

## COMMISSIONERS MEETING, MONDAY, JUNE 5, 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 May 30 minutes was dispensed with. Each Commissioner has read them personally. Ms. Ray moved to approve the minutes and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution accepting and awarding the bid to Tri Mor Corporation, Twinsburg, for the improvement of Ryan Road in Lafayette Township in the amount of \$757,895.25. The next resolution Mr. King presented was closing Substation Road between Grafton Road and Boston Road for culvert repair. Ms. Ray moved to approve the resolutions; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Chris Jakab, Finance Director/Acting County Administrator, presented and reviewed the following resolutions: (1) amending the 2006 appropriations resolution by transferring appropriations for the Community Development Block Grant, Transit, and the Board of Elections; (2) authorizing the transfer of funds from the General Fund and the Child Support Enforcement Agency Fund for Title IV-D Juvenile Court Magistrate and Prosecutor's services for January through March; (3) authorizing the transfer of funds for gasoline usage for the month of May; (4) authorizing the transfer of funds for County Print Shop services for the month of May; (5) expenditure adjustments for the Sheriff's D.A.R.E. Program; (6) authorizing the purchase of bulk fuel at the Engineering Center; (7) authorizing the Job & Family Services Department to proceed with the bid process for an electronic document management and scheduling software system; and, (8) approving the Medina County Drug Abuse Commission (MCDAC) grant funding for fiscal year 2006-2007 and the total amount of the funding is \$1,170,222.00. He also requested payment of the weekly bills in the amount of \$436,841.74. Ms. Ray moved to approve payment of the eight finance resolutions and payment of the weekly bills. Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all 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. Ms. Ray moved to approve the personnel changes; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution to obtain easements for the Mallet Creek Sanitary Sewer Improvement Project. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Lynn Remington, County Home Superintendent, reported they had 52 residents at the beginning of May; one resident was released to his own apartment, so they had 51 residents at the end of May. They had five inquiries during the month. Updates were done to the fire alarm system; they replaced the old floor molding, painted, and had the PA system repaired. They passed the inspection on the pump house; had air conditioners inspected, and were serviced by exterminators. Everyone has been working very hard on the gardens and she said they look beautiful. Mrs. Remington has been working with Carol Shockley from the Prosecutor's Office on the Adult Day Care Program, which begins next Monday. The hours will be 7:00 a.m. to 6:00 p.m., Monday through Friday. This program will allow caregivers to have a day off. The cost is \$35 per day and includes one meal. She invited those interested to call the County Home to have a tour and an assessment. Residents participated in a variety of activities: Kids Care Horse Show, Senior Day, picnics, bowling, walking at Buckeye Woods, and billiards. Upcoming events are the Fathers Day Picnic, Akron Aero's game courtesy of the Medina Rotary, Blue Tip Parade, and the Cloverleaf Key Club baseball challenge. Volunteers worked 98 hours

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in May for a total of 455 volunteer hours year to date. Many items were donated and Mrs. Remington thanked the following:

- Cash donations – Medina Moose and Crosspoint Church
- Office desk, chairs, and tables – Ralph Berry
- 21 Mothers Day floral arrangements – Pat Catan's
- Flower containers, planting of flowers, and root beer floats – Girl Scouts and Jr. Leaders
- 20 gourmet box lunches – Microsoft (through the efforts of Medina Mayor Jane Leaver)
- Recliner lift chair – Patricia Naegele
- 7 tons of sand for baseball diamond and flag pole base – Medina Supply

Mr. Hambley asked if the County Home was going to have information about the Adult Day Care on the website. Mrs. Remington said they were going to put the information on the internet this week. Mrs. Geissman asked if there was any age limitation. Mrs. Remington said the program is for those 18 and over and they are using the same criteria as the residents that live at the Home (minimum-assist type people). They have nurses that can perform routine blood pressure checks and things like that. Ms. Ray thanked Mrs. Remington and Mrs. Shockley for all the work they did preparing for this project. They did research and put together all of the policies and procedures for this program that will be a big benefit for caregivers and for their loved ones.

Dr. Ross Santamaria, Diversion and Forensics Director, reported they have about 200 caseloads now. The Public Defender requested they waive their fees for some of their cases so they waive fees if someone cannot afford it. They usually charge \$250 at the misdemeanor level and most people become gainfully employed, so they can make payments. They do not charge at the Federal level, but require participants to pay court costs and appointed attorney fees. Dr. Santamaria commented that things are generally quiet.

Del Saffle, Dog Warden, reported they placed three dogs at the Century Harley Davidson event and one dog at the shelter was also placed from photos they displayed. Century donated a lot of Harley items such as hats and collars. They had the Adoption Day at the Wadsworth K-Mart and, unfortunately, only placed 4 kittens out of 12. They received their 2006 Chevy Colorado four-wheel drive truck on Friday, May 26, to replace the old Ford Ranger. An employee resigned last week who is leaving the state. Dog license sales are up by 533 over the same time last year and kennel license sales are also more than last year. Del announced that Friday he had his 20-year anniversary of working with the County.

Mr. Hambley read a resolution appointing Michelle Boczek, Brunswick Economic Development, and Julie Murawski, Brunswick Administrative Services Coordinator, to the Workforce Policy Board. Brunswick Mayor Dale Strasser sent a letter recommending the appointments. Terms commence immediately and Ms. Boczek's term would end on December 31, 2007 and Ms. Murawski's term would end on December 31, 2008. Ms. Ray moved to approve the appointments; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented a resolution amending the acreage in Resolution No. 06-383 that approved the Expedited Type 1 annexation of 3.0204 acres from Harrisville Township to the Village of Lodi. The acreage needs to be amended to 3.027 according to Roxana Rohrich, Tax Maps Director. Ms. Ray moved to approve the annexation amendment and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented resolutions commending the graduates of Leadership Medina, Class of 2006: Tammy Antonille, Doug Beeman, Stacy Bonitz, Joanne Brown, Tony Cerny, Gary Christy, Vikki Conrad, Brian Fisher, Sandy Frommeyer, Roberta Gifford, Tim Hagerty, Dale Huefner, Stephen Hummel, Bart James, Jerome Klue, Joe Kohmann, Theresa Laffey,

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Suzanne LeSure, Robin Louis, Ed McGannon, Sandy Neuman, Jeanne Norris, Karin Owen, Marge Jones Palik, James Patneau, Jr, Johanna Perrino, Peggy Reeves, Janine Sarnowski, Vicki Sussman, Michael Tefs, Fran Walsh, Jeffrey Weaver, Chad Webb, Amy Wermer, Gary F. Werner, Jaqueline Kirby Wilkins, George Wiswesser, and Beth Workman. Ms. Ray motioned to approve the commendations and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

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.

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

Mr. Hambley said they have an Executive Session following the Discussion Session for the purpose of discussing pending litigation and personnel appointments. Ms. Ray moved to schedule the Executive Sessions, which was 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 immediately following at 9:55 a.m.

### Discussion Session

Mrs. Geissman announced that Habitat for Humanity started digging the basements for three houses for qualified families. The Commissioners funded the lots for these homes with Community Development Block Grant (CDBG) and Community Housing Improvement Program (CHIP) funds in the amount of \$75,000. Mr. Hambley said people can watch the construction status on the Habitat for Humanity website, [www.medinahabitat.org](http://www.medinahabitat.org). Dianne Ranftl, Administrative Assistant, reported to her that there is \$30,600 in CDBG funds available for home repair activities.

Mrs. Geissman said she has been unable to contact Representative Chuck Calvert to apprise them of the status of the TEL-Amendment. There is a feeling that the Governor is going to sign the two laws that were considered: one making the TEL-Amendment only cover the State expenditures and the other allowing the committee to remove the TEL-Amendment from the ballot. Some of the legislators are concerned with the restrictions on the State level because they may be back in the same position as last year, having to fight for the local government funds. Mr. Hambley said he read that the Governor was awaiting a letter from the committee that put the TEL-Amendment on the ballot and indicated that if he signs it, they would follow through with asking to have it removed. Mrs. Geissman said there were editorials in some of the larger newspapers asking the Governor not to sign either law. She will keep trying to phone Mr. Calvert.

Mr. Jakab said they have final amounts from two consultant groups that bid on the Data Relocation Project. The committee recommended proceeding with the architectural firm, Domokur Robinson Edwards Architects, that submitted a revised reduced quote in the amount of \$32,289. The feasibility portion is \$7,244. Mr. Jakab recommended contracting the feasibility portion first to ensure that the chosen space on the third floor is appropriate and workable. If it proves to be satisfactory structurally, from a design standpoint, then they can contract with the firm for the remaining portion of the design work. Mrs. Geissman asked how long that would take. Mr. Jakab said the feasibility study would take about one or two weeks, based upon his conversation with the architect. Commissioners concurred to proceed with the feasibility study.

Mr. Hotz said they have been approached by Lorco, a sewer authority in Lorain County, to allow them to take sewage from Columbiana Township into the Liverpool Treatment Plant. He will bring a drawing next week for discussion. They will consider what to charge and how to proceed. Mr. Hambley said this is an issue the Columbiana Board of Trustees have been discussing with Medina County for many years. Mr. Hotz said developers had a zoning change that went on a referendum and was turned down. He told them that Medina County is not

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supporting what they are doing, but if they got the proper zoning, they would consider servicing those residents after they talked to the Commissioners. Mr. Hambley said it would benefit the plant to have the additional income and he discussed how the drainage basin works. Mr. Hotz said it is a two square mile area on Columbia Road almost up to S.R. 82, but it could not all be developed due to the rough terrain.

At 10:05, Commissioners recessed the meeting for the Executive Session that was voted on earlier to discuss pending litigation. The Executive Session recessed at 10:30 a.m.

### Public Hearing

Commissioners reconvened the public hearing at 10:35 a.m. to discuss a road vacation request for a portion of Jellica Drive (T.H. 342) in Hinckley Township. Mr. Hambley said the original petition was brought to the Commissioners over a year ago. They had a viewing and came to the decision not to take action due to a pending issue with an adjoining property owner's proposed subdivision. Since then, the subdivision has gone through the legal process, has been platted, and is currently under construction. Hinckley Township Trustees have asked that the request be revisited. He asked for the recommendation from the County Engineer's Office.

Dave Miller, consultant to the County Engineer and former County Engineer, reported that there was land to the west that was not subdivided, but has been subdivided since the original hearing on January 24, 2005. Therefore, there is no need for a road right-of-way to access the property to the west. He said Mike Salay, County Engineer, has some concerns that he feels should be addressed before a decision is made to vacate the stub. The first one being that Jellica Drive was dedicated fee-simple and road right-of-way to the Board of County Commissioners. The adjacent owners do not own to the centerline. It should be confirmed by legal counsel that upon vacation of the road, the adjacent lot owners will receive title to the centerline. Trina Devanney, Prosecutor's Office, said there is a statute that says the land would go to the adjoining property owners regardless of whether it is fee-simple or not. Mr. Hambley said the first concern has been addressed.

Mr. Miller said the second concern was that they could retain the entire 60 feet for a utility easement. At the present time, the area is only functioning for stormwater utility purposes as the drainage outlet for the 18.8 watershed from the west. Ms. Devanney said any easements remain permanently.

Mr. Miller said the third concern was that the owner of subplot 46 uses Jellica Drive as access onto his property. Mr. Salay is concerned about Township Trustees' liability with future maintenance of that section. A short stub could remain with the primary use being that of the access for subplot 46. They would like these concerns addressed by legal counsel and finalized before the vacation would occur if that is the Commissioners' decision.

Mr. Hambley said the Highway Engineer is saying that Jellica Drive can be vacated for roadway purposes, but they should postpone the decision until the issues are resolved. He opened the floor for comments.

Ron Rhodes, Hinckley Township Trustee, pointed out that the non-maintained part of the road is all that they would like to see abandoned. There is a section on Jellica up to the driveway that should not be abandoned.

Mr. Miller said the original petition proposed starting 60 feet west of the centerline of Skyway. There would be 30 feet of Skyway in the easement right-of-way and another 30 feet of Jellica.

Ron Garapick, Hinckley Township Trustee, stated that he would be in favor of dividing/vacating the non-maintenance portion of the Jellica Drive to homeowners adjoining it. Because of Mr. Sucku's driveway, they could also consider paving approximately 30 feet of it that would remain Township property. The township does not want the liability of leaving that stub open

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for traffic or accidents. They would propose putting a barricade up if the vacation does not go through.

Allan Michelson stated that he is an attorney from Medina and is representing Ralph and Susan Sucku, the owners of the piece of property on the south side of the Jellica Drive right-of-way. They were originally coming to the hearing to try to block the vacation because his clients use it for access to their property. They are not going to do that because they reached a tentative agreement with Mr. Barteck who is the owner of the property on the north side of the Jellica Drive right-of-way. He asked that the vacation not be done immediately though. He needs some time to write up the agreement in a form that everyone is comfortable with that would then be signed and recorded with the County Recorder. They appreciate the Township leaving an apron area, which will accommodate the Sucku's driveway. He said it looks like they have reached a happy resolution.

Ms. Devanney asked Mr. Michelson if he intended to amend the petition. He said he did not: he was planning to prepare a private easement and right-of-way agreement for the neighboring owners in the vacated portion of Jellica Drive that will be their property. This private land owners' agreement would be recorded so that it runs with the land.

Mr. Hambley said it will take some time for the Prosecutor's Office to review the questions and put it in writing for the Commissioners in order to safeguard the public's benefit. That should give the parties time to reach final agreement. Mr. Hambley requested a copy of the private agreement to keep on file before it is sent to the Recorder. Once these documents are received, the Commissioners can proceed with their decision. Mr. Michelson said he would make it clear that this agreement would not impair any utility easements or other rights of the County or the Township. Mr. Hambley said they needed clarification from the Sanitary Engineer to see if they were interested in an easement. Ms. Devanney said any additional easements should be worked out prior to completing the vacation. Mr. Miller said there were no other easements on the property other than drainage. The hearing was adjourned at 10:47 a.m.

At 11:00 a.m. Commissioners reconvened for the Executive Session that was voted on earlier for personnel/appointments. Commissioners recessed at 12:30 a.m.

At 1:30 p.m., bids were received by the County Engineers for the 2006 Fenn Road improvement and the Substation Road project. They will be reviewed by the engineers for recommendation and award.

Commissioners reconvened the Executive Session for personnel/appointments at 2:45 p.m. Ms. Ray moved to adjourn the meeting at 3:10 p.m. and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

### RESOLUTIONS PASSED 6/5/06:

NUMBER	RESOLUTION TITLE
06-0469	RESOLUTION COMMENDING TAMMY ANTONILLE ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
06-0470	RESOLUTION COMMENDING DOUG BEEMAN ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
06-0471	RESOLUTION COMMENDING STACY BONITZ ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
06-0472	RESOLUTION COMMENDING JOANNE BROWN ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006

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- 06-0473 RESOLUTION COMMENDING TONY CERNY ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0474 RESOLUTION COMMENDING GARY CHRISTY ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0475 RESOLUTION COMMENDING VIKKI CONRAD ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0476 RESOLUTION COMMENDING BRIAN FISHER ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0477 RESOLUTION COMMENDING SANDY FROMMEYER ON GTRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0478 RESOLUTION COMMENDING ROBERTA GIFFORD ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0489 RESOLUTION COMMENDING SANDY NEUMAN ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0490 RESOLUTION COMMENDING JEANNE NORRIS ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0491 RESOLUTION COMMENDING KARIN OWEN ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0492 RESOLUTION COMMENDING MARGE JONES PALIK ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0493 RESOLUTION COMMENDING JAMES PATNEAU, JR ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0494 RESOLUTION COMMENDING JOHANNA PERRINO ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0495 RESOLUTION COMMENDING PEGGY REEVES ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0496 RESOLUTION COMMENDING JANINE SARNOWSKI ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0497 RESOLUTION COMMENDING VICKI SUSMAN ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0498 RESOLUTION COMMENDING MICHAEL TEFS ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0499 RESOLUTION COMMENDING FRAN WALSH ON GRADUATING FROM LEADERSHIP

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- 06-0500 RESOLUTION COMMENDING JEFFREY WEAVER ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0501 RESOLUTION COMMENDING CHAD WEBB ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0504 RESOLUTION COMMENDING JAQUELINE KIRBY WILKINS ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0505 RESOLUTION COMMENDING GEORGE WISWESSER ON GRADUATING FROM LEADERSHIP MEDINA COUNTY CLASS OF 2006
- 06-0506 RESOLUTION COMMENDING BETH WORKMAN ON GRADUATING FROM LEADERSHIP MEDINA COUNTY, CLASS OF 2006
- 06-0507 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
- 06-0508 RESOLUTION ACCEPTING AND AWARING THE BID FOR THE IMPROVEMENT OF RYAN ROAD (C.H. 40) IN LAFAYETTE TOWNSHIP, MEDINA COUNTY, OHIO
- 06-0509 RESOLUTION DETERMINING THE NECESSITY TO CLOSE SUBSTATION ROAD (C.H. 38) BETWEEN GRAFTON ROAD (C.H. 42) AND BOSTON (C.H. 13)
- 06-0510 RESOLUTION AMENDING THE 2006 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 06-0511 AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE GENERAL FUND AND THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR TITLE IV-D JUVENILE COURT MAGISTRATE AND PROSECUTOR'S SERVICES
- 06-0512 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND
- 06-0513 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM
- 06-0514 EXPENDITURE ADJUSTMENTS FOR SHERIFF'S D.A.R.E PROGRAM
- 06-0515 AUTHORIZING THE PURCHASE OF 7,800 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 06-0516 AUTHORIZING THE MEDINA COUNTY JOB & FAMILY SERVICES DEPARTMENT TO PROCEED WITH THE BID PROCESS FOR AN ELECTRONIC DOCUMENT MANAGEMENT & SCHEDULING SOFTWARE SYSTEM
- 06-0517 RESOLUTION APPROVING THE MEDINA COUNTY DRUG ABUSE COMMISSION (MCDAC) GRANT FUNDING FOR FISCAL YEAR 2006-2007

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- 06-0518 RESOLUTION APPOINTING MEMBERS TO THE WORKFORCE POLICY BOARD
  
- 06-0519 RESOLUTION AMENDING ACREAGE OF RESOLUTION NO. 06-383 APPROVING THE PETITION FOR ANNEXATION OF 3.0204 ACRES OF LAND KNOWN AS BEING PART OF HARRISVILLE TOWNSHIP TO THE VILLAGE OF LODI, MEDINA COUNTY, OHIO
  
- 06-0520 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
  
- 06-0521 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS
  
- 06-0522 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 fifth day of June 2006.

Respectfully submitted,

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

OF \_\_\_\_\_  
Sharon A. Ray

\_\_\_\_\_ MEDINA COUNTY \_\_\_\_\_  
Pam Vereb, Clerk Patricia G. Geissman