

COMMISSIONERS MEETING, MONDAY, JULY 17, 2006

Stephen D. Hambley called the meeting to order at 9:30 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 minutes of July 3 was dispensed with. Each Commissioner has read them personally. Mrs. Geissman requested that they table them until next week and the other Commissioners agreed.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed the following six resolutions: (1) approving the final plat for Southbury Place Subdivision, Phase 4, in Brunswick Hills Township; (2) approving the final plat for Southbury Place Subdivision, Phase 5; (3) approving the final plat for The Sharon Heights Subdivision in Sharon Township; (4) approving annual assessment on improvements on 8.0609 acres in Southbury Place Subdivision, Phase 4, and establishing a public watercourse; (5) approving annual assessments on improvements in Southbury Place Subdivision, Phase 5, and establishing a public watercourse; and, (6) approving the use of the Subdivision Drainage Maintenance Fund for repair work in Reserve Subdivision, Ryan Farms Subdivision, Westbury Place Subdivision, and Turnberry Subdivision. Ms. Ray moved to approve the six resolutions; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list for July 6 through July 12, 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 the Child Support Enforcement Agency Fund to the General Fund for Domestic Relations Court services for the month of April; (4) transferring funds from the General Fund and the Child Support Enforcement Agency to the Title IV-D Juvenile Fund for Juvenile Court services for the month of May; (5) cash transfer of interest income for multiple funds; (6) cash transfer of interest income for various Sanitary Engineering Enterprise funds for the period of December 2005 through June 2006; (7) authorizing revenue adjustments for the sale of surplus County property; (8) revenue adjustment for the Sanitary Engineering Department; and, (9) authorizing the submittal of an application for the Drug Court Program grant application to the Ohio Department of Youth Services in the amount of \$40,000, for renewal funding for the period October 1, 2006 through September 30, 2007. Ms. Ray moved to approve payment of the nine finance resolutions; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Jakab requested payment of the weekly bills in the amount of \$976,743.18. Ms. Ray moved to approve payment of the bills and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Holly Muren, Human Resources Administrative Assistant, presented a resolution approving personnel changes for employees under the jurisdiction of the Medina County Commissioners. She also presented a resolution authorizing continued participation in the County Commissioners Association of Ohio (CCAO) Workers' Compensation Group Rating Plan. Ms. Ray moved to approve the two personnel resolutions; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing a cooperative agreement for construction, maintenance, and operation of a State water project with the Ohio Water Development Authority for the Plum Creek Waterline Project. Ms. Ray motioned to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

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Mr. Hotz presented a resolution to obtain waterline easements for the Plum Creek Waterline Project. Ms. Ray moved to approve the resolution and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hotz presented two resolutions to obtain sanitary sewer easements on the Buehler's River Styx property for an addition to the back of the building for an Ace Hardware Store. Ms. Ray moved to approve the two resolutions; seconded by Mrs. Geissman. Roll Call showed all Commissioners voting AYE.

Patrice Theken, Director of the Department of Planning Services, reported that the County Planning Commission is working on the Subdivision Regulations. The revisions are available on the website at www.planning.co.medina.oh.us. She provided the Commissioners with pie charts showing the number of major subdivision housing units approved 2003 through 2006.

Ms. Theken said they are having a bus tour on September 8, 2006, at 9:00 a.m. and the cost is \$20 including lunch. Those interested need to pre-register by phoning 330-722-9219 or by email at ptheken@medinaco.org.

Ms. Theken said there is a Farmers Market on July 29 on the Medina Square. Community Planner Susan Hirsch is on the committee and said it has become a very popular event.

The Clerk read the resolution to allow expenses of County officials. Ms. Ray moved to allow the expenses; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley introduced and welcomed the new Chief Building Official Charles Huber.

The meeting was opened for public comment.

Don Aiken, Village of Lodi, asked Commissioners the status of the contract between Lodi and the County. Mr. Hotz said the waterline extension was discussed at last Thursday's Commissioners' meeting. There will be some amendments made to it and they should be able to get a copy to the Village solicitor this week.

Mr. Hambley requested an Executive Session for the purpose of personnel/appointment. Ms. Ray moved to allow the Executive Session; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all 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

Ms. Ray said there have had some problems with the law enforcement community asking the Animal Shelter to hold evidence (dogs) for indeterminate lengths of time and not wanting to be responsible for the costs associated with that. With the help of the Prosecutor's Office, they created a form that will be presented at the scene of an incident. The person will sign it saying they will be responsible for the charges and the Shelter will hold the animal for a maximum of seven days. If it meets with their approval, Ms. Ray said they would send a letter to all the law enforcement agencies to let them know this policy is forthcoming and can plan accordingly. There is also a form to let law enforcement know that the dog is vicious when an owner picks up the dog. The court system can sometimes prolong making a determination for months so this forces them to make a decision. Bill Thorne, Assistant Prosecutor, said they can try to assess the cost against the defendant; sometimes that does not work so, they would get the money up front. The Commissioners were all in agreement with the policy.

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Mr. Hambley said there were two public hearings (Tuesday and Thursday) on the Westfield water proposal. Sanitary Engineer Ken Hotz and Assistant Sanitary Engineer Jim Troike attended Tuesday and he and Mr. Hotz attended Thursday. The hearings were well attended and went very well and the proposals will be going forward in a few weeks. There were legitimate concerns about why they were transferring to County service so explaining the history of the well development plan helped to allay those fears. County water service will provide residents with a long-term guarantee at a lower cost.

Mr. Hambley said he asked that the resolution regarding the County Home levy be tabled today. He studied the financial information with Finance Director Chris Jakab to see if there was a way to feel comfortable with supporting a renewal levy instead of a replacement levy and still meet the future needs of the County Home. There is a problem calculating the millage to the exact amount so their choice was full replacement or a renewal. They looked closely at the budget to see where they could come up with funds to make up the difference and where the County could take some responsibility. He proposed they discuss making a commitment that the shortage of funds for the capital improvements comes from the (1) CDBG funds or the (2) the General Fund. The capital improvements are budgeted at \$25,000 per year and the difference between a replacement and a renewal levy is \$33,458. He noted that capital investments had been made in the past with Community Development Block Grant (CDBG) funds. The other suggestion was that County Home residents receive the same amount of General Fund subsidy per person as those on the Home Delivered Meals Program through the Office for Older Adults. He would support a renewal if they would make some financial guarantees about the difference.

Mrs. Geissman said she would support a renewal as well, although she is not convinced some of the guarantees are necessary. She said Mr. Jakab told her more revenue is coming in than anticipated with the present levy. Even though they have had \$318,000 in capital improvements in the last four years or so, using CDBG funds, they would probably only need \$20,000 over what is projected. Mr. Jakab said that was during the five-year period to date that was offset by some of the additional capital improvement costs so they were able to make those without much impact on the budget. His projections for the next five-year period are based on conservative, sound numbers. Reference to revenues exceeding budgeted numbers was specific to the current five-year period.

Mrs. Geissman said if there was ever going to be a request for an increase by the ADAMH Board because of residents paying their true cost at the County Home, it would have been last year when they had almost a \$500 rate increase, but there was not. There was not a budget increase request this year and Mike Jenks has told them that their funds are stable. She feels an increase in the rate should be looked at next year. She could support a renewal levy.

Mr. Hambley said they needed to make sure they have a source for the revenues. The block grant cannot pay for all of the capital improvements and maintenance items so that needs to be offset by the General Fund. Mr. Hambley said they also do not know the future of the block grant. At the Federal level, George Bush's administration had proposed almost a virtual elimination of it; fortunately, their local Congressperson and others stood up and said no. There is still a slow decline. They need to assure the voters that the budget is covered and it should come from either block grant or the General Fund, or a combination of both to make up the expenses that exceed the budgeted \$25,000 per year.

Mrs. Geissman said she would like to "digest" it because she does not believe they would need to subsidize residents' meals; that should come from levy funds. She is also not sure that the entire \$25,000 per year would be needed if they used CDBG. Mr. Hambley pointed out they would have an \$8,000 to \$9,000 difference between the \$25,000 budgeted

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amount and the \$33,458 required amount that they have to make up. The question is - what is the source and how close do they want to cut it?

Ms. Ray said there could be a caveat that they pick up anything that is short. She pointed out that if the unanticipated costs would not qualify for CDBG fund, the General Fund would have to pick up the difference if they went with a renewal levy. Mrs. Geissman said any time there's an emergency, they go to their contingency fund. Mr. Hambley said he wants the voters to be aware that they are willing to make sure that if the block grant cannot cover the capital improvement costs, the County Commissioners will have to pay for them from the General Fund. The entire cost of the County Home came from the General Fund before the 2002 levy. Mrs. Geissman said she would review the information he provided.

Mr. Jakab said the State Auditor scheduled the exit conference for Thursday, July 27 at 2:00 p.m. and letters were sent to appropriate elected officials and department heads for attendance. Mr. Hambley asked when the management letter becomes public record and Mr. Jakab said it is not a public meeting, but between four and five weeks after the exit conference they receive an official letter from the State Auditor that is public record.

Mr. Jakab said he is meeting with Job & Family Services Director Mead Wilkins and a staff member tomorrow to review the two lowest and best energy proposals that were received. He will report back to the Commissioners with a recommendation on proceeding with the bid award.

Mrs. Geissman asked Ms. Ray (liaison to the courts) to have Judge Lohn meet with Commissioners regarding the children at New Horizons. Ms. Ray said Judge Lohn is only taking court or Job & Family Services appointments; they are taking no more parental drop-offs. He is working on a proposal and she will follow up on it.

Mr. Hotz said there was lightning damage at the speed pump station and the Chatham water tower. They cannot control them from the office computers so they are being operating manually. The operating boards will need to be rebuilt and it could cost as much as \$18,000.

Mr. Hambley discussed the I-71 interchange ramp at I-76 project. He said one million cubic yards of fill will be required for this project that is across the freeway from the Medina County Central Processing Facility (CPF). The Sanitary and Highway Engineers are working with the Prosecutor to negotiate (possibly through the Transportation Improvement District or Port Authority) an optimum price with the Ohio Department of Transportation (ODOT) for 130,000 cubic yards of available fill at the CPF property. This would help keep costs down for ODOT's project by avoiding some transportation costs. The added advantage is to the County, who would have to pay to have fill removed as the plant expands in the future. There is a hill on the property and they could haul it across the road with a pan rather than dump it into trucks. They need to decide how to negotiate an optimum price for the County. Mr. Thorne said he would work on it for the August bid.

Commissioners recessed the meeting at 10:15.

The meeting was reconvened at 10:15 a.m. for the Executive Session for the purpose of discussion personnel/appointment that was voted on earlier.

Ms. Ray moved to adjourn the meeting at 10:30 a.m.; Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Bids were received by the Highway Engineers Office at 1:30 p.m. for the Wolff Road, Bridge #25 replacement. They will be accepted and awarded after review by the Highway Engineers.

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RESOLUTIONS PASSED 7/17/06:

NUMBER	RESOLUTION TITLE
06-0655	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH CLAIM LIST
06-0656	RESOLUTION APPROVING THE FINAL PLAT FOR SOUTHBURY PLACE SUBDIVISION PHASE 4 LOCATED IN TRACT 1, LOT 11 OF BRUNSWICK HILLS TOWNSHIP
06-0657	RESOLUTION APPROVING THE FINAL PLAT FOR SOUTHBURY PLACE SUBDIVISION PHASE 5 LOCATED IN TRACT 1, LOT 11 OF BRUNSWICK HILLS TOWNSHIP
06-0658	RESOLUTION APPROVING THE FINAL PLAT FOR THE SHARON HEIGHTS SUBDIVISION LOCATED IN LOTS 62 AND 79 OF SHARON TOWNSHIP
06-0659	RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF SECTION 6131.63 OHIO REVISED CODE ON 8.0609 ACRES OF LAND IN TRACT 1, LOT 11 OF BRUNSWICK HILLS TOWNSHIP AND KNOWN AS SOUTHBURY PLACE SUBDIVISION PHASE IV ESTABLISHING A PUBLIC WATERCOURSE
06-0660	RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF SECTION 6131.63 OHIO REVISED CODE ON 6.8503 ACRES OF LAND IN TRACT 1, LOT 11 OF BRUNSWICK HILLS TOWNSHIP AND KNOWN AS SOUTHBURY PLACE SUBDIVISION PHASE V ESTABLISHING A PUBLIC WATERCOURSE
06-0661 FUND	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN RESERVE SUBDIVISION PHASE 1, 3A; RYAN FARMS SUBDIVISION PHASE 2, WESTBURY PLACE SUBDIVISION PHASE 2; AND TURNBERRY SUBDIVISION PHASE 1 IN MEDINA, LAFAYETTE, BRUNSWICK HILLS TOWNSHIP
06-0662	RESOLUTION AMENDING THE 2006 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
06-0663	RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
06-0664	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND TO THE GENERAL FUND FOR DOMESTIC RELATIONS COURT SERVICES
06-0665	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE GENERAL FUND AND THE CHILD SUPPORT ENFORCEMENT AGENCY FUND TO THE TITLE IV-D JUVENILE FUND FOR JUVENILE COURT SERVICES
06-0666	CASH TRANSFER OF INTEREST INCOME FOR VARIOUS FUNDS
06-0667	CASH TRANSFER OF INTEREST INCOME FOR VARIOUS SANITARY ENGINEER 'S FUNDS

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- 06-0668 REVENUE ADJUSTMENTS FOR THE SALE OF SURPLUS COUNTY PROPERTY

- 06-0669 REVENUE ADJUSTMENT FOR THE SANITARY ENGINEERING DEPARTMENT

- 06-0670 AUTHORIZING THE SUBMISSION OF A JUVENILE DRUG COURT PROGRAM GRANT APPLICATION TO THE OHIO DEPARTMENT OF YOUTH SERVICES

- 06-0671 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 06-0672 AUTHORIZING CONTINUED PARTICIPATION IN THE CCAO WORKERS' COMPENSATION GROUP RATING PLAN AND EXECUTION AND DELIVERY OF A RENEWAL AGREEMENT

- 06-0673 RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF STATE WATER PROJECT BETWEEN THE COUNTY OF MEDINA AND THE OHIO WATER DEVELOPMENT AUTHORITY

- 06-0674 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS WATER LINE IMPROVEMENT PROJECTS

- 06-0675 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS

- 06-0676 RESOLUTION RELEASING A PORTION OF AN EXISTING SANITARY SEWER EASEMENT VOLUME 927 PAGE 842

- 06-0677 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 seventeenth day of July 2006.

COMMISSIONERS _____
Stephen D. Hambley

Respectfully submitted, OF _____
Sharon A. Ray

_____ MEDINA COUNTY _____
Pam Vereb, Clerk Patricia G. Geissman