

COMMISSIONERS MEETING, THURSDAY, JULY 13, 2006

Stephen D. Hambley called the meeting to order at 9:30 a.m. with Patricia G. Geissman present. Ms. Ray was ill and unable to attend.

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

At the beginning of the meeting, the oral reading of the minutes of June 14, June 26, and July 3 was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes from June 14 and June 26 and to table the minutes from July 3. Mr. Hambley seconded the motion. There was no discussion. Roll Call showed both Commissioners voting AYE.

County Engineer Mike Salay presented and reviewed the following eight resolutions: (1) approving the final plat for Vilnius Farms Subdivision in Brunswick Hills Township; (2 - 7) approving the use of the Subdivision Drainage Maintenance Fund for repair work in the following subdivisions; Quail Lake Farms, Ryan Farms, The Woods at Windsor Pointe, Westbury Place, Meadows at Southpointe, and Montville Lakes; and, (8) authorizing a contact with Anthony Ratajczak for bicycle and pedestrian transportation planning services. Mrs. Geissman moved to approve the eight resolutions; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Commissioners reviewed the weekly permits list for June 29 through July 5, 2006.

Chris Jakab, Finance Director/Acting County Administrator, presented and reviewed the following resolutions: (1) amending the annual appropriation resolution; (2) amending the annual appropriation resolution; (3) transferring funds from various county department accounts to the Gasoline Rotary Fund; (4) transferring funds from various departments to the Print Shop revenue line item; (5) creating a Family First Council Wellness FY07 Fund; (6) creating a Family First Council Partnerships for Success FY07 Fund; (7) authorizing cash transfers for various funds; (8) approving a memorandum of agreement with the University of Akron to allow free use of office space by the University of Akron at the Workforce Development Center until August 31, 2007, or upon the completion of the Medina County University Center; and (9) authorizing the submittal of an application for funding under the Small Cities Community Development Block Grant (CDBG) for fiscal year 2006 for administration, Fair Housing, Transit public service, Transit equipment purchase, Lodi, County buildings (Battered Women's Shelter, County Home, and misc. elevator and drinking fountain upgrades), and property rehabilitative services for Medina Creative Housing. He also requested payment of the weekly bills in the amount of \$540,378.64. Mrs. Geissman moved to approve payment of the nine finance resolutions and payment of the weekly bills; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE on the Finance resolutions and payment of the weekly bills.

Gary Berkowitz, Human Resources Director, presented a resolution approving personnel changes for employees under the jurisdiction of the Medina County Commissioners. Mrs. Geissman moved to approve the personnel changes; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Berkowitz presented a resolution approving the placement of an individual on family medical leave who is currently off work due to a work-related injury. Mrs. Geissman moved to approve the personnel change and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Berkowitz presented a resolution amending the Table of Organization for the Department of Job & Family Services. Mrs. Geissman moved to approve the resolution; seconded by Mr. Hambley. There was no discussion. Roll call showed both Commissioners voting AYE.

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Ken Hotz, Sanitary Engineer, presented a resolution authorizing a final adjusting change order for the Brookdale Sanitary Pump Station replacement that will handle the University Center/Technology Park complex. Mrs. Geissman motioned to approve the resolution; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hotz presented a resolution authorizing obtaining sewer improvement project easements for the Life Spring Church. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hotz presented a resolution declaring the necessity of constructing some replacement sewers in the City of Brunswick. The 15,000 lineal feet of sewer line would run in the following streets; Windsor Drive, Huntington Circle, Stearns Street, Highland Avenue, Ridgeview Drive, Meadowbrook Boulevard, Manitoulin Pike, and Walnut Ridge Avenue. Mrs. Geissman moved to approve the resolutions; seconded by Mr. Hambley. Roll Call showed both Commissioners voting AYE.

Debra Radecky, Office for Older Adults Director, reported on the July program that will be offered:

July 14	Emergency preparedness by the Health Department
July 18	Community Legal Services
July 19	Ribbon flowers
July 19	Lunch with nursing home representatives
July 21	Fall prevention presentation by Life Flight
July 25	OSU Extension presentation on fruits and vegetables
July 25	Trip to Mansfield
July 26	Bingo and movie
July 28	Interim Healthcare Program on diabetes

They had 39 Alzheimer units in June, 3 health units, 1,680 Transit trips, and 1,325 meals. She showed the Commissioners the "Life Pouch" they are distributing to senior citizens.

Mike Pataky, Child Support Enforcement Agency (CSEA) Director, reported on the success of the Federal Passport Denial Program that denies passports to child support obligors when their arrears exceed \$5,000. The CSEA recently collected a huge sum from a man behind in his child support payments who needed his passport released.

Mr. Pataky discussed the State's performance incentives that are standards that determine how much money each county's agency receives. The goal to improve in the four categories used to determine the funds sometime makes counties fall behind in certain areas such as arrears collection. Medina County is status quo with every other county in the State. The State has relaxed the qualifications for the hold-back portion of incentives because they found that taking money away from counties that are not performing well prevents them from hiring additional staff or equipment to perform better. They have also reduced the amount of hold-back from a maximum of 5% to 2%. Mr. Pataky commented that it is a step in the right direction and means more money in local pockets. They constantly strive to improve their numbers because it means more money to improve their program even more.

Mr. Pataky reported that they are in the process of converting cases with the imaging project. The process seems slow now, but they should be up and running in September.

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John Waddell, Tobacco Coordinator, presented a resolution renewing the subgrant contracts totaling \$87,000 for the Medina County Information and Prevention Project for the period July 1, 2006 through December 31, 2006 as follows:

Solutions Behavioral Healthcare Inc. (youth program)	\$50,000
Cornerstone Wellness Center (evaluation)	\$18,000
Medina General Hospital (pregnant women efforts)	\$11,000
Oaks Family Care Center (pregnant women efforts)	\$ 8,000

The total of the grant was \$102,500. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed both Commissioners voting AYE.

Dr. Waddell reported that Mr. Jakab and Assistant Finance Director Scott Miller reviewed the financial information for the Medina County Drug Abuse Commission (MCDAC) and business is being maintained in the absence of an Executive Director.

Mr. Hambley read a resolution commending Beatrice "Beatty" Huntley for her 100th birthday and her multiple careers and years of community service. They will be having a celebration on July 24 in Granger Township. Mrs. Geissman moved to approve the commendation and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed both Commissioners voting AYE.

The Clerk read a resolution allowing expenses for county officials and a second expense resolution for the County Engineer. Mrs. Geissman moved to allow the expenses on both resolutions; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley read an announcement of a Regular type annexation hearing on 9.12 acres of land from Wadsworth Township to the City of Wadsworth that is scheduled for Tuesday, September 5, 2006. It has been changed to Monday, September 18, 2006 at 10:15 a.m.

The meeting was opened for public comment. No one wished to speak at this time.

Mr. Hambley said there would be an Executive Session at 11:00 a.m. to discuss personnel/appointment. Mrs. Geissman moved to allow the Executive Session and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed both Commissioners voting AYE.

The meeting recessed at 9:50 a.m. for the Commissioners to move to the Conference Room for the discussion session at 9:55 a.m.

Discussion Session

Mr. Hambley said Diversified Disposal Inc. (DDI) sent a letter to their customers that basically lied about the County raising rates at the Central Processing Facility. Mr. Hotz added that he was given the letter by a DDI customer and the letter said they "have struggled through 2 disposal cost increases at the CPF", which is not true. He read his draft response letter and it said they did not start coming to the CPF until July 5, 2005. There was a rate increase on July 1, 2005 to pass on the \$1.50 per ton fee that the EPA imposed upon the Solid Waste District. He also pointed out that at one time the rate was \$58 per ton and even with the \$1.50 added, the current rate is \$51.25 per ton. The letter stated that DDI made late payments. The office has been in contact with them and was told by DDI that their customers have not been paying them on time so they have to raise their rates in order to have more cash flow. The DDI customer that gave him the letter said they switched haulers because the rate was less than their previous one. Mr. Hotz said DDI may have charged their customers too low and now they are blaming the County for having to raise their rates. Mr. Hambley said it is an absolute falsehood that

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there have been two disposal cost increases since they have been using the facility. The July 1, 2005 increase was imposed basically by the State legislature and mandated to the County before DDI started hauling.

Mr. Hambley asked Joe Dickinson, Assistant Prosecutor, if there was any basis for defamation. He said it was clearly inappropriate and there was significant potential for defamation. It bears research to see if there has been any other conduct, either written or verbal, to support those allegations. Mr. Hambley asked if Mr. Hotz should state in the reply that this matter would be turned over to the Prosecutor's Office for possible defamation and Mr. Dickinson said he should say that.

Mr. Hambley said he knows haulers are being impacted by gas prices and all sorts of other things, but they cannot blame the County for those increases when they have been "holding the line" and trying to keep costs down. History shows they have been reducing their cost. Outright lying to the customers is not right. He said he has always had a problem with the misrepresentations that some haulers make that the CPF is just a disposal station that does not recycle and compare it to taking it straight to a landfill. The costs include disposal and recycling, and they are very competitive.

Mr. Jakab said he met with Ralph Berry from the Board of Elections. Mr. Berry said they requested that the Commissioners amend their annual budget and supplement it with an additional \$47,500 for the period of July through December 2006. This is to allow them to pay for equipment, software, hardware, and maintenance and for field support on Election Day for their Diebold Election System. They failed to include this item in their annual budget request partly because it was never communicated to them from Diebold that the additional cost would be forthcoming after the first 12-month period. The Board of Elections also assumed that the State would pay this recurring expense, but they are not. Mr. Hambley said he attended the session on Board of Elections costs at the County Commissioners Association of Ohio (CCAO) conference. They made county commissioners aware that there would be additional support costs coming that were not part of the original RFP and these would be borne by the counties. Secretary of State Ken Blackwell is going to the legislators to try to get additional money regarding the unexpected expenses, but the County will need to pay the bill now. Mrs. Geissman agreed and they authorized the Finance Department to present a resolution next Monday.

Mr. Hotz informed Commissioners that Madden Brothers in Brunswick has filed a notice of intent to open a Class 3 (yard waste) and Class 4 (yard waste and manure) compost facility in Liverpool Township. It is located on a 32-acre parcel at 5630 Boston Road, west of Marks Road. He requested a copy of the application with the EPA. There is nothing the County can do about it; it is zoned industrial. Mr. Hambley said the Medina County Department of Planning Services pointed out to Liverpool Township when they were doing their Comprehensive Plan that their zoning did not have the requirement of significant buffers for adjoining residential areas, and they still do not.

Mr. Hotz said Assistant Sanitary Engineer Jim Troike has been working with Lodi on their water agreement. When the outlet mall was built, the County entered into an agreement with Lodi to extend sewer and water to the mall and to the south side of I-71. Lodi entered into an agreement with Loves Travel Center last August to allow them to build on the east side of S.R. 83, south of I-71. The County was unaware of this agreement. In January, Lodi sent an amendment to the utility service agreement that they would take over the area south of I-71. After considerable negotiation with Lodi's Law Director, the County received a copy of a signed agreement (Lodi lost the original agreement). Mr. Hotz said they have no problem with this; however, if they want to take over service of that area in the future when they build a water plant in the Ohio River Basin, they should have the right to take that service area back. They do not know if they are going to do that, but it is in the best interest of the County to maintain the

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right to do so and he put that addition in the amendment. Mrs. Geissman said she thought the County had no desire to take over that area. Mr. Hotz said some day they might want to in the future. The Burbank area is always going to be “up in the air” because it is over the Ohio Water Basin. The County would have to provide service if Lodi cannot. He pointed out that Lodi can charge commercial property 50% over its rate inside the Village. Mrs. Geissman said that Lodi wants the expansion rights and Mr. Hotz said they can have them; this is an addition to the resolution. There was a short discussion about the public water systems working together.

Commissioners recessed the meeting at 10:12 a.m. for the Executive Session that was voted on earlier.

At 11.25 a.m., Mrs. Geissman moved to adjourn the meeting; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

RESOLUTIONS PASSED 7/13/06:

NUMBER	RESOLUTION TITLE
06-0627	RESOLUTION TO SUBMIT APPLICATION FOR FUNDING UNDER THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2006
06-0628	RESOLUTION COMMENDING BEATRICE "BEATTY" HUNTLEY FOR HER 100th BIRTHDAY, HER MULTIPLE CAREERS, AND YEARS OF COMMUNITY SERVICE
06-0629	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
06-0630	RESOLUTION APPROVING THE FINAL PLAT FOR VILNIUS FARMS SUBDIVISION PHASE ONE LOCATED IN TRACT 1, LOT 10 OF BRUNSWICK HILLS TOWNSHIP
06-0631 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FOR REPAIR WORK IN QUAIL LAKE FARMS SUBDIVISION PHASE 2 IN WADSWORTH TOWNSHIP, MEDINA COUNTY, OHIO
06-0632 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FOR REPAIR WORK IN RYAN FARMS SUBDIVISION PHASE 2 IN LAFAYETTE TOWNSHIP, MEDINA COUNTY, OHIO
06-0633 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FOR REPAIR WORK IN THE WOODS AT WINDSOR POINTE SUBDIVISION PHASE 1 IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO
06-0634 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FOR REPAIR WORK IN WESTBURY PLACE SUBDIVISION PHASE 2 IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO
06-0635 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FOR REPAIR WORK IN THE MEADOWS OF SOUTHPOINTE SUBDIVISION PHASE 1 IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO
06-0636 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE

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FOR REPAIR WORK IN MONTVILLE LAKES SUBDIVISION PHASE 1A IN
MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

- 06-0637 RESOLUTION AUTHORIZING A CONTRACT BETWEEN MEDINA COUNTY AND ANTHONY RATAJCZAK FOR BICYCLE AND PEDETRIAN TRANSPORTATION PLANNING SERVICES
- 06-0638 RESOLUTION AMENDING THE 2006 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 06-0639 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 06-0640 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND
- 06-0641 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM
- 06-0642 RESOLUTION CREATING A FAMILY FIRST COUNCIL WELLNESS FY07 FUND
- 06-0643 RESOLUTION CREATING A FAMILY FIRST COUNCIL PARTNERSHIPS FOR SUCCESS FY07 FUND
- 06-0644 CASH TRANSFERS FOR VARIOUS FUNDS
- 06-0645 APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE MEDINA COUNTY BOARD OF COMMISSIONERS AND THE UNIVERSITY OF AKRON
- 06-0646 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 06-0647 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 06-0648 RESOLUTION AMENDING THE TABLE OF ORGANIZATION FOR THE DEPARTMENT OF JOB & FAMILY SERVICES
- 06-0649 RESOLUTION AUTHORIZING THE FINAL ADJUSTING CHANGE ORDER NO. 1 FOR THE BROOKDALE SANITARY PUMP STATION REPLACEMENT MCSE #SR-500/200-20.1(A)
- 06-0650 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS
- 06-0651 RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING THE BRUNSWICK SANITARY SEWER REPLACEMENT PROJECT 2006, APPROVING THE DETAILED PLANS AND SPECIFICATIONS & AUTHORIZING THE SANITARY ENGINEER TO COMMENCE ADVERTISING FOR CONSTRUCTION BIDS

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- 06-0652 RESOLUTION APPROVING AN AGREEMENT FOR RENEWAL OF SUBGRANT CONTRACTS FOR THE MEDINA COUNTY TOBACCO INFORMATION AND PREVENTION PROJECT

- 06-0653 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

- 06-0654 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this thirteenth day of July 2006.

	COMMISSIONERS	_____
		Stephen D. Hambley
Respectfully submitted,	OF	_____
		Sharon A. Ray
_____	MEDINA COUNTY	_____
Pam Vereb, Clerk		Patricia G. Geissman