

## COMMISSIONERS MEETING – MONDAY, JUNE 13, 2005

Patricia G. Geissman called the meeting to order at 9:30 a.m. with Stephen D. Hambley and Sharon A. Ray present.

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

At the beginning of the meeting the oral reading of the May 23 minutes was dispensed with. Each Commissioner has read them personally. Mr. Hambley 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 resolutions to close sections of Bear Swamp Road for a culvert repair and Columbia Road for a railroad crossing repair, accepting & rejecting the bids for Bride No. 26 replacement on Medina Line Road that were received over the estimated, amending permit fees charged by the Engineer for permits under the Highway Use Manual, amending the fee structure for Storm Water Permits and Site Inspections for major subdivision construction projects in the unincorporated areas, approving the final plats for Retreat at Brenelle Subdivision Phase II, West Chase Landings Subdivision Phase II, approving the annual assessments and creating a public watercourse for West Chase Landings Subdivision Phase 2A, and approving the use of Subdivision Drainage Maintenance Funds for repair work in various subdivisions in Brunswick Hills, Medina and Montville Townships and Fox Meadow Subdivision Phase 1. Mr. Hambley moved to approve the 11 resolutions; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented resolutions amending the appropriations by transferring and increasing appropriations, cash transfer to the Crippled Children's Health Fund, approving a renewal sub-lease agreement with Manpower Inc. for office space at the Workforce Development Center, and the weekly bills in the amount of \$837,952.48. The sub-lease with Manpower Inc. is for 400 square feet and is for 1 year with a 1 year renewal, which begins July 1. Mr. Hambley moved to approve the 4 resolutions and payment of the bills; Seconded by Ms. Ray.

Ms. Ray questioned the increase in appropriations for Adult Probation for travel, stating that she would like to discuss this with the department. Ms. Ray moved to amend the motion and second to approve the 4 Finance resolutions and payment of the bills with the removal of the increase for Adult Probation; Seconded by Mr. Hambley. There was no further discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator presented a resolution approving the acquisition of property in Gloria Glens Village. This is being taken care of by Buck Adams, EMA Director, to purchase property that consistently floods and insurance keeps covering, which is part of the FEMA Hazard Mitigation Program. Mr. Hambley moved to approve the purchase; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution amending the financing of the Medina County 211 System. This moves the agency being paid from United Way of Medina County to United Way of Greater Cleveland, who is actually providing the 211 service. Mr. Hambley moved to amend the financing; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Holly Muren, Human Resources Department, presented and reviewed the personnel resolution. Mr. Hambley moved to approve the personnel changes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

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Debra Radecky, Office for Older Adults Director, thanked Commissioners for attending Senior Day. Upcoming events at the Center include craft projects and Nursing Home Day on June 15, entertainment by Michelle Haley on the 17<sup>th</sup>, the movie “The Aviator” on the 22<sup>nd</sup>, a program by Mature Services on the 24<sup>th</sup>, and bingo on the 29<sup>th</sup>. They will be celebrating the 4<sup>th</sup> of July on July 1<sup>st</sup>.

Mike Pataky, Child Support Enforcement Director, noted that the State had proposed taking \$5 million from the incentives and they have been doing negotiations. This has been settled with the State taking \$1.82 million of the incentive fee structure for reimbursement to the State for what they do for the counties. The State had taken over the genetic testing, including the bidding for the services, and will continue this with the counties getting back their portion and being responsible for 10% of the costs. The collection contracts for the “dead wood” cases are being electronically transferred to a third party vendor. This works on some cases, but not all of them. The expense for this is being passed through the counties, which is a 34% increase and is about \$5,000 a year.

Ms. Ray noted that child support collections are incentives based on performance and our agency has done very good.

Through questioning by Mr. Hambley, Mike agreed that the State will cover 90% of the cost for genetic testing and the counties pay 10%, and he believes the State will continue to control the testing and give monthly or quarterly reports back to the counties. He believes the State will take that upfront right out of the budget. He assumes that the State will be taking the administrative costs from the federal monies they receive.

The Clerk read the resolution to allow expenses of county officials. Mr. Hambley moved to allow the expenses with the removal of the request from Adult Probation; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was opened for public comment and there was no one present wishing to comment.

Mrs. Geissman noted that the discussion session will be followed by public meetings on the \$5 license tax and RPTT, a public hearing on the improvement of Ryan Road, and an Executive Session for pending litigation.

Mr. Hambley moved to recess into Executive Session at the end of the meeting to discussion pending litigation; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman read a poem from the County’s Poet Laureate to close this portion of the meeting.

Commissioners moved to the Conference Room for the discussion session.

Mr. Hambley noted that a memo was received from Patrice Theken, Department of Planning Services, regarding their planning grant program. They received 6 applications and 5 of the communities qualify for funding. There was a brief discussion about a mandatory grant session that was held and did make a difference in the process.

Mr. Hambley noted that one application, Ruth Fullard, was received for the Medina Metropolitan Housing Authority. It was agreed to make the appointment next week.

Ms. Ray noted that as part of the budget process it was agreed that we would not be proactive on replacing air conditionings, but she noted that the unit at the Human Service Center has gone down and will need replaced. A new unit was ordered and they are waiting for the delivery information.

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Ms. Ray stated that 4 appointments are needed for the Joint WIA Board. She would like to reappoint Diana Clark, Michael Schuessler, Bob Gillingham and Jim Boyes. They are not prohibited from being reappointed and she feels that it would be helpful to have their experience on the board with the transition period of a new Workforce Director. Commissioners agreed to these reappointments.

There was a brief discussion about the need to review the out-of-state travel. It was agreed to review this if there is time after the meeting.

Ken Hotz presented a summary of the appliance roundup held in April. They collected 752 appliances, making the total appliances collected at 12,900 since 1995. He noted that the steel is recycled and the Freon is removed from any appliance that needs it. A computer collection drive is being planned for the fall. A company will be fixing those that can be fixed and they will then be donated to non-profit agencies.

Mrs. Geissman noted that the first Farmer's Market will be held on Saturday.

There was a review and discussion relative to out-of-state travel. There was over \$125,000 spent in out-of-state travel in the last 2 years and we have no written policy on this. There will be a Department Head/Elected Officials meeting at the end of July and it would be good to have a written policy in place that can be presented and reviewed at that time. There are 5 categories that have been identified for travel: 1) conventions/seminars; 2) state/federal funding accreditation; 3) software vendor training; 4) transportation of inmates and foster kids; and, 5) bond sales, which require trips to either Chicago or New York. Policies from other counties were reviewed and it was noted that Wood County has the most restrictive.

Ms. Ray feels that some of the departments send too many representatives to some of the seminars or training.

Mrs. Geissman stated that she doesn't like to second guess the department heads or elected officials when they feel more than one person should attend particularly if they send an explanation. She feels most of those would fall under categories 1 and 2.

Mr. Hambley suggested that better explanations are needed for justification such as showing the benefit to the County or to their office's operation.

Under the recommendations by Chris Jakab, it was agreed that the wording was appropriate for items 2-6, but further study of the wording on #1 is needed.

After discussing this further, it was agreed that Ms. Ray would work with Chris to prepare a sample policy for review next week.

At 10:15 a.m. the public meeting to review the \$5 permissive license tax was convened.

Mike Salay, County Engineer, stated that there were 4 different taxes that could be enacted on licenses issued. The first was enacted in 1968 and there was a referendum that removed it. Since that time 3 cities and 2 villages have enacted the tax. In 1988 additional taxes were allowed, which were enacted by the county. With the first tax, if the license is for a city resident, 50% goes to the county and 50% goes to the city. If the license is for a township resident, 70% goes to the county and 30% goes to the township. With the second tax, all of the tax goes to the county if a municipality is involved and 70% goes to the county with 30% to the township if townships are involved. The third tax can be enacted by cities or townships and has been enacted by 4 townships in Medina County. The County Engineer's Office is mostly funded by automobile registrations and the tax on gasoline. Approximately \$5 million is received in the county from interstate truck registrations. The tax generates \$1.2 million a year plus they get approximately \$2 million annually from the gasoline tax.

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Glenn Sheller, Guilford Township Trustee, stated that he is aware of some people that go outside of Medina County to get their plates/tags, and he asked if anything can be done about those.

Mike stated that the Ohio BMV is supposedly getting a program that will audit and track those down. If anyone knows of someone that is doing this, they should notify the Bureau of Motor Vehicles.

John Metter, Litchfield Township, asked if the Commissioners will be voting on this tax today.

Mr. Hambley stated that the tax is already in place and the meeting is to demonstrate the amount received and used.

A gentleman asked if the tax is used for road and bridge projects.

Mike replied yes, and noted that it is used for such things as resurfacing and culverts.

Mr. Metter stated in 2003 the Planning Commission turned down an industrial park in their area and that there is a need to promote business in the county. Taxes keep being raised and there is nothing being done to help businesses.

The public meeting was closed.

The public meeting on the Real Property Transfer Tax (RPTT) was convened.

Doug King stated that the tax was enacted in 1979 for remapping the County. Currently these are done online in the Tax Map Office. They originally used \$2 of the tax and currently use \$1 of that for the mapping. The amount they use annually is \$900,000 to pay for 10 full time and 2 part time employees in Tax maps and 2 employees in the Recorder's Office. The funding is mostly used to pay for the mapping project, but has also been used for the Recorder's scanner project and for the county's backbone/computer system. In 2004 this paid for digital photography and contour mapping.

Commissioners recessed the meeting at 10:38 a.m.

At 11:00 the public hearing on the regrading of Ryan Road was convened.

Hal Gerspacher stated that a proposed development intersection will come out on top of the hill that will be lowered due to poor sight distance for adjacent property owners. The developer was asked and agreed to lower the hill, plus there is additional work required that the County will pay for. The development is Dover Island Phase 2. He has met with several owners that will be affected. There are 3 drives that will be replaced and regarded directly in front of the homes. The waterline in the area will have to be lowered as well. The Engineer's Office determined that this project should be done soon because there will be an improvement at the other end of Ryan Road later this summer and that section will have to be closed then. The estimated time frame for this project is 3-4 weeks of construction.

Charles Thomas stated that they want to lower the hill by 5 feet and they say it is because of sight distance. At the Dover Island entrance they can see past that point. The Fox Meadows subdivision on Route 162 has less sight distance and that is on a state route. They plan to take 4-5 feet of his front yard and that will leave a 4 to 1 pitch. The new section of Lake Road has a curb and there is no curb planned at this site. His biggest concern is the amount of the hill being removed. Sight distance is not a problem although Mr. Smith has had some problem with his drive. There is a development on Sleepy Hollow Road and a new one on Granger Road that both have less sight distances. He doesn't have a problem with lowering the hill to the road but not below his front yard and leaving the pitch it will leave.

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Hal stated that they are doing this for the existing drives to have better sight distance. They are going to be working on the design speed of another section of Ryan Road later this year and because of that improvement they are doing this project. They want to do this right to meet the standards for grades and sight distance. When most roads were put in they didn't have the standards to meet that are in place today. It is a requirement now to meet the State standards when doing any improvements on roads.

Homer Smith questioned why the hill must be lowered 2-3 feet. If they go with the 5 feet a swale will be created into several properties. He asked why it cannot be lowered less than 5 feet and have a catch basin put in with a 6-8" curb. This doesn't make sense. This is a county road, not a state road, and he questioned why the State standards have to be used.

Mike Salay, County Engineer, stated that the profile of the hill was set by the design criteria. They are going to use a 26 wide roadway in the future improvement of Ryan Road. Curbs will not be installed in just one section. Through questioning, he stated that Lake Road was curbed in the one area because of the curves in the road. Ryan Road does not have this type of curve. A drainage plan is included in this project.

Mrs. Thomas presented and reviewed pictures and drawings, noting that any excavation that is done will most likely kill their large tree in the front.

Through questioning by Mr. Hambley, Hal stated that there is an existing storm basin to the south that can be extended to a storm sewer swale that will be in the road right-of-way. The widening of the road will mostly be on the opposite side of the road from these residents because the road is off center.

Mrs. Geissman asked if there is anything less that can be done.

Hal stated that he doesn't feel anything less can be done. The only compromise would be to build a retaining wall. A different design is not acceptable because the county would be accepting more liability.

There was a discussion about lowering the speed limit on Ryan Road and whether that would have any affect on the road design. Mike explained that it would not make a lot of difference, but the difficult part would be in getting the State to approve lowering the speed limit.

Don Duman asked about access to their mailboxes and whether they would have access to their drives during construction.

Temporary mailboxes will be used so the residents will continue to get their mail. Access to the drives is expected during construction. The only time access will be a problem is when the concrete is poured at the end of the drives.

Mr. Duman suggested that when the drives are poured they are not all done at the same time so the residents can share parking.

Mr. Smith stressed that no one is against decreasing the size of the hill, but they question why it has to be so deep. The sight distance can be obtained without going 5 feet.

Ms. Ray asked if the county can do something different that would not meet that State standard.

Mike stated that the Commissioners can authorize the Engineer to do it under the standard, but it then becomes a liability for the County.

There was a brief discussion on moving the waterline. It was also explained that this is not being done because of the development that is going in but because of the improvement that is being done further up Ryan Road.

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The developer stated that when they started their second phase the Engineer's Office came to them with a proposal that they help pay for this work along with the improvement of Ryan at their second entrance so the County didn't have to come down later with the next improvement and ruin their entrance and have increased costs. They did agree to pay a good portion of the cost of this improvement.

After further discussion, Mrs. Geissman asked that Mike discuss this further with the developer and see if maybe a better solution can be derived.

At 12:05 a.m. Mr. Hambley moved to close the public hearing; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners recessed into Executive Session, which was voted on earlier in the meeting.

At 12:27 p.m. Mr. Hambley moved to adjourn the meeting; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

**RESOLUTIONS PASSED:**

- 05-0542                    RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
  
- 05-0543                    RESOLUTION DETERMINING THE NECESSITY TO CLOSE BEAR SWAMP ROAD (C.H. 52) BETWEEN WADSWORTH ROAD (S.R. 57) AND FIXLER ROAD (C.H. 75)
  
- 05-0544                    RESOLUTION DETERMINING THE NECESSITY TO CLOSE COLUMBIA ROAD (C.H. 24) BETWEEN PALKER ROAD (T.H. 290) AND LAFAYETTE ROAD (U.S. 42)
  
- 05-0545                    RESOLUTION ACCEPTING AND REJECTING THE BIDS FOR THE REPLACEMENT OF BRIDGE NO. 26 ON MEDINA LINE ROAD (C.H. 2) FOR THE MEDINA COUNTY ENGINEER IN WADSWORTH TOWNSHIP, MEDINA COUNTY, OHIO
  
- 05-0546                    RESOLUTION AMENDING PERMIT FEES TO BE CHARGED BY THE MEDINA COUNTY ENGINEER FOR PERMITS AUTHORIZED UNDER THE REGULATIONS AND PROCEDURES FOR THE MEDINA COUNTY HIGHWAY USE MANUAL
  
- 05-0547                    RESOLUTION..AMENDING THE FEE STRUCTURE FOR THE ISSUANCE OF STORM WAER PERMITS AND SITE INSPECTIONS FOR MAJOR SUBDIVISION CONSTRUCTION PROJECTS IN THE UNINCORPORATED AREAS OF MEDINA COUNTY
  
- 05-0548                    RESOLUTION APPROVING THE FINAL PLAT FOR THE RETREAT AT BRENELLE SUBDIVISION PHASE II LOCATED IN LOT 2 OF GRANGER TOWNSHIP
  
- 05-0549                    RESOLUTION APPROVING THE FINAL PLAT FOR THE WEST CHASE LANDINGS SUBDIVISION PHASE II LOCATED IN TRACT 1, LOT 12 OF BRUNSWICK HILLS TOWNSHIP

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- 05-0550 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS...7.6295 ACRES OF LAND IN TRACT 1, LOT 12 OF BRUNSWICK HILLS TOWNSHIP KNOWN AS WEST CHASE LANDINGS SUBDIVISION PHASE 2A ESTABLISHING THEREBY SAID IMPROVEMENTS AS A PUBLIC WATERCOURSE
- 05-0551 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN VARIOUS SUBDIVISIONS IN BRUNSWICK HILLS, MEDINA & MONTVILLE TOWNSHIPS, MEDINA COUNTY, OHIO
- 05-0552 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOW SUBDIVISION PHASE 1 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO
- 05-0553 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOW SUBDIVISION PHASE 1 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO
- 05-0554 RESOLUTION AMENDING THE 2005 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 05-0555 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 05-0556 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 05-0557 APPROVING A SUB-LEASE AGREEMENT FOR OFFICE SPACE AT THE MEDINA COUNTY WORKFORCE DEVELOPMENT CENTER
- 05-0558 RESOLUTION APPROVING THE ACQUISITION OF PROPERTY IN THE VILLAGE OF GLORIA GLENS
- 05-0559 RESOLUTION AMENDING THE FINANCING OF THE MEDINA COUNTY 211 SYSTEM
- 05-0560 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 05-0561 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

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Patricia G. Geissman

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Stephen D. Hambley

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Sharon A. Ray

Respectfully submitted,

Pamela J. Terrill, Clerk