

## COMMISSIONERS MEETING – MONDAY, JULY 1, 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 June 24 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 and reviewed 5 resolutions involving closing a section of Friendsville Road this week for roadway repairs, authorizing the advertisements for bids for the extension of Bridge No. 17 on West 130<sup>th</sup> Street, replacement of Bridge No. 32 on Marks Road, and replacement of Bridge No. 3 on Westfield Road, and requesting ODOT to determine a safe speed limit on C.H. 42, Grafton Road, between the Lorain County Line and S.R. 252. Mr. Bahr moved to approve the 5 resolutions. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug presented a letter and information asking that Commissioners make a request to the Prosecutor Office to take action in accordance with Section 1.6 of the Medina County Stormwater Management and Sediment Control Rules and Regulations and Ohio Revised Code Section 307.79. They have reached an impasse with the developer regarding stormwater management and sediment control. Commissioners agreed to send a letter to the Prosecutor.

Commissioners reviewed the weekly permits list.

Dave Miller, County Engineer, noted that he will be at the building approximately 10:20 to pick up Commissioners for the public viewing on Fenn Road.

Chris Jakab, Finance Director, presented and reviewed 15 resolutions involving amending the annual appropriations, creation of the Drug Task Force FY 02 Fund, creation of the Felony Delinquent Care and Custody FY03 Fund, creation of the Workforce Development PY02 Fund, creation of a Community Corrections Act Intensive Supervision Probation/Home Arrest Program Grant Fund FY03, creation of a Community Corrections Act Intensive Supervision Probation Grant Fund for Adult Probation for FY03, creation of a Family First Council Help Me Grow FY03 Grant Program Fund, various transfers, purchasing fuel for the Engineering Center from Weaver Oil, approving an agreement for Information & Referral Services between Family First Council and Catholic Charities Services, approving an agreement with the Medina County Historical Society, approving submission of an FY 2002 Community Oriented Policing Services grant application, appointing members to the Medina County Revolving Loan Fund Committee, and the weekly bills in the amount of \$750,647.67.

The 6 funds being created are for renewal funding for the various programs. The agreement for Information & Referral Services is a renewal starting July 1 for the Lodi Resource Center. The agreement with the Historical Society is for the distribution of the recently completed history video. The application for Community Oriented Policing Services is for \$25,000 per year for 3 years in order for the Sheriff to add one additional officer. The Revolving Loan Fund (RLF) Committee appointments are for 2 years. There are RLF applications coming in and this updates the committee appointments, which represent what the bylaws call for in representation.

Mr. Bahr moved to approve the 15 Finance resolutions. Seconded by Mr. Hambley. There was no discussion. Roll Call 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.

John Stricker, County Administrator, presented a resolution to submit application for funding under the Small Cities Community Development Block Grant Program for FY 2002. This is for funding for 1) Transit for a fare subsidy, 2) Office for Older Adults for equipment, 3)

## COMMISSIONERS MEETING – MONDAY, JULY 1, 2002

Transit for one-time matching funds for the purchase of 6 buses, 4) ADAMH Board for housing construction matching funds for state funding 11 units of intensive supported housing. Mr. Bahr moved to approve the submission. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, had no resolutions or report today.

Joyce Farnsworth, County Home Administrator, stated that they have 2 new residents and hired 2 new employees. They now have 49 residents. They are just trying to keep cool.

Dr. Ross Santamaria, Diversion & Forensic Services Director, stated that fees are above projections. He plans to present a recommendation for malpractice insurance with an agency from New Jersey. The information has been given to Bill Thorne, Assistant Prosecutor, for review and he understands Bill will review this with Commissioners later today. The insurance agency specializes in people dealing with mental health services so the liability went down. They will have a “claims made” policy that means separate prior acts coverage is not necessary, as they will cover any claims made for prior services. The new policy has to be in affect by August 1.

Kathy Yuzwa, MCDAC Director, presented a resolution approving the MCDAC grant funding for FY 2002-2003. This is for the City of Wadsworth MEDWAY program and it is the last grant being brought to the Commissioners for approval. Mr. Bahr moved to approve the funding. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman presented and reviewed a resolution establishing a Medina County Railroad Safety Task Force to promote safer railroad crossings in Medina County. It is projected that this will take about a year. She will chair the Task Force, and those being appointed include Medina City Service Director Nino Piccoli, Wadsworth Mayor Caesar Carrino, Township representative Frank Ehrman, Sheriff Neil Hassinger, State Highway Patrol Lt. Cory Davies, EMA Director Buck Adams, County Engineer Dave Miller or representative Mark Hartman, County Schools Superintendent Will Koran, and Citizens at Large Lenny Conetsco, Lee Geissman and David Riffer. Mr. Bahr moved to approve establishing the Task Force and making the appointments. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed a liquor permit notice of transfer from Fatties Bar & Grill to Jammins in Hinckley Township. No comments have been received in the office.

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.

Kathy McFarland, Louise McMorris, and Jami Wickline, Child Support Enforcement Agency employees, were present. Ms. McFarland read a letter from Kelly Grimm, CSEA employee, who said she seldom had the opportunity to see a Commissioner at their agency. There seems to be misconceptions that since payments are no longer coming from the local agency that the workload is down. However, they still have to work with locating parents, calculating child support, enforcement of support orders, establishing paternity, and knowing the enforcement manual and learning SETS, which is an aid to work, but it doesn't replace human decision making. Child support is an extremely sensitive area and as Medina County grows, the filings for divorce grow. This agency is one of the highest rated ones in the state. Other comments made involve an Akron Beacon article that headlined that the Auditor was releasing \$271,000 back to the county, which will increase the cash flow. As of January 2001, CSEA starting wage was \$10.50/hour and required a 4-year degree. Job & Family Services (JFS) has a starting wage of \$12.84/hour and until recently didn't even require a degree. It was stated that Mrs. Geissman was quoted that everything should be even. The employee then stated that \$2-\$3 is not even in pay. It was recently publicly stated that Medina County is the second richest in Ohio and the Auditor has said there is an excess of funds. The operating costs for CSEA have declined, but with the state & federal money coming in, the costs for equal pay would be a

## COMMISSIONERS MEETING – MONDAY, JULY 1, 2002

minimal financial burden to the county. When the employees signed the first contract 6 years ago they believed the salaries would become even between agencies. The county has saved roughly \$80,000 alone in insurance costs with this strike.

There were no further public comments.

Mr. Bahr moved to recess into Executive Session to discuss personnel/discipline. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners noted that there will be a public viewing and hearing followed by a discussion session after the Executive Session.

At 10:30 a.m. Commissioners recessed the Executive Session for the public viewing for the proposed extension of sidewalks on Fenn Road.

At 11:00 a.m. Commissioners returned to the office to continue the Executive Session.

At 11:30 a.m. Commissioners reconvened the meeting for the public hearing for the proposed extension of sidewalks on Fenn Road. A sign up sheet is attached to the end of the minutes as Exhibit A.

Dave Miller stated that a petition was filed for sidewalks for a portion of Fenn Road west of Huntington. There are 6 owners that petitions and there are 7 affected. The one that did not sign has sidewalk on part of his lot. If the Board orders, he is to construct the sidewalks and the cost is to be determined by the Board. The Board determines whether the cost is to be paid by either the Commissioners, the Township, the abutting owners or a combination of the 3. There was an estimate prepared and because of drainage complications the cost will be \$10,283.

Fred Boreman, Engineer's Office, reviewed an orthomap showing the existing and proposed sidewalks, catch basins, and needed yard inlet basins. The lots are symmetrical and drainage goes towards the road from the center of the houses and catch basins pick up the yard water at each property line. The sidewalk would be an extension of an existing sidewalk parallel with the curb and gutter. Yard inlet basins will be needed because the sidewalk will act as a dam and keep the water from reaching the existing catch basins. The inlet basins would be a 2' diameter concrete unit that is 18" deep. A 6" to 8" pipe will go through this unit to the existing street basin. The summary sheet shows the total project cost along with a breakdown showing the individual cost per property for the sidewalk, or if this is sold as one project the cost divided by the 7 lots.

John Stricker asked about the total length of the sidewalk.

Fred stated that from the west property line to the existing sidewalk it is 409' of sidewalk. Each lot is 100' frontage and the driveways are excluded from the total width.

Mr. Bahr stated that he doesn't see any removal of trees. He asked if the excavation will take that into consideration.

Fred stated that the excavation would be the amount of dirt that is displaced by the new sidewalk. He didn't put in any tree removals because they are decorative and the sidewalk can go around them.

Mr. Bahr asked if going around the trees will not create a future problem with the tree roots growing.

Fred stated that since there is additional right-of-way along the frontage there is plenty of room to make wide radius around the trees to avoid branches and root systems. If this were restricted within a normal 30' right-of-way with utilities that could become a problem.

Kristine McRitchie asked if the sidewalk was taken to the edge of her neighbors house or if it was projected out beyond that.

## COMMISSIONERS MEETING – MONDAY, JULY 1, 2002

Fred stated that the sidewalk was taken to the west line of the neighbor's house on the west of her property. There are some costs that could be diverted after questions are answered such as whether that neighbor wants to stop the sidewalk at his driveway, various alignments, tree removals, etc. At this time the price includes his full frontage.

Mr. Hambley asked if the Trustees were approached about this since they have authority under the law to do this project.

Mrs. McRitchie stated that she approached the Trustees and they directed her to the County Engineer.

Mrs. Geissman asked if she was referred to the County Engineer for the purpose of approaching the Commissioners or approaching them to see if they would do the work for the Township.

Mrs. McRitchie stated that she believes it was because Fenn is a county road that she was sent there. From the Engineer's she was directed to go to the Commissioners. The Township does know this process was going on. She asked if they were sent a letter about this meeting.

The Clerk stated that a notice was sent to the Township about the meeting.

Mr. Hambley asked if the Commissioners have done this on any other roads.

Dave stated that it has not been done in any area like this through a petition. Generally the County does not put in sidewalks. The Subdivision Regulations the jurisdiction of sidewalks is left up to the townships. According to the law the Township could pay for this.

Mrs. Geissman asked if Dave's recommendation would be to send this back to the Township.

Dave stated that before the Board makes a decision they should contact the Township because there are 3 parties involved; the county, township and owners. The decision by this Board is who pays for the sidewalks.

Mr. Hambley stated that most of the work done for sidewalks has been done by the townships, not the County. When there was block grant money available, Liverpool Township sponsored the project.

There were no further comments.

Mr. Bahr moved to adjourn the public hearing. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Bahr asked Dave to explain the procedures, such as the Commissioners contacting the Township to let them know this hearing took place.

Dave stated that they should be told that the Board has to determine who is to pay and let them know Commissioners would like to talk to them about the Township taking it over.

Mr. Bahr agreed this should be done in the near future and copies of the letter can be sent to the residents so they are aware of what is going on.

Commissioners recessed at 11:41 a.m.

Commissioners reconvened the meeting at 11:45 a.m. for the discussion session.

Mr. Bahr noted that the construction of the Farm Service Agency (FSA) building and New Horizons is going along well. The HVAC and electrical contractors are back on the job at New Horizons this morning.

Mr. Bahr stated that a request is coming from the University of Akron for a formal written offer for the donation of land. He has sent them something in writing, but they would

## COMMISSIONERS MEETING – MONDAY, JULY 1, 2002

like something from all members of the Board. There were some zoning issues that are being addressed and should not be a problem.

Mrs. Geissman noted that she had sent a memo regarding Betty Montgomery coming to meet with Commissioners. She received another call from Ms. Montgomery's representative, Rich Riley, and Ms. Montgomery is not going to be able to come in tomorrow. At this time there is no date given for rescheduling.

Mrs. Geissman noted that the resolution was passed this morning establishing the Railroad Safety Task Force and the first meeting will be July 24<sup>th</sup> in the Administration Building. There will also be a *National Rally at the Rails*, which will be held in Medina Public Square on Saturday, September 21. The permit for use of the Gazebo has been made. There will be speakers and flyers to bring awareness to railroad safety issues.

Chris Jakab noted that the demo for the pay-for-stay program for the Jail is set up for 10:00 tomorrow morning. A report will be brought back to the Board.

Mr. Hambley noted that since he is liaison to MCDAC he has prepared a response to Chief Pat Beyer's letter regarding the FACT program funding. Kathy Yuzwa and John Stricker have reviewed this and he would like the other Commissioners to review this before he sends out the response.

Bill Thorne, Assistant Prosecutor, noted that Ross Santamaria is ready to go with a new insurance carrier. He has reviewed the papers and there is nothing legally wrong with the policy. It does have the "hold harmless" for the county, but it doesn't name the County as an additional insured, which doesn't guarantee defense for the county in the event Ross and the county is sued. Commissioners would have to hire their own counsel.

Chris noted that CORSA would provide the defense.

Bill stated that other than not guaranteeing defense for the county, it is a good policy and it is cheaper. Through questioning, Bill stated that the rate is so good because Ross has never been sued and the policy is based on claims against him.

Bill noted that there is a piece of property on Sterling and Bell Roads that the county holds title to. This involves an area that the county was sued over a few years ago regarding installation of telephone poles. The county took title to this land because the road was going to be moved, but that was never done. The property owner was given the right of reversion if the land was never used. The property is now in an estate and they have to keep valuing the reversion and listing it as a property ownership. They have requested that the land be given back and have the county retain a standard road easement. He presented a quitclaim deed that would give the underlying title that reserves a perpetual easement for the county. Dave Miller has reviewed this and has no problem. Through questioning, he stated that it is 1.08 acres in a triangle. Legally the county can go either way with this, but Dave doesn't see any reason to retain the parcel because it won't be used as originally proposed. A highway easement would be maintained. The county took this title long before Bill's time with the Prosecutor's Office. Bill asked that the Commissioners execute the quitclaim deed. Mr. Bahr moved to approve execution of the quitclaim deed. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

There was no further business before the Board.

Mr. Bahr moved to adjourn the meeting at 11:55 a.m. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

### RESOLUTIONS PASSED:

02-0560 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

**COMMISSIONERS MEETING – MONDAY, JULY 1, 2002**

02-0561 RESOLUTION TO SUBMIT APPLICATION FOR FUNDING UNDER THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2002

02-0562 RESOLUTION DETERMINING THE NECESSITY TO CLOSE FRIENDSVILLE ROAD (C.H. 35) BETWEEN GARMAN ROAD (C.H. 91) AND WHITE ROAD (T.H. 92)

02-0563 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE EXTENSION OF BRIDGE NO. 17 ON WEST 130TH STREET (C.H. 17)

02-0564 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE REPLACEMENT OF BRIDGE NO. 32 ON MARKS ROAD (C.H. 22)

02-0565 RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE REPLACEMENT OF BRIDGE NO. 03 ON WESTFIELD ROAD (C.H. 15)

02-0566 RESOLUTION REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A REASONABLE AND SAFE PRIMA FACIE SPEED LIMIT ON C.H. 42, GRAFTON ROAD, BETWEEN THE MEDINA COUNTY LINE AND S.R. 252, COLUMBIA ROAD, IN MEDINA COUNTY, OHIO

02-0567 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

02-0568 CREATION OF THE DRUG TASK FORCE FY02 FUND AND AUTHORIZING APPROPRIATIONS

02-0569 CREATION OF THE FELONY DELINQUENT CARE AND CUSTODY FY03 FUND AND AUTHORIZING APPROPRIATIONS

02-0570 CREATION OF THE WORKFORCE DEVELOPMENT FY02 FUND AND AUTHORIZING APPROPRIATIONS

02-0571 CREATION OF A COMMUNITY CORRECTIONS ACT INTENSIVE SUPERVISION PROBATION/HOME ARREST PROGRAM GRANT FUND FOR FY03

02-0572 CREATION OF A COMMUNITY CORRECTIONS ACT INTENSIVE SUPERVISION PROBATION GRANT FUND FOR THE MEDINA COUNTY ADULT PROBATION DEPARTMENT FOR FY03

02-0573 CREATION OF A FAMILY FIRST COUNCIL HELP ME GROW FY03 GRANT PROGRAM FUND

02-0574 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE COUNTY GENERAL FUND (0010) TO THE CHILDREN SERVICES FUND (0050) FOR THE BOARD AND CARE OF COUNTY WARDS

02-0575 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILDREN SERVICES IV-E FUND (0050) TO THE PUBLIC ASSISTANCE FUND (0120) FOR CHILDREN SERVICES (IVE) ADMINISTRATIVE EXPENDITURES

02-0576 RESOLUTION AUTHORIZING THE PURCHASE OF 2,700 GALLONS OF PREMIUM UNLEADED AND 4,300 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

**COMMISSIONERS MEETING – MONDAY, JULY 1, 2002**

02-0577 APPROVAL OF AN AGREEMENT FOR INFORMATION & REFERRAL SERVICES BETWEEN MEDINA COUNTY FAMILY FIRST COUNCIL AND CATHOLIC CHARITIES SERVICES

02-0578 APPROVAL OF AN AGREEMENT WITH THE MEDINA COUNTY HISTORICAL SOCIETY

02-0579 APPROVING THE SUBMISSION OF AN FY 2002 COMMUNITY ORIENTED POLICING SERVICES GRANT APPLICATION

02-0580 RESOLUTION APPOINTING MEMBERS TO THE MEDINA COUNTY REVOLVING LOAN FUND COMMITTEE

02-0581 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

02-0582 RESOLUTION APPROVING THE MEDINA COUNTY DRUG ABUSE COMMISSION (MCDAC) GRANT FUNDING FOR FISCAL YAR 2002-2003

02-0583 RESOLUTION ESTABLISHING A MEDINA COUNTY RAILROAD SAFETY TASK FORCE TO PROMOTE SAFER RAILROAD CROSSINGS IN MEDINA COUNTY

02-0584 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

\_\_\_\_\_  
Patricia G. Geissman

Respectfully submitted,

\_\_\_\_\_  
Thomas R. Bahr

Pamela J. Terrill, Clerk

\_\_\_\_\_  
Stephen D. Hambley