

## COMMISSIONERS MEETING – MONDAY, JULY 22, 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 July 15 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 Mr. Bahr and Mr. Hambley voting AYE with Mrs. Geissman abstaining.

Doug King, Administrative Assistant in the County Engineer's Office, presented 6 resolutions to close a section of Spieth Road and Vandemark Road, extending the closing of a section of Neff Road, finding the public convenience and welfare requires the replacement of Bridge No. 36 on Ryan Road in Lafayette Township, accepting and awarding the bid for "CC" treated rock salt, and granting a variance to the Engineering Code for Subdivision Development to Pulte Homes for the installation of a boulevard island in the Eastbury Place Subdivision. Spieth Road will be closed Monday through Wednesday and Vandemark Road will be closed Wednesday through Friday. The closing of Neff Road is extended until Tuesday. The bridge replacement on Ryan Road is an OPWC job. The rock salt costs went up \$3.00 per ton and the lowest bidder was Cargo. Mr. Bahr moved to approve the 6 resolutions. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed 11 resolutions involving amending the annual appropriations by increasing and transferring appropriations, various fund transfers, revenue adjustments for various funds, purchasing fuel for the Engineering Center from Weaver Oil, entering into an agreement with the Medina County Branch of the Young Men's Christian Association (YMCA) of Akron for space at the Old Achievement Center, and the weekly bills in the amount of \$837,807.35. The agreement with the YMCA is for continued use of the space they currently use. The agreement is affective July 1, 2002 through June 30, 2004. Mr. Bahr moved to approve the 11 resolutions. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, 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 presented a resolution approving and authorizing a two-day unpaid suspension for a First Stop employee. Mr. Bahr moved to approve the suspension. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution accepting and awarding bids for the Jail parking lot expansion. The estimated cost of the project was \$48,500 and 4 bids were received. Perrin Asphalt was the lowest bidder at \$47,312. Mr. Bahr moved to accept and award the bid. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing the purchase of computer equipment through State Purchasing for the Liverpool Wastewater Treatment Plant Facility. The improvement project at the facility is a couple months from completion. Mr. Bahr moved to approve the purchase. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing a change order for the Spieth Road pump station with Northern Valley Contractors in the amount of \$22,300. This is the project that was built in cooperation with the City of Medina and the Lorain Rural Water Authority (LRWA). The cost is being split with LRWA paying \$7,381, the City of Medina paying \$16,549 and the County paying \$2,360. This should be the final adjusting change order for this project. Mr. Bahr moved to approve the change order. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

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Mead Wilkins, Job & Family Services (JFS) Director, presented a resolution authorizing expenses relating to adoption incentive funding. These funds are from the State and will be used for approved adoptive families. There are a couple of special needs children and a couple of sibling groups. The money will help find permanent homes for them. A second resolution was presented approving the use of Medicaid Outreach Funds for the children's medical insurance coverage. This is the last year the funds will be available for this. The money will be used to make families aware of the programs. Mr. Bahr moved to approve the 2 resolutions. Seconded by Mr. Hambley.

Mr. Bahr asked how they plan to get to the adoptive families.

Mead stated that they contracted with the North Ohio Adoption Services that specializes in recruiting families. They'll find a family and provide training, and JFS will provide the follow up supportive services after the placements are made.

There was no further discussion.

Roll Call on the motion and second to approve the 2 JFS resolutions showed all Commissioners voting AYE.

Mead presented information from a Division meeting where a quality assurance plan for Child Welfare was developed. There will be data forms for the Child Welfare services to use to monitor the safety, well-being, etc. of those in care. This covers things such as independent living and home visits to assure that the right level of care is being provided. This was effective July 1 and they will have monthly, semi-annual and annual reports. Due to the lack of time and resources their main focus will be on the quality and quantity. The staff has also started to have foster families and natural families meet prior to the first visit so that the foster family can get familiar with things the child likes, etc. for a smoother transition. This came from a combined meeting that was held between the social workers and foster parents. This allows for the use of data information in reports on foster care.

Mead presented information to the Commissioners regarding income maintenance at the State level. This shows the job entry rates and the OWF efforts being made. This will allow the State to go after high performance grants.

Mead presented a chart showing the new applications for public assistance program in the first half of the year versus the first half of 2001. This reflects a 30% increase in applications this year. They have no additional staff to cover this increase. They are reorganizing and adjusting everyone's responsibilities so that each new applicant can be seen in a timely manner. The caseload per person has grown to 300-400 cases. They received their State allocation on July 1 and the funding was cut 15%. Through questioning, he stated that this is being seen across the State based on today's economy.

Mrs. Geissman noted that Kathy Yuzwa, MCDAC Director, had nothing to report today and was not present.

Mrs. Geissman stated that a notice was received from the Ohio Department of Commerce, Division of Liquor Control regarding all permits expiring on October 1. The permit holders are reapplying and if the Commissioners have any permits that have been a problem they can ask for a hearing. There have been no comments or requests for objection received for any of the existing permit holders.

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 open for public comment and there was no one present wishing to comment.

Commissioners moved to the conference room for the discussion session.

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Mr. Bahr stated that a notice was received from the County Commissioners Association of Ohio (CCAO) regarding budget cuts for Workforce Investment Act (WIA) programs. They are requesting that Commissioners contact their senators and representatives by phone or fax because there is a very short timeframe. He would like to have something prepared and sent today. They are looking at reducing the funding and with what we are seeing in our county, it doesn't make sense. The letter was given to the Clerk to prepare a letter for faxing.

Mr. Bahr stated that the Operations Committee of the Workforce Development Policy Board sent him an email regarding their concern that he will not be in office after the end of this year. They are asking which Commissioner will oversee the Workforce Development Office. They just changed their chairman on July 1<sup>st</sup> and there should be some thought about the transition with this program. There are a lot of things going on because of the economy.

Mr. Bahr noted that a letter was received from the Office of the Ohio Public Defender that they are reducing their budget.

Mr. Hambley stated that this is the funding that the State originally promised 50% reimbursement. That was cut to 40% and is now being cut to 1/3.

John Stricker noted that Mead just stated his funds were cut. Transit is also being affected by State budget cuts.

Mrs. Geissman stated that she believes there will be more cuts coming.

Mr. Bahr stated that this is an issue that will have to be dealt with.

Mrs. Geissman presented Mr. Bahr and Mr. Hambley with their fair passes and noted that they are requested to say a few words at the opening ceremony of the fair. This will take place at 6:15 p.m. on Monday.

John noted that there has been talk about entering an agreement with the Medina County Schools Educational Service Center. The State ruled that providing space for the education service centers was an unfunded mandate on the counties because the schools have nothing to do with county operations. The State passed a law to have the value determined and then have Commissioners enter a letter of agreement with these centers so that when and if funds come in from the State the money will go to the Commissioners. He doesn't anticipate that any money will come in, but feels the letter of agreement should still be filed. He asked for a motion authorizing the letter of agreement. Mr. Bahr moved to authorize the letter of agreement with the Educational Service Center. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John noted that a letter was received from the Sheriff requesting 3 additional cameras in the Jail as a result of an incident that occurred. The Sheriff would like 2 placed in the kitchen and one in the laundry. The estimated cost to add these cameras is \$2,000. At this time there are 5 additional ports available in the multiplexer and the cameras could be added at a fairly low cost. After these 5 ports are filled serious dollars would be needed for additional multiplexers and recording equipment. The Sheriff indicated that at the time the Jail was built the cameras were eliminated as a cost-saving measure. In review of the original blueprints, these cameras were not eliminated and every camera scheduled at that time was installed in the locations they felt they should be. John notified the Sheriff in writing that they had not been eliminated. Maintenance would have to run the wiring and install the cameras. The Sheriff has indicated he does not have the \$2,000. In review of the request for the cameras, the kitchen and laundry room are close to the central control, so the installation would be easier. Through discussion John noted that his concern is whether the Sheriff has really reviewed where he will need cameras in the future or if this is just a reaction to the incident that occurred. The Jail has been open for 6 years with no problems. There are dead spots throughout the Jail where cameras can't be installed such as in a pantry, areas behind the washing machines, etc. The intent of the cameras is not to cover every dead spot but they are for permanent records of the cellblocks as to whether something goes on between the CO's and inmates, or at the doors before doors are open.

Mr. Hambley stated that the Sheriff needs to determine if these are the 3 cameras that are really needed.

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Mr. Bahr stated that if he remembers correctly there is a camera that monitors the hallway into the kitchen and laundry room, and he asked if those wouldn't cover this.

John stated that there are a lot of people in the kitchen and there are people in the laundry room for extended time periods. He feels the Sheriff should review the Jail to make a determination of the proper locations are for these cameras. He agreed that possibly they have already done this review.

Commissioners agreed that Sheriff Hassinger should be contacted to be sure the entire Jail has been examined to be sure these are the 3 camera locations he wants.

The Clerk presented a draft resolution establishing an email retention policy for the Commissioners Office, noting that she had used the Recorder Nancy Abbott's new policy to write. Once the policy is adopted, it needs to go through the Records Commission process for approval before using. Also, a resolution passed earlier this year regarding retention of records in the office needs to go through the Records Commission process. Nancy had said she was planning to set up a Records Commission meeting up in August.

Mr. Hambley noted that he understands that Nancy used the guidelines of the Ohio Historical Society. He also noted that he believes permanent electronic storage is allowed and suggested that the Executive Correspondence be kept for 1 year, printed and then deleted or use permanent electronic storage.

Commissioners agreed with the suggestion. The resolution will be amended to include electronic storage and will be presented next week for adoption.

Ken Hotz stated that the final testing of the waterlines to the fair has been completed. Through questioning about the Health Department monitoring this, Ken stated that his departments' responsibility is complete. The Health Department has to watch the vendors at the fair.

Ken asked if a decision would be made today on the vacation of Maple Heights Drive. Through questioning, he stated that there may be a need to put a waterline loop through the property and he would like to see a utility easement kept. He will come back for the hearing.

Commissioners recessed the meeting at 10:05 a.m.

Commissioners reconvened the meeting at 11:30 a.m. for the public hearing on the vacation of Maple Heights Drive in Montville Township. An attendance sheet was attached as Exhibit A.

Dave Miller, County Engineer, read his report, which is attached as Exhibit B. He recommends not vacating the portion east of the subdivision to Route 3 at this time because it would deny access to a building site on parcel #006 (Sparks). His recommendation for a utility easement will allow for looping and future utility work in the area.

Tom Clarkson, Arrowhead Farms, stated that regarding the concern of denying access to the Sparks farm, their original thought was that by vacating about 750' the property would be given to each adjoining property owner. Assuming it was 30' each way and assuming a 20' utility easement, there would be more than enough access on the Sparks property to the back parcel. He reviewed the map noting that by Sparks obtaining 30' there would be access that they don't currently have. They are definitely in favor of creating a utility easement, as it would be a benefit to the area if and when people wanted utilities.

Dave stated that the problem is Keiper dedicated it before the creation of the lots and the lots go to the right-of-way. Unless Bill Thorne, Assistant Prosecutor, says otherwise, that land would go back to the Keiper estate because those 2 parcels never had an interest in that piece of property.

Mr. Clarkson stated that there is a gate there and he doesn't know who or when it was put up. He remembers sitting in a Montville Township meeting years ago with Mr. Roth and when

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this was platted Mr. Roth didn't like the entrance way and the property was acquired on Winding Woods Way and it just sat for the last 25+ years. He believes Peters Landscaping would enhance that part of the right-of-way.

In reviewing the map, Mr. Hambley asked about where the cul-de-sac ends.

Dave agreed, stating that unless Bill says otherwise, he is recommending partial vacation because part of this (reviewed on the map) will go to the Keiper estate because that's who owned it when it was dedicated. The properties that were created later would have no interest.

Mr. Bahr asked what the procedure would be if Peters Landscaping and the Sparks wanted to have that vacated.

Dave stated that there would have to be a ruling from Bill to determine if the land goes to the adjacent owners or the Keiper estate.

Mr. Bahr asked if it would have to be determined what the Keiper estate was originally.

Dave stated that would have to be done. Currently it's for road purposes and it's a separate parcel with no taxes. As soon as it's vacated there would be taxes. Also, he's not sure if Montville Township zoning would allow a back lot on 30'.

Mr. Clarkson stated that they weren't trying to create a back lot, noting that there are some buildings sitting in the middle of the line.

Dave agreed about the buildings, indicating on the map where a barn sits.

Mr. Clarkson stated that the vacation would clean it up so that if the Sparks wanted to put in a driveway to the back property they could. He's not aware of any rear lot development in Montville Township and doesn't think they allow it.

Dave stated that if the land doesn't go to the adjacent owners it would land-lock a parcel. There would be a landlocked parcel if they don't allow rear lots in Montville Township or if it weren't landlocked you'd create a non-building site.

John Stricker stated that he thought the law specifically says it is split down the middle and owners on each side gets it.

Dave stated he's not sure with this one because a third party did it. The lots were created on the right-of-way and they are platted that way.

Mr. Clarkson stated that this was started in the early 1970's and has basically sat there. It's almost been abandoned except for Mr. Roth who owned it and the Arrowhead Farm, which he is part owner of. He was allowed to plat this subdivision without any guarantees and for many years there wasn't a street there. It would seem logical, if it is legally allowed, that the people that acquired the property could handle the maintenance and the county could create the future utility easement if and when they need it and there would no longer be liability there. He can't imagine a person not being willing to pick up at least a half acre of land. Even with some tax dollars attached, they would be picking up another 30' X 750' of land.

Mr. Bahr asked how long it would take to get the ruling from Bill, etc.

Dave stated that it would take several weeks.

Mr. Bahr suggested that this be explored with Bill to see what the legal requirements of the vacation would be.

Dave stated that if the land reverts to the adjacent owners he has no problem in vacating the entire part as long as there is a 60' utility easement. He asked if Commissioners want him to request the information or if the Board wants to make the request.

Mr. Bahr suggested that both should request it.

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Mrs. Sparks stated that her concern is that the gate is rarely closed. People tend to venture down any place they see a driveway and she questioned who is legally responsible if something happens. She called the Trustees in the past when Mrs. Cavanaugh was there and she would get into with the owner. The gate is supposed to be closed.

Mr. Clarkson stated that since it is a dedicated right-of-way it is now county property. They are trying to come up with a way to handle the situation and that's why a ruling is needed. He asked where this leaves those wanting the vacation.

Mr. Bahr stated that Dave is recommending what Mr. Clarkson wants to do. The concern is with the parcel to the east.

Dave stated that they'll have to reconfigure the lots to get the 60' utility easement in.

Mr. Clarkson asked if a 60' easement is needed for a waterline.

Dave stated that the easement is not just for water.

Mr. Clarkson stated that on a state highway the easement is generally 60' and he feels that would be more than enough for whatever goes in there. Electric is already in.

Ken stated that they don't need it, but during construction they will go off the easement. Sometimes 60' isn't even enough.

Mr. Bahr stated that the easement is for sewer, water, gas, electric, cable TV, and telephone and it does add up.

There was no further discussion.

Mr. Bahr moved to adjourn the public hearing. Seconded by Mr. Hambley.

Mr. Bahr asked Mr. Clarkson about their time frame.

Mr. Clarkson stated that they have an excavating near there and they were hoping to excavate with the convenience of having someone there. It sounds that it will be awhile before this vacation is resolved.

Dave stated that where they want the temporary cul-de-sac is not an issue and they can go ahead and start that. The only part that is an issue is the first 700'.

Mr. Clarkson stated that his involvement in this was that he was trying to be a good neighbor. They were willing to allow the vacation and that's why he's here. It really doesn't benefit them either way. They were interested in trying to help with the county with the water.

There was no further discussion.

Roll Call on the motion and second to adjourn the hearing showed all Commissioners voting AYE.

At 11:46 a.m. Mr. Hambley moved to adjourn the meeting. Seconded by Mr. Bahr. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 1:30 p.m. the Clerk received bids for the Marks Road Bridge #32 replacement. Bill Viocode stated that the Engineer's estimate is \$147,427.75. Bids were received from HSH Construction, Maintenance Unlimited Inc., Fabrizi Trucking & Paving Company Inc., Liberty Excavating, Jet Excavating Company, and Jones Construction & Building Center. The bids were turned over to the Engineer's Office for review and recommendation.

RESOLUTION PASSED:

02-0620 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

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02-0621 RESOLUTION DETERMINING THE NECESSITY TO CLOSE SPIETH ROAD (C.H. 65) BETWEEN COLUMBIA ROAD (S.R. 252) AND ABBEYVILLE ROAD (C.H. 47)

02-0622 RESOLUTION DETERMINING THE NECESSITY TO CLOSE VANDEMARK ROAD (C.H. 31) BETWEEN CHIPPEWA ROAD (C.H. 50) AND COON CLUB ROAD (T.H. 67)

02-0623 RESOLUTION DETERMINING THE NECESSITY TO EXTEND THE CLOSING OF NEFF ROAD (C.H. 128) BETWEEN LESTER ROAD (C.H. 56) AND COLUMBIA ROAD (S.R. 252)

02-0624 RESOLUTION FINDING THAT PUBLIC CONVENIENCE AND WELFARE REQUIRES THE REPLACEMENT OF BRIDGE NO. 36 ON RYAN ROAD (C.H. 40) IN LAFAYETTE TOWNSHIP, MEDINA COUNTY, OHIO

02-0625 RESOLUTION ACCEPTING AND AWARDED THE BID FOR "CC" TREATED ROCK SALT FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT

02-0626 RESOLUTION GRANTING A VARIANCE TO THE MEDINA COUNTY ENGINEERING CODE FOR SUBDIVISION DEVELOPMENT TO PULTE HOMES FOR THE INSTALLATION OF A BOULEVARD ISLAND IN THE EASTBURY PLACE SUBDIVISION

02-0627 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

02-0628 RESOLUTION AMENDING THE 2002 ANNUAL APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS

02-0629 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE COUNTY GENERAL FUND(0010) TO THE PUBLIC ASSISTANCE FUND (0120) FOR COUNTY MANDATED SHARE

02-0630 CASH TRANSFER FOR THE ACHIEVEMENT CENTER

02-0631 CASH TRANSFERS FOR VARIOUS FUNDS

02-0632 CASH TRANSFER OF INTEREST INCOME FOR VARIOUS SANITARY ENGINEER FUNDS

02-0633 CASH TRANSFER OF INTEREST INCOME FOR VARIOUS FUNDS

02-0634 REVENUE ADJUSTMENTS FOR VARIOUS FUNDS

02-0635 RESOLUTION AUTHORIZING THE PURCHASE OF 2,500 GALLONS OF PREMIUM UNLEADED AND 4,000 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

02-0636 RESOLUTION ENTERING INTO AN AGREEMENT WITH THE MEDINA COUNTY BRANCH OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF AKRON, OHIO FOR USE OF SPACE AT THE OLD ACHIEVEMENT CENTER

02-0637 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

02-0638 RESOLUTION APPROVING AND AUTHORIZING A TWO-DAY UNPAID SUSPENSION FOR ANNETTE CARRUTH, FIRST STOP

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02-0639 RESOLUTION ACCEPTING AND AWARDING BIDS FOR MEDINA COUNTY JAIL PARKING LOT EXPANSION

02-0640 RESOLUTION AUTHORIZING THE SANITARY ENGINEERING DEPARTMENT TO PURCHASE COMPUTER EQUIPMENT THROUGH STATE PURCHASING FOR THE LIVERPOOL WASTEWATER TREATMENT PLANT FACILITY

02-0641 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE SPIETH ROAD PUMP STATION NORTHERN VALLEY CONTRACTORS INC. MCSE#W-500/00-5.1.53A

02-0642 RESOLUTION AUTHORIZING EXPENSES RELATING TO ADOPTION INCENTIVE FUNDING FOR MEDINA COUNTY JOB AND FAMILY SERVICES

02-0643 RESOLUTION APPROVING THE USE OF MEDICAID OUTREACH FUNDS FOR MEDINA COUNTY JOB AND FAMILY SERVICES

02-0644 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

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Patricia G. Geissman

Respectfully submitted,

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Thomas R. Bahr

Pamela J. Terrill, Clerk

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Stephen D. Hambley