

COMMISSIONERS MEETING – TUESDAY, JANUARY 21, 2003

Stephen D. Hambley called the meeting to order at 9:00 a.m. with 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 13 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.

Doug King, Administrative Assistant in the County Engineer's Office, presented 5 resolutions approving the annual assessments and establishing a public watercourse for Lexington Ridge Subdivision Phase V in Montville Township, approving final plats in Montville Township for Montville Lakes Subdivision Phase 3A, Lexington Ridge Subdivision Phase V and Brook Hollow Preserve Subdivision Phase 2, and approving the Annual County Highway System Report prepared by ODOT. Mrs. Geissman moved to approve the 5 resolutions. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug presented the Highway System Report for signatures.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed 6 resolutions involving various transfers, purchasing fuel for the Engineering Center from Weaver Oil, approving a Revolving Loan to Pro-V Management, and the weekly bills in the amount of \$1,201,409.57. The revolving loan is a 4-year loan at 3% for \$90,000. The Revolving Loan Fund Review Committee approved this last week. The company will be making a total investment of \$500,000. The balance in the loan fund is \$160,000 before approval of this loan. Mrs. Geissman moved to approve the 6 resolutions. Seconded by Ms. Ray. 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 Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary introduced Holly Muren the new H.R. Assistant. Today is her first day.

John Stricker, County Administrator, presented a resolution entering into a lease agreement with Congressman Ralph Regula for office space. This is for the space that used to be used by Congressman Sherrod Brown in the Professional Building. The same rates are being used for this lease. Mrs. Geissman moved to approve the agreement. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing an agreement for the Erhart, Egypt, Coon Club, Carsten & Stone Road waterline project with the Ohio Water Development Authority (OWDA). This is for connection to the Chatham tank. Mrs. Geissman moved to approve the agreement. Seconded by Ms. Ray.

Mr. Hambley noted that due to the Continental Divide some homes in the area cannot be served by this. As part of the Trustees first regular meeting of February, there will be a discussion with the Trustees and citizens to review what our plans are for service for the general area.

There was no further discussion.

Roll Call on the motion and second to approve the agreement with OWDA showed all Commissioners voting AYE.

Ken presented a resolution authorizing release of the escrow account of Mark Schaffer Excavating for the Weymouth Road waterline project that fills the new Granger tank. Mrs.

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Geissman moved to authorize the release. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing release of the escrow account of Underground Utilities Inc. for the Ledge/Ridge Road waterline project that services the Highland Schools. Mrs. Geissman moved to authorize the release. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution declaring the necessity for the construction of the Foskett, Station & Beck Road waterline project and authorizing the advertisement for bids. The line will fill in an area that is not currently served and petitions have been received. Mrs. Geissman moved to declare the necessity for construction. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution amending the sewer use charges for the County Sewer District. This was brought up in the budget hearing last week. The rates were last changed in 1999. This is a 2% increase and will keep us in line with the consumer price index and make sure we have a sufficient balance. Mrs. Geissman moved to approve the amendments. Seconded by Ms. Ray.

Mrs. Geissman noted that this is done in 50-cent increments every couple of years and our cost is still very low.

Ken added that within the Lake Erie Watershed area we are the lowest at \$25/month with charges going up to \$45 in other areas.

Mr. Hambley stated that a rate comparison sheet can be provided to anyone interested.

There was no further discussion.

Roll Call on the motion and second to approve the amendments to sewer use charges showed all Commissioners voting AYE.

Ken presented a resolution establishing an interest rate for water and sanitary sewer connection fees financed by the Sanitary Engineering Department. This will be for homes tying into the county system and only for those existing homes on the streets. This will be a reduced rate and be based on the OWDA rates that we receive. Existing homes tying in can finance their connections for 5 years. Mrs. Geissman moved to approve establishing an interest rate. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mike Pataky, Child Support Enforcement Agency Director, stated that they are working on implementing a new State form for “National Medical Support”. They will be receiving training this Friday. This form will be used to be sure that those divorcing and giving support also carry medical support. This will be a standardized form used to provide employers and insurance providers with more complete information to make sure children are properly covered by medical insurance. This is required now, but use of the form should tighten up that requirement.

Patrice Theken, Department of Planning Services Director, stated that the Planning Commission had their first meeting of the New Year on January 8. Lynda Bowers was elected President. In February the Commission will be reviewing the policies and procedures and hopefully re-adopting those. Their first zoning workshop was held on January 6. They will be holding a workshop on comprehensive planning on the 23rd and the next zoning workshop will be on February 20 with a review by the Prosecutor of ethics and conflicts of interest.

Mr. Hambley noted that he attended the workshop last week and the Prosecutor and Planning Commission staff did a very good job. He noted that they had a full room for the workshop.

John Jones, Transportation Services Director, reviewed the December and part of the year-end statistics. The final year-end report will be ready soon and he will make sure

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Commissioners receive a copy. For the year-end, he noted that the ridership for the “L” was up 18.7%, and up 22.5% for the Homerville Circulator, 16.34% for the demand response, and 25.77% for the Southwest Circulator. They ended the year with ridership at 113,755, which is an increase from 2001 that ended with 94,456. The Southwest Circulator, which started this year, had almost 2800 riders. The number of vehicle miles was up 11.4% over 2001 along with the demand response service hours being up 15%. The trip denial rate was down 63.5%. They had 2 more vehicle accidents in 2002 than in 2001, and the vehicle miles per 100,000 miles were up from 1.43 to 1.58. They had no passenger accidents for the year and they had 64 customer complaints, which was an increase of 18.7%. On time performance for the year was at 95.7%. The number of vehicle breakdowns increased 60%, and a lot of this is due to running the older vehicles too much, plus the transmission problems they had with Ford. They will have 6 new vehicles this year. The breakdowns per 100,000 miles went from 1.61 to 3.64. They had a lot of air conditioning repairs during the heat of the summer and a significant amount of transmission problems, which Ford is still denying. He had a meeting with Medina to discuss plans for the “L”, which is receiving a 50% cut from the City. There will be a meeting on February 3 to discuss changes to the “L” with the public.

Mr. Hambley presented a resolution commending Joseph Alexander Demczyk on earning the Eagle Scout Award. Mrs. Geissman moved to approve the commendation. 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.

Commissioners reviewed a liquor permit notice for a D5I for Restaurant Concepts & Development DBA Steve’s Dakota Grill in Medina Township. No comments or concerns have been received in the office.

The meeting was opened for public comment.

Frank Ehrman, York Township Trustee, stated that he’d read questions were raised about spraying for the West Nile virus. This came up in the March Health Advisory meeting that there is no money to fund this. Colene Conley got a committee going and received quotes on spraying, etc. His veterinarian told him that there were so many horse cases last year that he quit posting them. He reviewed various articles about horses, etc, and that the first Ohio death from the virus was in August. He received a flyer, “Facts About the West Nile Virus” from the OSU Extension. At first they said it was affecting just blue jays and crows but he has noticed a decline in the number of other songbirds as well. When planning for spraying it needs to be kept in mind that the Sierra Club is suing Cuyahoga County for spraying. York Township is willing to chip in to help fund a program in the county, but mosquitoes travel 3-4 miles so it doesn’t make sense for them to spray if the adjoining townships aren’t spraying. If we have a wet spring and summer there could be mosquito problems anywhere in the county, but Chippewa Lake will probably be a bad area. Some counties are more prone to have the virus than others.

Mr. Hambley stated that the Health Department said they would be holding a meeting with local officials about the options and costs. There may be a way to use county vehicles to get the program up and going. A long-term program would be clearly defined as evidence mounts about the extent. They basically talked about studies that say how quickly the virus spreads to other species. There is a concern to get some type of program going.

Mr. Ehrman stated that he saw on TV last summer about them going down the streets of Brooklyn and that the spray doesn’t get to the back of lots. It really does need to be researched to determine which program would be more effective. He saw an ad yesterday for \$1200. This will be an interesting problem next year.

Mr. Hambley announced that there is a public hearing on the \$5 license tax and RPTT. These are not new taxes and the hearing are not required, however, it was agreed years ago that hearings would be set up to report the use of the funds to the public. He also noted that a MCDAC meeting being held this evening was missed on the agenda. They will be reviewing their strategic plan tonight and on the 22nd. The discussion session is set for 1:50 p.m.

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Commissioners recessed the meeting at 9:31 a.m.

Commissioners reconvened the meeting at 1:30 p.m. for the public hearing on the \$5 license tax.

An attendance sheet for this hearing and the RPTT hearing is attached as Exhibit A.

Dave Miller, County Engineer, stated that in the 1980's 2 \$5 permissive taxes were passed. Dave stated that the first \$5 goes half to the municipalities and half to the county. With the second \$5, if the registration is a municipality, the county gets the whole \$5; and, if it is in the township, the township gets $\frac{3}{4}$ and the county gets $\frac{1}{4}$. The money is used for culverts, bridges and roads, and will be used the same next year. The new vehicle audit shows there will be about 4,000 more vehicles registered in the townships next year.

Mr. Hambley noted that some township residents had accidentally paid into municipalities and he asked if there is any chance of those residents getting refunds.

Dave stated that there is nothing in the legislature for refunds. The BMV is responsible for collecting and paying those permissive taxes to the local entities. It appears it would cost more to reimburse those than was collected. Because of the new vehicle audit and township residents won't be paying into the municipalities, residents next year will save \$27,000. The townships, except Homer, will receive around \$21,000 in revenue and the county will receive \$27,000. Due to the vehicle audit and the erroneous payments that were made to municipalities, they will lose around \$75,000. It was noted that Medina City was hit the hardest with a loss of about \$39,000.

Mr. Hambley noted that, as stated earlier today, these are not new taxes and the purpose of the hearing is for public information.

There were no further comments.

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

Mr. Hambley noted that a letter was received asking about the county's participation on March 3rd in Chillicothe for Ohio's birthday celebration. They are asking for a large birthday card from the county for display as well as whether there will be a delegation to carry in the county's flag.

Mrs. Geissman will be at a NACo conference and Mr. Hambley has already committed to events in Brunswick. Ms. Ray will look into going as the county's delegate. Mr. Hambley noted that that response will need to be made soon.

At 1:40 p.m. the hearing for the Real Property Transfer Tax (RPTT) was convened.

Dave noted that this tax was passed in 1979 and has been used for the county map office upgrades and to help other departments related to property transfers. Last year there were software equipment upgrades and a contract was entered for contouring maps of the county. Contours were completed on 3 townships, Hinckley, Brunswick Hills and Liverpool. There are also plans to start land use overlays and a process with Soil & Water Conservation for soil mapping. The contouring will continue in this next year at approximately \$80,000. Remodeling of the map office, redoing the ramp at the archives, the land use overlays, and scanning the Recorder's documents are also planned for the year. The Recorder has changed software and now tied into the county backbone, which makes their records available to the public over the county's system.

Mr. Hambley asked if this will be the actual records and not just the Recorder's index.

Dave stated it will be.

Mrs. Geissman noted that in the past \$1 of this tax was used for the jail and $\frac{1}{2}$ dollar was used for the Transportation Improvement District (TID), and asked if this will continue.

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Dave stated that those were taken into consideration and that \$1 should take care of the mapping office. This is done at the Board's discretion.

Mr. Hambley noted that the land use coding shows the distinction between wooded and evergreen wooded and this should make us one of the first counties to have that type of information available.

Dave stated that is true except for some of the metro counties.

There were no further comments.

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

Commissioners recessed to the conference room for the discussion session.

Mr. Hambley introduced Karl Cetina, MCDAC's new Director and everyone in the room introduced themselves.

Mr. Hambley noted that Karl had prescheduled events this morning and is starting this afternoon and will be attending the strategic planning for MCDAC tonight.

Mr. Hambley noted that the Planning Department has a request for an intern and Judge Mary Kovack has requested an investigator position. Decisions on these positions need to be made. The Planning intern's semester in college has started and the cost is \$2500. This has been done every year with RPTT money. He asked if this can be done again this year.

Chris Jakab stated that the actual cost is \$2300 and the RPTT funds can be used again.

Commissioners agreed to allow for the intern position.

Regarding Judge Kovack's investigator position, the judge has someone in mind for the position. Chris stated that it is a \$35,000 position plus fringes making a total of \$50,000. Judge Kovack feels this is the "final piece" needed in staffing. The position is to offset the hiring of guardian ad litem that do background work.

Ms. Ray noted that Judge Kovack said there is an employee that is getting a pay adjustment that will help pay for this position.

Mrs. Geissman understands that the employee's salary is going from \$35,000 to \$27,000.

Chris added that the judge also talked some revenue income. He's not sure what the costs are involving appointing a guardian ad litem.

Commissioners agreed to allow for the investigator position as long as the court is making other adjustments.

Ms. Ray will let Judge Kovack know about the approval of the investigator position, and Mr. Hambley will notify Patrice Theken, Planning Services Director, know about the approval of their intern position.

Chris asked if the Planning intern is to be paid out of RPTT.

Commissioners agreed that is how they want the intern paid, as the intern helps with zoning maps that used to be done by the Engineer's Office. The townships need continual assistance with these and there haven't been any problems doing this in the past.

Chris will let Dave Miller know that this will be done.

Ms. Ray asked about perimeters for next week's discussion session on the Wadsworth annexation request.

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Mr. Hambley will be meeting later this afternoon with Bill Thorne, Assistant Prosecutor, to review criteria such as general good and to go through the checklists in order for everything needed to indicate the findings of facts. There is no case law under the new laws, and unreasonably large and the good of the property to be annexed is the same as it was under the old annexation laws. The new item to review is the good of the surrounding territory.

Ms. Ray asked if there is any update on the watermain break in front of the courthouses.

Ken Hotz stated that the City is digging, and John Stricker noted that there has not been a request to turn off the water to the courthouses.

Ms. Ray asked about the letter John received regarding the coroner.

John stated that Medina General Hospital needs improvements in the morgue and they have asked for help from the county for those improvements. Under the law we are to provide money to the coroner, and most autopsies are done through Cuyahoga County. Through questioning he stated that the county did not assist with improvements 10 years ago, but that the hospital built fees into what they charge the coroner for use of the morgue. He suggested that the coroner should be asked about this as well.

There was a brief discussion about touring the facility to get an idea of the improvements that are needed. John Stricker will contact Gary Hallman at the hospital to set something up.

Chris will put together some financial information and the number of coroner cases that go through the hospital's morgue.

Ken stated that to alleviate problems at Medina City's swimming pool the school has agreed to pay for a gravity line of about 1700 feet to the main trunk line. They will be going out for bids next week. The estimated cost is \$50,000 to \$60,000.

Ken presented the annual report for the Solid Waste District. The Central Processing Facility (CPF) processed 127,000 tons of waste in 2002. This is an increase of 2.4% over 2001. They diverted 18% from landfills. The total compost for the year was 7,488 tons and the total yard waste was 22,800 cubic yards. A total of 13,537 tons of recyclable were shipped from the CPF, and they had 3,291 tons collected at the drop-off area. Since the CPF opened they've had 18,553 visitors and had visitors from 26 countries.

There was no further business before the Board for discussion.

At 2:11 p.m. Mrs. Geissman moved to recess into Executive Session to discuss personnel/discipline. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 2:45 p.m. Mrs. Geissman moved to adjourn the meeting. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

03-0038 RESOLUTION COMMENDING JOSEPH ALEXANDER DEMCZYK ON EARNING THE EAGLE SCOUT AWARD

03-0039 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

03-0040 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED...19.3488 ACRES OF LAND IN LOTS 29 & 30 OF MONTVILLE TOWNSHIP KNOWN AS LEXINGTON RIDGE SUBDIVISION PHASE V AND ESTABLISHING THEREBY SAID IMPROVEMENTS AS A PUBLIC WATERCOURSE

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- 03-0041 RESOLUTION APPROVING THE FINAL PLAT FOR THE MONTVILLE LAKES SUBDIVISION PHASE 3A LOCATED IN MONTVILLE TOWNSHIP LOTS 83, 84, 89, 90 AND 103
- 03-0042 RESOLUTION APPROVING THE FINAL PLAT FOR THE LEXINGTON RIDGE SUBDIVISION PHASE V LOCATED IN MONTVILLE TOWNSHIP LOTS 29 AND 30
- 03-0043 RESOLUTION APPROVING THE FINAL PLAT FOR BROOK HOLLOW PRESERVE SUBDIVISION PHASE 2, MEDINA COUNTY, OHIO
- 03-0044 RESOLUTION APPROVING THE ANNUAL COUNTY HIGHWAY SYSTEM REPORT PREPARED BY THE OHIO DEPARTMENT OF TRANSPORTATION
- 03-0045 TRANSFER OF COUNTY GENERAL FUNDS TO THE COUNTY DIVERSION PROGRAM
- 03-0046 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE FIRST STOP FUND
- 03-0047 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 03-0048 RESOLUTION AUTHORIZING THE PURCHASE OF 3,700 GALLONS OF PREMIUM UNLEADED AND 4,300 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 03-0049 RESOLUTION APPROVING A REVOLVING LOAN TO PRO-V MANAGEMENT
- 03-0050 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 03-0051 RESOLUTION ENTERING INTO A LEASE AGREEMENT WITH CONGRESSMAN RALPH REGULA FOR OFFICE SPACE
- 03-0052 RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT FOR THE ERHART, EGYPT, COON CLUB, CARSTEN & STONE ROAD WATERLINE PROJECT AND THE OHIO WATER DEVELOPMENT AUTHORITY
- 03-0053 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF MARK SCHAFFER EXCAVATING & TRUCKING FOR THE WEYMOUTH ROAD WATERLINE PROJECT MCSE#W-500/00-7.1.19.3A
- 03-0054 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF UNDERGROUND UTILITIES INC FOR THE LEDGE/RIDGE ROAD WATERLINE PROJECT MCSE#W-500/00-7.1.19.2
- 03-0055 RESOLUTION DECLARING THE NECESSITY FOR THE CONSTRUCTION OF THE FOSKETT, STATION & BECK ROAD WATERLINE PROJECT AND AUTHORIZING THE SANITARY ENGINEER TO COMMENCE ADVERTISING FOR CONSTRUCTION BIDS #W-500/00-5.1.57
- 03-0056 RESOLUTION AMENDING THE SEWER USAGE CHARGES FOR THE MEDINA COUNTY SEWER DISTRICT
- 03-0057 RESOLUTION ESTABLISHING AN INTEREST RATE TO BE ASSIGNED TO WATER AND SANITARY SEWER CONNECTION FEES FINANCED BY THE SANITARY ENGINEER'S OFFICE
- 03-0058 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

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MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Respectfully submitted,

Sharon A. Ray

Pamela J. Terrill, Clerk

Patricia G. Geissman