

COMMISSIONERS' MEETING – MONDAY, JANUARY 13, 2003

Patricia G. Geissman called the meeting to order at 9:00 a.m. with Stephen D. Hambley and Sharon A Ray present.

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

There were no minutes for approval.

Mrs. Geissman read the resolution for the reorganization of the Board of Medina County Commissioners for 2003. There shall be 50 regular sessions of the Board. Monday is the regular session day, with Tuesday or Wednesday as the regular day when Monday is a legal holiday. Thursday will be an alternate meeting day as needed for special meetings or an evening meeting could be held. The meeting's regular sessions will begin at 9:00 a.m. to 11:00 a.m. and 1:30 to 4:30 p.m. Mr. Hambley will be President of the Board and Miss Ray will be Vice President. Mr. Hambley moved to approve the reorganization resolution and Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE. Mr. Hambley took over the meeting.

Doug King, Administrative Assistant in the County Engineer's Office, presented six (6) resolutions. The first one was a resolution approving the annual assessment on improvements in Lafayette Meadows Subdivision Phase III in Lafayette Township and establishing the improvements as a public watercourse.

The second resolution Doug presented was approving the final plat for Lafayette Meadows Subdivision Phase III in Lafayette Township.

The third resolution Doug presented was approving the final plat for Morning Song Farms Subdivision Phase II in Medina Township.

The fourth resolution Doug presented was approving the final plat for Western Reserve Homestead Subdivision Phase I in Granger Township.

The fifth resolution Doug presented was authorizing a change order to the contract with Maintenance Unlimited for the replacement of Bridge No. 32 on Marks Road.

The last resolution Doug presented was authorizing the County Engineer to advertise for bids for the improvement of various county roads during 2003 by resurfacing with various bituminous asphalt materials. Mrs. Geissman moved to approve the six (6) County Engineers resolutions. Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed four (4) Finance resolutions involving fund transfers; authorizing financial participation with the City of Brunswick for 2003 and payment of MCDAC funds; awarding the bid for Adult Probation Department for oral drug testing supplies; and approving the submission of a Title II grant application requiring no local match to the Ohio Department of Youth Services. Chris explained that the resolution for Adult Probation was a bid package he and Veronica Perry put together to decrease the costs for operational expenses. They previously used Integrity Verifications, whereby the Probationers went to another site. This will allow the Adult Probation Department to administer the drug test on site and send it out for results within 48 hours. The cost will be \$7.50 per test. This should save approximately \$30,000 annually. The final resolution Chris presented was the weekly bills totaling \$671,592.10. Mrs. Geissman moved to approve the four (4) Finance resolutions and pay the weekly bills. Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resource Director, presented and reviewed the personnel resolution. This week's resolution included new hires, promotions, rate changes, a fund change, a fund distribution change, resignations, a retirement, and a person taking family medical leave.

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Gary pointed out a change in the date for the Child Support Enforcement Agency collective bargaining unit pay rates being effective 12/22/2002 instead of 1/6/2003 as reported last week. Mrs. Geissman moved to approve the personnel changes and Miss Ray seconded the motion. Mr. Hambley noted to the press that Mr. Stricker has copies of the newly hired MCDAC Director, Karl Cetina's resume and other information regarding him. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Gary also presented a resolution approving personnel changes for the employees of the Medina County Job and Family Services Agency according to the contractual agreement with the Teamsters Local #293. There are two (2) employees in Department 4100 and 35 in Department 4103. Mrs. Geissman moved to approve the resolution and Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, had no resolutions today.

Ken Hotz, Sanitary Engineer, presented a resolution to authorize the Sanitary Engineer to obtain easements for a waterline improvement project that had already been bid for the Buffham Road, S.R. 3, Lake Road, and Poe Road Waterline Project. Mrs. Geissman moved to approve the resolution. Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

The next resolution Ken presented was to accept and award bids for two (2) semi-tractors to be used by the Solid Waste District. The low bidder was Midway Truck Center at \$79,980 each, was accepted. It is the ongoing replacement of two tractor-trailers every year. Mrs. Geissman moved to approve the resolution and Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution to authorize the purchase of a skid steer loader through State Purchasing for the Solid Waste District. 2/3 of this will be paid for by funds received from an Ohio Department of Natural Resources (ODNR) grant and 1/3 by the District. Mrs. Geissman moved to authorize the purchase and Miss Ray seconded the motion. The total cost for the skid steer loader is \$42,000 and it will be purchased from Southeastern Equipment Company, Inc. There was no discussion. Roll Call showed all Commissioners voting AYE.

The last resolution that Ken presented was to authorize the Sanitary Engineer to obtain easements for the Whitetail Crossings/Poe Road Waterline Improvement Project in Montville Township. Mrs. Geissman moved to approve the resolution and it was seconded by Miss Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Debra Radecky, Office for Older Adults Director, gave her monthly report. She said that they distributed 219 Home Delivered Meals and there is no waiting list. They have hired a new caterer out of Youngstown for this task. Although the meals are better, it takes a while to get here so they have a new process they follow. The Senior Citizens had a great Christmas week. They collected canned goods and socks for the Battered Women's Shelter. Senior Net, the computer-training center, has pulled out due to lack of participation. Some upcoming events are a program called "The Joys of Stress" on January 17th at Medina General Hospital; a drug company is doing a presentation on January 24th; there will be a Fire Safety Program by the Medina Fire Department on January 31st; Keypro is doing a presentation on February 7th; and the upcoming trip is to Malley's Chocolates. In conclusion, Debra said that she and Steve Hambley have been working on the Needs Assessment Study and they have received the raw data they requested. They want to run some cross tabs to gain more information.

Mrs. Geissman commented that she had reviewed the study and was confused about how to analyze the data. It did not give her any surprises.

Debra said that they would like to know things like how many people need financial help and how many people are living in their homes. She thinks there is more information to be pulled from the data to give them more details on the needs of Senior Citizens in Medina County.

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Mr. Hambley presented the resolution appointing the Commissioners to various committees and areas of direct responsibility for the year 2003. Mrs. Geissman moved to approve the resolution and Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

The Assistant Clerk read the expenses of county officials. Mrs. Geissman moved to approve the expenses. Miss Ray seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley opened the floor to Public Comment and there was none.

Mrs. Geissman asked if the two young ladies in the audience were visiting from school and Joan Heller introduced two new employees from the Auditor's Office, Stephanie Norris and Barbara Kewish.

Mr. Hambley announced that there would be a Discussion Session at 1:30 p.m. today, followed by an Executive Session to discuss pending litigation. Commissioners' Budget Hearings are scheduled for 9:00 a.m. this Tuesday, Wednesday, and Thursday. The next Commissioners' meeting will be held on Tuesday, January 21, 2003 because Monday is Martin Luther King Day. Commissioners recessed the meeting at 9:20 a.m.

Commissioners reconvened the meeting at 1:30 p.m. for Discussion Session.

Mr. Hambley asked Dave Miller to explain road maintenance agreements between the county and other jurisdictions. This issue came up at the 329.8952-acre Wadsworth Township to the City of Wadsworth annexation hearing last week.

Dave Miller, County Engineer, said that they do not have any road maintenance agreements between the county and the state. The road is either in the city or in the county. The state maintains the road if it is in the unincorporated areas. The county has maintenance agreements with all of the municipalities but one – Strongsville, where half of Boston Road is in Strongsville and half in Medina County. The Mayor will not sign an agreement but they have an arrangement that seems to work without an actual signed agreement. Dave explained that a maintenance agreement divides up where there is joint jurisdiction and it is based on miles. The county will do all of one road and the municipality will do equal miles on all of another road someplace. This is for general maintenance and if major improvements are required, the costs are shared.

Dave said that the County Engineers just formalized a new agreement with the City of Wadsworth on November 25, 2002. He does not know what agreement Wadsworth has with the state but guessed that it would be similar to the county agreement. He pointed out on the map the split jurisdictions discussed at last week's hearing. Maintenance people get together and figure out what is easiest for both parties and there might be one or two problem areas to be worked out. If the county maintains the road they issue the permits on both sides of the road. Wadsworth is different in that they want to control the permits.

Bill Thorne, Assistant County Prosecutor, asked Dave if they run into maintenance problems if there are no agreements.

Dave said they could conceivably have an operational problem and it has been known to happen before with paving disputes. The biggest problem with split jurisdiction is with speed limits. The city could post the speed limit at whatever they want if the land is annexed to it. ODOT has recently agreed though, that if the city is in compliance with their manual, the state would reduce the speed limit. This has not passed the legislature yet.

Mr. Hambley said that the state would usually do paving and assess the city for the cost of their share of the mileage of pavement.

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Dave said that the state has in the past just gone ahead and paved the road at their expense when they were flush. The county's agreement with municipalities for chip and seal paving is that it is the job of whoever maintains it. He said the cost is split if something more than an overlay is needed, such as replacing a culvert.

Mrs. Geissman asked if there would be anything different with the Wadsworth annexation than they have already experienced in several other locations in the county.

Dave said it would be the same but the only thing he could not answer was how formal the municipality and the state are on their agreements. As far as the county goes, they would just need an amendment to their current agreement with Wadsworth.

Mrs. Geissman was pleased to announce that the Sheriff received a \$36,221 check for their DARE Program.

Mrs. Geissman brought back information from the conference she attended in Washington, D.C. last week. A Pentagon spokesperson from NBC News and again at a White House briefing said that the United States is going into war, probably sometime between February 15th and March 1st. They indicated that North Korea is as big of a problem as Iraq. They expect terrorism to occur in the United States when war breaks out. She said that she left the conference feeling very uneasy because they said the President couldn't back down.

Nancy Girton, Auditor's Office, asked if the county has arrangements made with the Sheriff's Department.

Mrs. Geissman said Homeland Security would be in contact with the states and the states will work with the counties. There is a lot of information that could not be shared. Pat expressed concern for all the young people in all of the countries that will be involved.

Miss Ray asked if Buck Adams, Emergency Management Director, is in charge of organizing the volunteers to administer the small pox vaccinations.

Mr. Hambley said that the Health Department is in charge of vaccines. He suggested she ask Pat Stevens about it when she comes in for Budget Hearings on Wednesday. They have been given the supplies to do the inoculation. The ongoing cost will have to be absorbed by the Health Department but they will get some funding this time.

Mrs. Geissman said that there also is concern about a small percentage of the population that will get small pox from the inoculation and die from it. There is also another biological threat that is even worse than small pox that can cause death within 48 hours. She said we are living in a scary world right now.

Miss Ray asked if the Health Department has talked about how they will get enough volunteers to administer the small pox vaccines.

Mr. Hambley said that they are already working on the procedure with Buck Adams and law enforcement.

Miss Ray asked Bill Thorne if only information presented during the public hearing could be considered under the new annexation laws.

Bill said that is when all of the evidence is supposed to come out.

Mr. Hambley said that is in terms of the facts they are to base their decisions upon. They can go to a law book to get general knowledge and understanding of the law at any time.

Mrs. Geissman asked about being able to consider something that could make a difference that they hear right after the hearing that they never thought to ask about since this is new unfamiliar law.

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Mr. Hambley said they could not consider it because the other side would not be able to refute the information.

Bill Thorne said they could probably reopen the hearing publicly to allow more information and he would look into it and they would have to stay within the original thirty days. You could consider the interpretation of the law and you can contact the Prosecutor's Office for assistance in the legal aspects such as the definition of unreasonably large. The analysis of the facts is up to the Commissioners.

Mr. Hambley asked if Commissioners could utilize the general information that Dave Miller brought in today regarding maintenance agreements or how annexations work elsewhere.

Bill said that they could use that general information in making their decision.

Mrs. Geissman asked Dave Miller to research the creation of an island by annexation. It was unclear in the map provided at the hearing.

Bill said that Dave Miller pointed out to him that there would be a creation of an island that was not reflected in the documents they had at the hearing because they did not have a large enough blowup.

Dave pointed the area out on a county map.

Bill said that the township is cut off from other township property.

Mrs. Geissman asked what hardship that island would cause the township.

Bill said it is called a service problem because it causes a delay factor.

Dave said it should not be a problem in this case because the fire and rescue squads are the same and there is not local police department. The road maintenance should not cause a problem either.

Mr. Hambley said that the other issues they had were the "unreasonably large" definition and the balance of good and detriment to the rest of the township.

Miss Ray said that the Joint Economic Development (JED) agreement that was presented at the hearing said the entire property for which the JED was proposed is for industrial or commercial. She found it confusing because most of the property being considered is in a residential district according to the staff report so a JED would not be appropriate.

Mr. Hambley agreed that it is mostly residentially zoned with some commercial land around the interstate.

Mrs. Geissman suggested that the Board schedule a work session in two weeks since the minutes from the annexation hearing were not done and that would give them time to gather all of the information and review it. Miss Ray and Mr. Hambley concurred that a work session would be held on January 27th.

Mr. Hotz asked for and was given permission to use 25 tables from the Community Center for the Earth Day Celebration.

Mrs. Geissman reported on a new project she has been working on with Helping Hands to bring farmers and Senior Citizens together for a Farmers' Market. It would promote healthy diets for seniors as well as income for local farmers.

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Mr. Hotz announced that 18,553 people have visited our Medina County Central Processing Facility (CPF) since in opened. They have plans to open the Liverpool Wastewater Treatment Plant for tours as well.

At 2:10 p.m. the Commissioners recessed into Executive Session to discuss pending litigation.

On a motion by Mrs. Geissman and a second by Miss Ray, the meeting was adjourned at 2:40 p.m. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTION PASSED:

03-0018 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

03-0019 REORGANIZATION RESOLUTION AND SETTING DATES OF SESSIONS FOR THE YEAR 2003

03-0020 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF SECTION 6131.63 OHIO REVISED CODE ON APPROXIMATELY 14.2955 ACRES IN TRACT NO. 2, LAFAYETTE MEADOWS SUBDIVISION PHASE III AND ESTABLISHING SAID IMPROVEMENTS A PUBLIC

03-0021 RESOLUTION APPROVING THE FINAL PLAT FOR THE LAFAYETTE MEADOWS SUBDIVISION PHASE III LOCATED IN LAFAYETTE TOWNSHIP, TRACT NO. 2, LOTS 13 AND 16

03-0022 RESOLUTION APPROVING THE FINAL PLAT FOR THE MORNING SONG FARMS SUBDIVISION PHASE II LOCATED IN LOTS 27 AND 28 OF MEDINA TOWNSHIP

03-0023 RESOLUTION APPROVING THE FINAL PLAT FOR THE WESTERN RESERVE HOMESTEAD SUBDIVISION PHASE I LOCATED IN LOT 30 OF GRANGER TOWNSHIP

03-0024 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE REPLACEMENT OF BRIDGE NO. 32 ON MARKS ROAD (C.H. 22) BETWEEN MAINTENANCE UNLIMITED AND THE MEDINA COUNTY BOARD OF COMMISSIONERS

03-0025 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE IMPROVEMENT OF VARIOUS COUNTY ROADS DURING 2003 BY RESURFACING WITH VARIOUS BITUMINOUS ASPHALT MATERIALS

03-0026 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT FUND TO THE PROSECUTOR TITLE IV-D FUND

03-0027 AUTHORIZING FINANCIAL PARTICIPATION WITH THE CITY OF BRUNSWICK FOR 2003 AND PAYMENT OF MCDAC FUNDS

03-0028 RESOLUTION ACCEPTING AND AWARING BIDS FOR THE MEDINA COUNTY ADULT PROBATION DEPARTMENT FOR ORAL DRUG TESTING SUPPLIES

03-0029 APPROVING THE SUBMISSION OF A TITLE II GRANT APPLICATION TO THE OHIO DEPARTMENT OF YOUTH SERVICES

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03-0030 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

03-0031 RESOLUTION APPROVING PERSONNEL CHANGES FOR EMPLOYEES OF THE MEDINA COUNTY JOB AND FAMILY SERVICE AGENCY

03-0032 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS WATER LINE IMPROVEMENT PROJECTS

03-0033 RESOLUTION ACCEPTING AND AWARDED BIDS FOR TWO (2) 2003 SEMI-TRACTORS TO BE UTILIZED BY THE MEDINA COUNTY SOLID WASTE DISTRICT

03-0034 RESOLUTION AUTHORIZING THE SANITARY ENGINEERING DEPARTMENT TO PURCHASE A SKID LOADER THROUGH STATE PURCHASING FOR THE MEDINA COUNTY SANITARY ENGINEERING DEPARTMENT SOLID WASTE DISTRICT

03-0035 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS

03-0036 RESOLUTION APPOINTING COUNTY COMMISSIONERS TO VARIOUS COMMITTEES AND AREAS OF DIRECT RESPONSIBILITY FOR THE YEAR 2003

03-0037 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Sharon A. Ray

Patricia G. Geissman

Respectfully submitted,

Pamela M. Vereb, Asst. Clerk