

## COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004

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

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

At the beginning of the meeting the oral reading of the January 5 minutes was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented the Reorganization Resolution and setting dates of sessions for the year 2004. He stated that a lot of big things have occurred in the last year on organization building with a new Port Authority, Public Defender Commission, Railroad Safety Task Force, and Housing Network as well as the initiatives with the Technology Park. Most of these boards and commissions are volunteers and those volunteers contribute in many ways to the county. He feels there will be more great things in the coming years seen and that there will continue to be a good quality of life in the county. Mrs. Geissman moved to approve the reorganization resolution; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray took over as President of the Board.

Doug King, Administrative Assistant in the County Engineer's Office presented 7 resolutions involving authorization to proceed in certain instances by force account in the reconstruction, improvement, maintenance and repair of roads, bridges and culverts, approval of final plats for Fennway Pointe Subdivision Phase II in Medina Township and for Harps Mill Subdivision Phase One in Sharon Township, approving the annual assessment on improvements and establishment of a public watercourse for Harps Mill Subdivision Phase I, finding that public convenience and welfare requires the vertical re-alignment of Friendsville Road and replacement of Culvert No. 7 on Friendsville Road in Westfield Township, authorizing the Engineer to advertise for bids for the improvement of Friendsville Road, and authorizing a change order to the contract for the River Styx Road culvert replacement package on River Styx Road with H.S.H. Construction & Excavating Inc. Mrs. Geissman moved to approve the 7 resolutions; Seconded by Mr. Hambley.

Mrs. Geissman asked that the resolution authorizing to proceed by force account be explained.

Doug stated that there are monetary limits, but this allows for the Engineer's forces to do work required on roads, bridges and culverts.

There was no further discussion.

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

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed 8 resolutions amending the temporary appropriation resolution by increasing appropriations, authorizing agreements with various veterinarians for dog spay and neuter services for the Animal Shelter, authorizing execution of an agreement with the MR&DD Board for Family First Council services, approving the request for an advance of taxes collected for MCDAC, various transfers, purchasing fuel for the Engineering Center and Highway Maintenance Garage from Weaver Oil, and the weekly bills in the amount of \$454,559.57. The amendments to the appropriations are to cover training for the Building Department and to close out CDBG funds. The list on the resolution approving agreements with veterinarians may be amended as new applications to participate in the program are received. The MRCC agreement is for \$3,000 for the Family First Council's Help Me

## COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004

Grown Program. Mrs. Geissman moved to approve the 8 resolutions and payment of the bills; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

John Stricker, County Administrator, presented a resolution appointing members to the Medina County Housing Network. The resolution creating the Network established 17 member agencies and 15 of those agencies have submitted names for appointment. He reviewed the list of those being appointed. The other 2 agencies are awaiting meetings to get their formal appointments taken care of. Mrs. Geissman moved to approve the appointments; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution authorizing a change order for Marshall Construction for the Board of Elections renovations in the amount of \$12,946.50. The changes involved establishing a firewall and adding a door to the computer storage area. Mrs. Geissman moved to approve the change order; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution authorizing a change order for Ellis Brothers Electric Ltd. for the Board of Elections renovations in the amount of \$6,500.84. This was for an addition to the wire ceiling for racks that will hold the computers. Mrs. Geissman moved to approve the change order; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution declaring the necessity of a waterline relocation in S.R. 57 (Wadsworth Road), S.R. 162 (Sharon Copley Road), Poe Road, Hamlin Road and Hamilton Road and approving the plans and specifications and authorizing the commencement of advertising for bids. This combines the various improvements into one project. Mrs. Geissman moved to approve the resolution; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Debra Radecky, Office for Older Adults Director, stated that the preliminary planning has started for May's Senior Day, which will be the 30<sup>th</sup> anniversary of this event. Seniors collected 10 bags of new socks and canned food for the Battered Women's Shelter. There will be no trip this month and one has not yet been planned for February. Upcoming programs involve OSU Extensions Healthy Start project, making sock snowmen, presentations by Visiting Physicians and Community Legal Aid, the movie "Seabiscuit" and a financial literacy program. The office will be closed on the 19<sup>th</sup> and there will be no meals delivered that day. She noted that 2 years ago they were delivering 193 home meals and that has grown to 226 this week. There is no waiting list for these meals.

John Jones, Transportation Service Director, reviewed some year end figures. The total ridership was at 115,188, which were up from 113,055 last year. The decrease in L ridership reflects the reduction in services hours and some of the increase in demand response was from riders switching from the L. They traveled over 120,000 miles in the year, which is reflected in the increase of fuel used. They are in the process of developing a new schedule for the L, with the hopes of getting some additional dollars as well as making the routes more efficient. There are no major expansions scheduled for this year.

Ms. Ray presented a resolution commending Gordon J. Soucek for his years of services with the Sanitary Engineering Department. Mr. Hambley moved to approve the commendation; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

## COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004

Ms. Ray presented a resolution appointing Commissioners to various committees and areas of direct responsibility for 2004. Mrs. Geissman moved to approve the appointments; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution appointing a member to the District Library Board of Trustees. This resolutions was tabled as word has not been received whether there will be any conflict with this appointment.

Ms. Ray presented a resolution appointing Joyce Giles and Lori Solaro to the ADAMH Board. Mrs. Geissman moved to approve the appointments; Seconded by Mr. Hambley. 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 Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was opened for the review of an Expedited Type 1 annexation petition for land from Westfield Township to the Village of Creston.

Andrew McIlvaine, Agent for the Petitioners, introduced Rev. Woodruf of the Crossroads Assembly of God, which will be the ultimate beneficiary of this annexation. Westfield Township and the Village of Creston have agreed to the annexation, which was filed in the packet with the petition. There is a sale contract between the Assembly of God and the current owners for this land that is contingent on the annexation being completed. He had Tax Maps review the plat and legal description prior to filing the petition, and understands this has been sent for their review. He asked that with the agreements and pending approval by Tax Maps that the Board approve the annexation petition contingent upon Tax Maps approval.

Mr. Hambley noted that the language was adopted by the Village and Township, but there is no language for an agreement on whether this land is detached and who is providing services.

Mr. McIlvaine stated that language is recommended but not required. It gives the entities the opportunity to expand the language.

Bill Thorne, Assistant Prosecutor, stated that the Village and Township have agreed to the annexation and agreed that language is not required.

Mr. Hambley asked about the services and detachment with the absence of this language.

Bill stated that as a matter of law the services fall to the Village and that with no written agreement the land will not be detached. In this case it does not matter because there will be no taxes as church property.

Mr. Hambley agreed there will be no taxes as long as the church owns the land, but it needs to be noted that if it is ever sold the new owners would be liable for taxes in both entities.

Ms. Ray reviewed the criteria for approval with the Clerk to be sure all issues were met under the law, and they were.

Mrs. Geissman moved to approve the petition for annexation contingent upon an accurate legal description and plat approved by Tax Maps; Seconded by Mr. Hambley.

Mr. Hambley noted that one of the requirements is that the land is contiguous; however, he does not see that under the section for an Expedited Type 1.

Bill stated that it is a requirement of any type of annexation petition.

## COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004

Mr. Hambley asked, for the record, where the property is contiguous.

Mr. McIlvaine reviewed a map with Commissioners to show this.

There was no further discussion.

Roll Call on the motion and second to approve the annexation petition showed all Commissioners voting AYE.

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

Ms. Ray noted that the discussion session will be held at 1:30 and that there is a public hearing on the Building fees at 2:00 p.m.

Commissioners recessed the meeting at 10:00 a.m.

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

Mrs. Geissman noted that Mr. Barenfeld, a gentleman that had called concerned about the installation of lights at Smith Road and River Styx Road, called her last week to say that it is fabulous to have the lights at the intersection. He felt that since he had been against the installation that he would let her know that the traffic is running very smoothly there.

Mrs. Geissman stated that CORSA, by a conference call, voted to approve medical insurance for jails. This does not cover nursing homes or county homes, as there have not been the problems experienced in those areas as they have been in jails.

Mrs. Geissman stated that a press release was received today that the new sales tax will probably be appealed. This will have an affect on the Local Government Fund and Public Defender funding. This is going to have an impact on all counties in Ohio.

Mrs. Geissman thanked Chris Jakab for the material provided relative to the budget. The county is coming out a lot better than originally thought and there are many counties facing deficits.

Ken Hotz stated that he just received an agreement back from Bill Thorne relative to selling water to Lodi. A connection will be constructed in case something happens to their system they can have an emergency connection and received up to ½ million gallons a day. He will have this ready for approval at next week's meeting.

Bill noted that the agreement is not just for emergency purposes, but anytime their system would be running low.

Ken reported that there is an area near the center of Chatham that qualifies for assistance to connect to the water system for low/moderate income homeowners. The funds will not be distributed on a first come, first served basis, but on their actual needs for assistance.

John Stricker reviewed information from T Mobile relative to their request to place a cell antenna inside the clock tower of the Old Court House. They are aware this is within an historic district, and they have said the antenna will be behind the louver vents and guaranteed not to be seen. There are a few things in the proposed agreement that he cannot agree to. They want to make a one time payment of \$600 plus \$1,000 per month thereafter.

Through questioning about health concerns with this, Tom Maupin, Maintenance Superintendent, stated that they could maintain the area around the antenna. They had a similar situation with USA Mobile when they had an antenna in front of a vent on the New Court House,

## COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004

and they had to call them anytime they needed to service the vent. He understands that the array from this antenna would be going out through the louvers and would not be confined inside the tower. If the tower would need painting on the outside, T Mobile would need to be contacted to turn down the frequency while that work took place. He understands there would be no risk to his employees.

John stated that one issue of concern is accessibility. T Mobile wants 24 hour/7 days a week access of they will fine the county \$500/day penalty. They need to come in once a month to check on things, but need immediately access if something breaks down. They have verbally agreed to call a pager if this would happen.

Mrs. Geissman stated that her first reaction is that she doesn't like this proposal. There could be a lot of employees that feel threatened by this.

Ms. Ray suggested having Bill review the proposed agreement.

Mr. Hambley suggested getting additional information such as anything available about the array or wattage.

After review by Bill and receipt of additional information, Commissioners will review this proposal further.

Mr. Hambley noted that an updated letter has been received from the City of Brunswick regarding the Planning Commission. He has talked with Pam Miller, City of Medina, and their council is reviewing Brunswick's agreement and is inclined to do a similar agreement.

There was a brief discussion relative to "Your Medina County". Ms. Ray is scheduled for taping on Wednesday with Chris Jakab for the February program. Mrs. Geissman will do the March taping regarding the Oral Health Coalition. Mr. Hambley agreed to do the taping for April.

Ms. Ray stated that she will be doing site visits with Chris Hartman, Soil & Water Conservation District, relative to some of the concerns raised about a new inspector.

There was a brief discussion about a letter from Liverpool Township regarding reclassification of MTD property from CAUV. Joan Heller, Auditor's Office, stated that they are following up on this letter.

There was no further business before the Commissioners for discussion.

The meeting recessed at 1:50 p.m.

Commissioners reconvened the meeting at 2:00 p.m. for the public hearing on proposed Building fee increases.

Art Verdoorn, Building Official, and Vic Russell were present for this hearing.

John Stricker, Ken Hotz, and Tim VanderLaan from the Homebuilder's Association were also present.

The proposed changes to the fee schedule are attached at the end of the January 5 minutes.

Art noted that this is the second public hearing relative to raising their fees. As stated before, the base fee for a residential building permit is going from \$40 to \$50 with an increase from 5 cents to 6 cents per square foot. Plan reviews are not changing. Residential electrical is also going from \$40 to \$50 in the base fee with an increase of 3 cents to 3 ½ cents per square foot. All other base fees are increasing from \$40 to \$50. Residential heating is going from a

**COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004**

base fee of \$60 plus \$10 per additional unit to base fee of \$50 plus 1 cent per square foot and \$10 per additional unit. Add-on's for air conditioning will stay the same. The base rate for commercial building fees will be the same, \$100, with an increase from 5 cents to 6 cents per square foot. The electrical fees will be the same as residential electrical. HVAC base fees will stay the same with an increase of 1 cent to 2 cents per square foot for new construction, additions, alterations and multi-family units.

Art further stated that residential projects have increased but the size of those projects has decreased. They are going to end 2003 with 1020 permits for new homes versus 899 the previous year. Through questioning he stated that the difference in residential fees around the county for a 2500 square foot living area would be: \$987 in Brunswick (old fees), \$1350 in Medina, and \$565 under the county fees. He understands that Brunswick is increasing their fees. For a 15,000 square foot commercial building, our permit fees would be \$2950 with the State's being \$3950, Medina's \$7725, and Brunswick's \$8023. He understands they are all performing the same inspections, and our inspectors perform twice as many inspections per day.

Mr. VanderLaan stated that normally raising fees sends up a red flag, but after reviewing the fees it is felt the increases are fair. In the construction business a lot of things are outsourced to keep costs down. The proposed increases are fair and they are no making any drastic changes. The end consumer must always been remembered as they will be affected. Being able to offer affordable housing is the question that has to be asked.

There were no further comments.

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

John presented a bill from Chris Jakab for addition to this week's bill pages. This bill is for the mailing of property tax bills in the amount of \$8835. Mr. Hambley moved to add the bill to the bill pages; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

There was no further business before the Board.

Mr. Hambley moved to adjourn the meeting at 2:12 p.m.; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

**RESOLUTIONS PASSED:**

- 04-0010 REORGANIZATION RESOLUTION AND SETTING DATES OF SESSIONS FOR THE YEAR 2004
- 04-0011 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
- 04-0012 RESOLUTION COMMENDING GORDON J. SOUCEK FOR HIS YEARS OF SERVICE WITH THE MEDINA COUNTY SANITARY ENGINEERING DEPARTMENT
- 04-0013 RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO PROCEED IN CERTAIN INSTANCES BY FORCE ACCOUNT IN THE RECONSTRUCTION, IMPROVEMENT, MAINTENANCE AND REPAIR OF ROADS, BRIDGES AND CULVERTS
- 04-0014 RESOLUTION APPROVING THE FINAL PLAT FOR THE FENNWAY POINTE SUBDIVISION PHASE II LOCATED IN MEDINA TOWNSHIP, TOWNSHIP LOT 44

**COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004**

- 04-0015 RESOLUTION APPROVING THE FINAL PLAT FOR THE HARPS MILL SUBDIVISION PHASE ONE LOCATED IN LOT 68 OF SHARON TOWNSHIP, MEDINA COUNTY, OHIO
  
- 04-0016 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS...50.6871 ACRES OF LAND...SHARON TOWNSHIP...KNOWN AS HARPS MILL SUBDIVISION PHASE I SUBDIVISION; ESTABLISHING THEREBY SAID IMPROVEMENTS AS A PUBLIC WATERCOURSE
  
- 04-0017 RESOLUTION FINDING THAT PUBLIC CONVENIENCE AND WELFARE REQUIRES THE VERTICAL RE-ALIGNMENT OF FRIENDSVILLE ROAD (C.H. 350) AND REPLACEMENT OF CULVERT NO. 7 ON FRIENDSVILLE ROAD SOUTH OF BRIDGE NO. 8 IN WESTFIELD TOWNSHIP, MEDINA COUNTY, OHIO
  
- 04-0018 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE IMPROVEMENT OF FRIENDSVILLE ROAD (C.H. 35) IN WESTFIELD TOWNSHIP, MEDINA COUNTY, OHIO
  
- 04-0019 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE RIVER STYX ROAD CULVERT REPLACEMENT PACKAGE ON RIVER STYX ROAD (C.H. 49) BETWEEN H.S.H. CONSTRUCTION & EXCAVATING INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS
  
- 04-0020 RESOLUTION AMENDING THE TEMPORARY APPROPRIATION RESOLUTION
  
- 04-0021 RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VETERINARIANS FOR DOG SPAY AND NEUTER SERVICES FOR THE MEDINA COUNTY ANIMAL SHELTER
  
- 04-0022 AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE MEDINA COUNTY MR&DD BOARD FOR FAMILY FIRST COUNCIL SERVICES
  
- 04-0023 APPROVING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED FOR THE MEDINA COUNTY DRUG ABUSE COMMISSION
  
- 04-0024 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
  
- 04-0025 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE FIRST STOP FUND
  
- 04-0026 RESOLUTION AUTHORIZING THE PURCHASE OF 2,900 GALLONS OF PREMIUM UNLEADED AND 3,300 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
  
- 04-0027 RESOLUTION AUTHORIZING THE PURCHASE OF 6,500 GALLONS OF DIESEL AND 1,200 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE COUNTY HIGHWAY MAINTENANCE GARAGE
  
- 04-0028 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

**COMMISSIONERS MEETING – MONDAY, JANUARY 12, 2004**

- 04-0029            RESOLUTION APPOINTING MEMBERS TO THE MEDINA COUNTY HOUSING NETWORK
- 04-0030            RESOLUTION AUTHORIZING A CHANGE ORDER FOR MARSHALL CONSTRUCTION FOR MEDINA COUNTY BOARD OF ELECTIONS RENOVATIONS
- 04-0031            RESOLUTION AUTHORIZING A CHANGE ORDER FOR ELLIS BROTHERS ELECTRIC LTD. FOR MEDINA COUNTY BOARD OF ELECTIONS RENOVATIONS
- 04-0032            RESOLUTION DECLARING THE NECESSITY OF WATERLINE RELOCATIONS IN STATE ROUTE 57 (WADSWORTH ROAD), STATE ROUTE 162 (SHARON COPLEY ROAD), POE ROAD, HAMLIN ROAD AND HAMILTON ROAD...APPROVING DETAILED PLANS & SPECS...ADVERTISE FOR BIDS...MCSE#24-500/00-7.1.24
- 04-0033            RESOLUTION APPOINTING COUNTY COMMISSIONERS TO VARIOUS COMMITTEES AND AREAS OF DIRECT RESPONSIBILITY FOR THE YEAR 2004
- 04-0034            RESOLUTION APPOINTING MEMBERS TO THE MEDINA COUNTY ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH (ADAMH) BOARD
- 04-0035            RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 04-0036            RESOLUTION APPROVING THE PETITION FOR ANNEXATION OF 11.7402 ACRES OF LAND KNOWN AS BEING PART OF WESTFIELD TOWNSHIP TO THE VILLAGE OF CRESTON, MEDINA COUNTY, OHIO

**MEDINA COUNTY COMMISSIONERS:**

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Sharon A. Ray

Respectfully submitted,

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Patricia G. Geissman

Pamela J. Terrill, Clerk

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Stephen D. Hambley