a mandate that was passed on counties and local governments.

There was no further public comment.

Mr. Hambley noted that there is a 9:30 budget hearing, 1:30 discussion session and 2:00 annexation hearing.

Commissioners recessed the meeting at 9:15 a.m.

Commissioners reconvened at 9:30 a.m. for the budget hearing for Juvenile/Probate Courts. Judge John Lohn, Al Shirer, Garland Brown, Michelle Hooper and Philip Titterington were present to review their budget request for 2003.

Commissioners recessed the meeting at 9:55 a.m.

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

Mike Salay, Assistant County Engineer, introduced Tom Simon, developer, who is requesting an alteration to a storm drainage easement.

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Mr. Simon explained that request involves Sublot 26 in the Pebble Creek North development in Brunswick Hills Township. The development has 40' wide house footprints for cluster or conservation development with 10' side yards. Originally these were smaller, but the market demanded something bigger. They have 90% of Phase 1 done, and their engineer found that on Sublot 26 the house will encroach on the easement. They didn't realize this would happen when they were planning. A contract has already been signed for a 44' wide house and they are obligated to build that size. He contacted Mike about this and is asking for some type of relief with this. He noted that this situation was also discovered on another subplot, but they have been able to modify the footprint of the house to fit in that lot.

Through questioning Mike stated that they have reviewed this and they would like the construction to stay out of the easement. In this case it would be okay to have 2' less on the easement. Commissioners have the authority to allow the alternation. This has been done a couple of times in the past. Since the drainage structure is at an angle there should be no problem with maintenance. The 30' easement is a little wider than normal and this is a shallow easement. There have been 2 other cases of moving an easement in the last year due to problems.

Commissioners agreed that the easement could be decreased by 2'. There was a brief discussion about Mike bringing in a resolution next week; however, he determined that he would do the resolution after the foundation survey is done in order to use the exact information in the resolution.

Mrs. Geissman reminded the others that she will not be at next week's meeting as she will be in Washington, D.C.

Mrs. Geissman asked if the Board wants to do an annual report. The last one was done in 2001 at a cost of around \$3,000.

Ms. Ray stated that she would like to see what the report looked like, and the Clerk was asked to be sure she received a copy.

It was noted that if one is going to be done the departments need to be contacted for their information and a freelance writer needs to be found. There is someone interested in handling the printing at a lower cost than the Gazette. There would be a charge from the Gazette for inserting the report into their newspaper.

Ms. Ray stated that she has been working with Macy Hallock regarding the old New Horizons Shelter and hopefully she will have this resolved before the budget discussion tomorrow.

Ms. Ray asked if anyone is going to the Wayne County Homeland Security Training Alliance.

Mrs. Geissman stated that she is going to a local one, which is being put on by Buck Adams, EMA Director.

Ms. Ray stated that she will talk with Buck to see if he feels anyone should go to the Wayne County one, and if he feels someone should attend she will try to go.

Ms. Ray asked if the others received the information from Buck regarding mosquito abatement, and asked if it should be forwarded to the Health Department because it is their responsibility.

Mr. Hambley stated that Colene Conley announced at the Township Association meeting on Thursday that the Health Department had received a grant from the federal government for mosquito control. However, the way he reads the information to Commissioners that hasn't been approved.

Ms. Ray stated that she would forward a copy to Colene.

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Ms. Ray asked how the appointments are handled for the Workforce Policy Board. An application/questionnaire was going to be sent out and she asked how that is handled.

The Clerk responded that she takes care of sending that out.

Mr. Hambley agreed, noting to give the information to the Clerk and that once their applications are received back a resolution will be prepared approving them.

John Stricker noted that he gave applications to Ron Rowe, Chairman of the Workforce Policy Board, to give to those people.

Ms. Ray stated that John Burke, Treasurer, had contacted her regarding the email that was received from Michael Benson with a complaint about the cost of online payment of taxes. John has responded to the gentleman about the costs.

Ms. Ray presented Bill Thorne, Assistant Prosecutor, with a paper regarding the lawsuit for the pay-to-stay at the Jail.

Bill stated that he has received the letter and he has contacted them about what the county's policy had been. We weren't charging people up front. Most of the counties aren't charging the fees before the person is sentenced, and they are trying to get those counties removed from the lawsuit. The ones left in the lawsuit are those that charged during litigation and before sentencing. At this time we aren't out, but they have been removing one county at a time and it's taking a lot of time. They are going to try to get a consolidated dismissal.

Mr. Hambley noted that ODOT is requesting dates from the Commissioners for the annual Medina County Government Day. After a brief discussion, Commissioners agreed on the afternoon following discussion on April 21<sup>st</sup>.

John noted that Commissioners had requested looking into connecting the conference room with the small room at the north end of the room. It is a structural wall between the rooms and taking that out the brick and putting in steel would cost approximately \$24,500. During a brief discussion about this high cost, Bill suggested taking the longer wall out on the side of the door (east side) and expanding the room into the small hall that leads to the hearing room. Commissioners agreed that getting an estimate for that expansion should be done. It should not cost as much because it is not a structural wall.

Chris Jakab presented packets for tomorrow's budget meeting. The information includes areas of discussion and references, revenue estimates and a spreadsheet showing proposals by each Commissioner. The budget meeting is at 11:00 a.m. on Tuesday.

Bill noted that Judge Lohn had talked about having a courthouse located at the Juvenile Detention Center. If this is done and they have night hours it will also impact the Prosecutor's budget and they will probably need another person in the Juvenile Prosecutor's Division.

Mr. Hambley stated that he attended the Planning workshop about ethics on Thursday and Bill Thorne and Frank Gasper of the Prosecutor's Office did very good jobs with their presentations.

Bill noted that he will be talking about this again at the Trustees Association meeting in September.

Mrs. Geissman stated that she and Sheriff Neil Hassinger attended a meeting regarding the Sheriff's Association believing that the CCAO is trying to do away with Sheriff budgets. Allen County and Geauga County have been having issues on funding for their Sheriff's and at a Southeast Ohio CCAO workshop a conversation was started about whether funding road patrols is required. This is where some miscommunication came from. The meeting was very good and a lot of stuff was ironed out. They are planning to have a meeting every 6 months between the Sheriff's Association and the CCAO to keep everyone informed.

Mrs. Geissman also noted that at the meeting they also discussed the pay-to-stay lawsuit, which will affect all county Sheriff's, and what they may be doing.

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Bill noted that regarding the Sharon Township to Wadsworth City (Greenhaven) annexation, Tom Palecek's office has filed a motion to dismiss the appeal by the township on the basis the court lacks jurisdiction and it was not a final appealable order. This was remanded back to the Commissioners for further proceedings so they feel it is under the new law.

There was no further business before the Board for discussion.

At 2:03 p.m. Mr. Hambley opened the public hearing for the petition for annexation of 131.9526 acres from Sharon Township to the City of Wadsworth.

Mr. Hambley noted that there is an agreement by the Township's attorney and the petitioner's agent that the hearing to be continued to March 24 at 2:00 p.m.

There was no further discussion regarding the annexation petition.

Mrs. Geissman moved to adjourn the public hearing. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman moved to adjourn the meeting at 2:05 p.m. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

**RESOLUTIONS PASSED:**

03-0132 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

03-0133 RESOLUTION ACCEPTING AND AWARDING THE BID FOR VARIOUS ALUMINUM SIGN BLANKS, REFLECTORIZED ROLL GOODS, ELECTRONIC CUTTABLE FILMS, GALVANIZED POSTS AND PREFORMED PAVEMENT MARKING MATERIALS FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

03-0134 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR CENTERLINE STRIPING AND PAVEMENT MARKING OF VARIOUS MEDINA COUNTY HIGHWAYS

03-0135 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR TIUMINOUS PATCH MIX FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT

03-0136 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR HERBICIDAL SPRAYING FOR ROADSIDE VEGETATION CONTROL FOR THE SPRING PROGRAM FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

03-0137 RESOLUTION AMENDING THE TEMPORARY APPROPRIATION RESOLUTION

03-0138 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR JUVENILE COURT MAGISTRATE SERVICES AND PROSECUTOR'S LEGAL SERVICES

03-0139 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND

03-0140 EXPENDITURE ADJUSTMENTS FOR VARIOUS COUNTY FUNDS

03-0141 RESOLUTION AUTHORIZING THE PURCHASE OF 6,500 GALLONS OF DIESEL AND 500 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE MEDINA COUNTY HIGHWAY GARAGE

03-0142 APPROVING OF A COOPERATIVE FUNDING AGREEMENT BETWEEN MCDAC AND THE MEDINA COUNTY ADAMH BOARD

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03-0143 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

03-0144 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF MOSSER CONSTRUCTION INC. FOR THE LIVERPOOL WASTEWATER TREATMENT PLANT IMPROVEMENTS MCSE #W-500/00-1.3

03-0145 RESOLUTION APPOINTING A MEMBER TO THE MEDINA COUNTY COMMERCIAL BOARD OF BUILDING APPEALS

03-0146 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

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Stephen D. Hambley

Respectfully submitted,

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Sharon A. Ray

Pamela J. Terrill, Clerk

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Patricia G. Geissman