

COMMISSIONERS MEETING – MONDAY, MARCH 13, 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 March 6 was dispensed with. Each Commissioner has read them personally. Ms. Ray moved to approve the minutes; seconded by Mrs. Geissman. There was no discussion. Roll Call showed Mr. Hambley and Ms. Ray voting AYE with Mrs. Geissman abstaining.

Doug King, Administrative Assistant in the County Engineer's Office, presented the following resolutions: authorizing the advertisement for bids for centerline striping and pavement marking of various Medina County highways; authorizing to advertise the bids for the purchase of bituminous liquids for sealing Medina County roads during 2006; approving the final plat for Windsor Park Subdivision Phase One located in Montville Township Lot 63; approving the annual assessment on improvements constructed under the authority of Section 6131.63 Ohio Revised Code on approximately 25.3799 acres of land in Lot 63 of Montville Township known as Windsor Park Subdivision Phase I and establishing said improvements as a public watercourse; and, granting a variance to the Medina County Engineering Code for subdivision development to Pride One York Township Group LLC for the installation of boulevard islands in the Shale Creek Subdivision. Ms. Ray moved to approve the five resolutions; seconded by Mrs. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Assistant County Administrator/Finance Director, presented and reviewed the following resolutions: authorizing the submission of Community Corrections Act Grant applications to the Ohio Department of Rehabilitation and Correction (these are two grant programs that are implemented by the County Adult Probation Department and the Medina Municipal Court Probation Department; the application amounts are \$108,986.00 and \$115,039.00 respectively); approving an agreement providing legal services pursuant to the requirements of Title IV-D of the Social Security Act (\$351,416.00); approving an agreement providing court services pursuant to the requirements of Title IV-D of the Social Security Act (\$372,567.00); authorizing an agreement with Granger Veterinary Hospital for dog spay and neuter services for the Medina County Animal Shelter; authorizing the purchase of 8700 gallons of regular unleaded gasoline for the Engineering Center (\$1.8380 per gallon); declaring Medina County property as excess property with a list of items to be discarded and a list of items to be on the online auction; and, the weekly bills in the amount of \$764,944.80. Ms. Ray moved to approve the six resolutions and payment of the weekly bills; seconded by Mrs. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution (four rate increases in the Sanitary Engineering Department and two in Child Support, one promotion, one return from a leave of absence, an updated date for retirement, and one resignation). Ms. Ray moved to approve the personnel changes; seconded by Mrs. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Gary Berkowitz presented and reviewed the resolution authorizing the termination of a Sanitary Engineer employee pursuant to the collective bargaining agreement for a three-day no-show, no-call. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Gary Berkowitz presented and reviewed the resolution amending the table of organization of management reporting to the Medina County Commissioners and the table of organization of the Finance Department. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the extension of the contract with Onyx Environmental Services, LLC for the collection, transportation, recycling, and or/disposal of unwanted/unusable paint products and other miscellaneous household hazardous waste. Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Ken Hotz presented a resolution authorizing the County Sanitary Engineer to file an application and enter into agreement with the Ohio Department of Natural Resources to acquire funds through the 2006 ODNR Community Development Grant (they have reduced their program and it's now a competitive program; they are requesting funds to purchase a trailer to use for year-round collection). Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

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Ken Hotz presented a resolution rescinding the award for one 2006 mid-size automobile four-door on Resolution 06-135 and awarding the second lowest bidder. (It was awarded to Ganley Ford West; however, they had to raise the price. It will be awarded to Gallucci Chevrolet.) Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Ken Hotz presented a resolution granting a pipeline right-of-way and meter site agreement in the Medina County University Technology Park to Consumers Gas Cooperative (this is the company will install the gas line to serve the Technology Park and this gives them the right to set meters and maintain the lines). Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Ken Hotz presented a resolution for the County Sanitary Engineer to invest the retainer of Fabrizi Trucking and Paving Co., Inc. for the Chatham Township waterline project 2005 in an escrow account. Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Debra Radecky, Office for Older Adults, stated that a St. Patrick's Day party for seniors will be held March 17; annual pool tournament on March 22; TBI Tours presenting on New Mexico on March 24; bingo and a movie on March 29; Interim Healthcare presentation about fall prevention on March 31; and, a Wells Fargo program on reverse mortgages on April 7. The minivan for Medicare has been in twice and will come again on March 15 and April 19. Registrations for the April 16 Senior Day have been sent. In February, 5 health units were done, 35 Alzheimer respite units, 103 supportive units, 1473 transit trips, and 1142 congregate meals, and 4055 home-delivered meals.

Mr. Hambley presented a resolution repealing Resolution 04-220 and adopting the All Hazard and Flood Mitigation Plan (the updated plan) as submitted by the Medina County Emergency Management Agency. Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Mr. Hambley presented a resolution appointing Mike Salay as representative and Dave Miller and alternate to the OPWC District 9 Integrating Committee. Commissioner Representative is Stephen Hambley and Sharon Ray will serve as alternate. Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

Mr. Hambley presented a resolution appointing Lee Kehoe as the township representative to the Transportation Improvement District. Ms. Ray moved to approve the resolution; seconded by Ms. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

The Assistant Clerk read the resolution to allow expenses of County officials from the Sheriff, Job & Family Services, MCDAC, and Office for Older Adults. Ms. Ray moved to allow the expenses; seconded by Mrs. Geissman. There was no discussion. Roll call showed all Commissioners voting AYE.

The Assistant Clerk read the resolution to allow expenses of County officials from the County Engineer office. 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 and there was no one present wishing to comment.

Mr. Hambley noted that there is a request for two Executive Sessions to discuss pending litigation and personnel appointment. Ms. Ray moved to recess into two Executive Sessions for these purposes after the discussion session; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley also noted that there would be another discussion session at 1:00 p.m. to review and finalize the budget.

Commissioners moved into the conference room for the discussion session at 9:50 a.m.

Mike Salay, County Engineer, spoke about the cost sharing for U.S. Route 42 corridor widening project from the shopping center to Fenn Road. Part of the project is already funded and the letter from ODOT summarizes the project cost and the proposed cost share. The PE track is the only part of the project that is currently funded. As part a proposal to fund the construction, there is a significant local share cost – about \$8 million. The largest part of the local share is hoped to come from NOACA – almost \$6 million. The local share breakdown (Medina City,

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Medina County, and Medina Township) is listed. Medina City has a resolution to participate and fund a total of over \$1 million. Mr. Salay is proposing to participate with County motor vehicle funds of \$500,000. There are several township roads and the project will assist in removing some traffic from some of the local and township roads, so there is a benefit to the County. The Township has indicated a willingness to participate; they will be passing a resolution tonight of \$250,000. The City is requesting additional work such as medians, landscaping, special treatments, etc.

Mr. Hambley noted that they must have the money in 2010. It is very competitive at this point because of change in the Federal funding (the Obligating Authority) to spend the money that was available (about 80%). There is a shortfall of available NOACA funds over the next several years. This window falls outside of that, but the number of projects that were in the Transportation Improvement Plan will need to be shifted later. It is better for the County to have the commitment because it places the County in a better position to obtain the dollars. A resolution from the County will be needed next week; it will be prepared by Chris Jakab.

Ms. Ray reported that there are four openings on the Workforce Policy Board. Representatives from Wadsworth and Brunswick are needed. The Commissioners were in agreement that she should go to their Councils and ask for names.

Ms. Geissman noted that she will be attending the CCAO Urban Counties Committee Meeting April 21, 2006, in Columbus.

Ms. Ray noted that she has an RFP for the prescription drug program. She also had information from Dr. Eric Lothes who also has a prescription assistance program. He sent some form copies and criteria that the pharmaceutical companies use to get an idea about the difficulty of the paperwork.

Ms. Ray stated that AlterPet has made a request. There is excess money in the spay and neuter account. AlterPet provides those services for the pets of low-income Medina County individuals. She wondered about giving a grant for the year, even if only \$4,000-5,000. Keeping money for three or four years means that other money would be excessive. She will meet with Chris Jakab to see if a grant is possible. Chris Jakab stated that he'll need to check with the Prosecutor's Office to ensure that those funds can be used for that purpose.

Chris Jakab stated that he had sent the Commissioners a letter from bond counsel regarding some guidelines, options and recommendations regarding funding fiber optic. Based on the letter, there are two options: (1) long-term financing by issuing bonds, and (2) issue non-tax revenue bonds authorized by Chapter 165 of the Ohio Revised Code. It appears that the second option is the better solution. There is a negligible rate increase associated with issuing non-tax revenue bonds, about 1/10 of a percentage point. Certain assumptions were made – two-thirds of the project would be tax exempt based on the projected users of the system and that 1/3 would be taxable based on the private enterprises that would be leasing part of the network from the Port Authority. The total debt issue is \$7,065,000; this covers the estimates based on the business plan provided to the Board by the Port Authority consultant. It covers the construction costs, the cost of issuance for the debt itself (including legal fees), and the debt payments for the first 12 months of the project. This allows the Port Authority to save money to pay for operational costs (of about \$400,000) for 1-1½ years. The restriction is that these debt proceeds cannot be used to pay for operating costs of the system which leads to create some additional financing requirements of the Port Authority to cover the first 1-1½ years of cash flow. Jim Douth has met recently with some representatives of the State who have expressed enthusiasm in granting money for the project.

Mr. Douth met with a representative from the Department of Development about the Regional 166 direct loan. He also submitted a grant application to Senator DeWine for 2007 appropriations. The status should be known by the end of the 2006 calendar year. He also had a meeting with One Cleveland, an organization that is the operators of several hundred miles of dark and lit fiber in Cleveland; they are making a regional outreach and were interested in the project. The debt schedules will be given to the consultant by Mr. Douth to place into the Business Plan knowing that we will cover capitalized interest for the first 1½ years. Mr. Douth also noted that letters of support have been received.

Ken Hotz reported that they have taken over the second phase of the Hinckley area from Cleveland last Saturday. The response sent back from Rustic Hills for sanitary sewer is only 30% affirmative. This is the third time the association has attempted this. A majority is needed. Mr. Hambley noted that he had spoken with the Health Department. There are rules coming from the State level regarding septic systems; a decision is scheduled for the first part of May that would require periodic inspection, replacements, etc. Once rules are adopted, communication will be sent to those having septic systems. It is our understanding that no one will be "grandfathered"; however, it will take years for effective actions. Mr. Hotz anticipated revisiting this issue in the summer.

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Commissioners recessed the meeting at 10:15 a.m. for the Executive Session that was voted on earlier.

The following are minutes of the Discussion Session for the purpose of budget considerations. The meeting began at 1:00 p.m.

Regarding an additional clerk in the Commissioners office, it was consensus that this be re-evaluated in July. It was noted that the receptionist's job description has been prepared.

The Planning Department has requested a creation of a Zoning Division. Mrs. Geissman noted that Lynda Bowers wanted this and she is expecting that they will raise their fees to help pay for this; Ms. Bowers never thought that the Commissioners would have to pay and they are willing to contribute \$10,000-15,000. A letter was received from Seville to participate in this. Mr. Hambley thought that this needed to be treated as a business enterprise; there is no way to collect enough fees in the first year to cover the costs. Westfield has declined. Patrice is working on a final budget and proposal to send to the remaining parties (Litchfield, Medina Township, and Lafayette Township). Mrs. Geissman stated that it was her understanding that Medina Township only wants to use the enforcement portion. It was consensus that monies be appropriated outside of the planning budget and then moved in once agreement is reached to move forward.

The next discussion was Economic Development request for an increase in their subsidy from \$60,000 to \$66,000. It was noted that no one in that department has health insurance benefits. Because they are a 501C, they can't participate under the Commissioners' benefits. Mr. Jakab noted that they are tapping into additional resources as they expand their workload.

The Public Defender has requested a \$4,000 increase in the travel budget for increased mileage reimbursement and attorney continuing education. It was consensus to grant a \$2,000 increase. An interpreter (Spanish) and miscellaneous expert services amount of \$4,400 was requested. Also requested was \$2,000 for new printers, fax, and PCs. Consensus was to grant the two requests.

Mr. Hambley reported that the Board of Elections is doing research regarding the database list. They haven't documented the need to automate the absentee ballot. If they can document a need after the primary election, then the Commissioners will revisit the issue in July. It was noted that they would like salaries re-evaluated, but until problems are handled and Human Resources can make comparisons, that should also be revisited in July. The Board of Elections has stressed the need for a barcode reader. They will be given 3% and overtime will be limited to \$5,000.

The Sheriff's Department has requested funds to replace a washing machine and tasers. An increase of \$10,000 will be granted.

The Building Inspection Department has a request for a promotion and subsequent salary increase, and scheduling software and equipment. There was a consensus that when a new person is hired to replace Art, the new person should evaluate scheduling software. Alicia's job description is being rewritten to make her more an operations manager; operationally, she knows everything and will be an asset when a new chief building official is hired. She is currently being compensated as a clerk in charge of two other employees; she is performing much more. Mrs. Geissman noted that she was given a very large raise within the past two years; there is a \$10,000 difference between her and the other two employees. Because she is basically performing the same duties, another increase would be extreme. Human Resources should also make a comparison of this position. Ms. Ray noted that Alicia is completing the payroll, purchasing paperwork, disciplining, and is running the office. Mrs. Geissman stated that she is earning \$10,000 more a year to do that work. Ms. Ray opined that she felt that Alicia is underpaid. Mrs. Geissman felt that perhaps all three employees deserved a raise. It was consensus that this be re-visited when various departments receive raises.

The Humane Society provided a written document. We have been paying \$4,000 a year since 1998 or 1999. An increase was given.

Regarding the prescription drug assistance program, Mrs. Geissman felt that no more than \$2000-3000 should be spent. Mike Fox was quoted in the *Medina Gazette* had indicated that the residents of Medina County could contact him to get on the program. When the gentleman made the presentation previously, she recognized it as the patient assistance program (a free program) that is coordinated by many different agencies. The County can offer free prescriptions for residents by working with the agencies. Mrs. Geissman has spoken with Dianne Ranftl who would like to organize helping residents complete the forms, coordinating getting them back from the doctor, etc., and that she had time to do it. Additionally, she has spoken with her pharmacist and they provide assistance. She indicated that information should be distributed to residents to allow them to obtain free drugs rather than a \$7 fee for paperwork. Ms. Ray said that the individual pharmaceutical companies provide the discounted prescriptions

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and that there is much paperwork to be completed that Mrs. Ranftl wouldn't have time to coordinate. Mr. Hambley stated that the proposal isn't focusing on just one program, but showing who is available to promote the program. Additionally, none of the other programs are listed on 2-1-1 system. Someone needs to be the bridge between the clients needing the service and the pharmaceutical group that provides the paperwork. Mrs. Geissman stated that the Commissioners could advertise that it is free. Jean Holland had told Ms. Ray that she doesn't have time to do anymore; Mrs. Geissman said that she had spoken with Ms. Holland and the largest problem she has is having the W2 form returned.

Ms. Ray stated that whoever coordinates the program will need to follow up with the pharmaceutical companies two to six times a year for each patient. For someone with a chronic illness, they have four to six prescriptions, not necessarily available through the same pharmaceutical company. Mrs. Geissman said there are about three major pharmaceutical companies that would deal with all of the prescriptions. Ms. Ray said that all three have different requirements. Mrs. Geissman said residents need to know that prescriptions are absolutely free and that there are agencies available to assist with paperwork. Mrs. Ranftl is willing to coordinate the program without the added \$15,000 for an outside agency. Ms. Ray stated that it was too large a job for Mrs. Ranftl to coordinate.

Mrs. Geissman said that any money put into the program should be used for letting residents know that the prescriptions are free to them. Using tax money to advertise another company is not proper. Chris Jacob thought that an insert could be placed in the sanitary bill to get the word out that list agencies and physicians who are able to help complete the forms for free. The \$15,000 is not meant to market a company, but for printing literature. Mrs. Geissman thought that \$2000-3000 would be sufficient for printing.

Mr. Hambley and Ms. Ray asked that \$10,000 be placed in the budget amount and approve the plan in the future. Mrs. Geissman said that she will only promote free drugs. Only those with low income will qualify for the program; Ms. Ray said that about 20% of the Medina County population is low income. Mrs. Geissman said that she felt \$10,000 was excessive; however, she realized that the majority were in agreement.

The next item was the contribution to Metro Housing. Skip had put together a housing coordination division and hired staff person. He was hoping that TANF dollars, through an agreement with Mead Wilkins, would cover most of the associated costs. TANF dollars are restricted and haven't generated enough money; therefore, there is a shortfall. Mr. Hambley stated that the idea is to have a centralized office to collect data so that when grants are prepared, there is a central database; the HMIS system does this. There is grant money available for the equipment. It was agreed that an additional \$5,000 be granted for homeless assistance and \$10,000 for the staff person.

Mr. Hambley noted that the Historical Society has been at the same amount since at least 2000. It was consensus that an increase of \$2500 be granted so that they are able to work on some capital issues.

Mr. Jakab noted that the Print Shop shows a significant decrease from their original decrease because Lisa decided to utilize part-time personnel.

Mr. Jakab stated that he will incorporate all of the aforementioned figures into the final document that will be given to Commissioners the next day.

Mr. Hambley asked about the capital improvement budget. Mr. Jakab reported that he and Tom had prepared a prioritized list. The Commissioners asked that another look be taken, especially regarding clock and roof repairs. It was consensus to provide another \$100,000.

Ms. Ray moved to change the Executive Session from March 13 to March 14 regarding pending litigation; seconded by Mrs. Geissman. Roll call showed all Commissioners voting AYE.

The meeting recessed at 2:22 p.m. and then reconvened at 10:00 a.m. on Wednesday, March 14, 2006.

Mr. Hambley moved to retain the services of Steve Levine of Squire, Sanders and Dempsey for the purpose of counsel for the case of Guilford Township versus et. al. not to exceed \$50,000. The motion was seconded by Ms. Ray. Roll call showed all Commissioners voting AYE.

Ms. Ray moved to go into Executive Session for the purpose of pending litigation. The motion was seconded by Mrs. Geissman. Roll call showed all Commissioners voting AYE.

The meeting adjourned at 10:02 a.m.

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After the Executive Session adjourned, Ms. Ray moved to adjourn the meeting. The motion was seconded by Mrs. Geissman. Roll call showed all Commissioners voting AYE. The meeting adjourned at 11:02 a.m.

RESOLUTIONS PASSED:

- 06-147 Resolution to allow claims and authorize issuance upon the Treasurer in settlement of such list of claims
- 06-148 Resolution authorizing the Medina County Engineer to advertise for bids for centerline striping and pavement marketing of various Medina County highways
- 06-149 Resolution authorizing the Medina County Engineer to advertise for bids for the purchase of bituminous liquids for sealing Medina County roads during 2006
- 06-150 Resolution approving the final plat for Windsor Park Subdivision phase one located in Montville Township lot
- 06-151 Resolution approval annual assessment on improvements constructed under the authority of Section 6131.63 Ohio Revised Code on approximately 25.3799 acres of land in lot 63 of Montville Township known as Windsor Park Subdivision phase one and establishing thereby said improvements as a public watercourse
- 06-152 Resolution granting a variance to the Medina County Engineering Code for subdivision development to Pride One York Township Group LLC for the installation of boulevard islands in the Shale Creek Subdivision
- 06-153 Resolution authorizing the submission of Community Corrections Act grant applications to the Ohio Department of Rehabilitation and Correction
- 06-154 Resolution approving an agreement providing legal services pursuant to the requirements of Title IV-D of the Social Security Act
- 06-155 Resolution approving an agreement providing court services pursuant to the requirements of Title IV-D of the Social Security Act
- 06-156 Resolution authorizing an agreement with Granger Veterinary Hospital for dog spay and neuter services for the Medina County Animal Shelter
- 06-157 Resolution authorizing the purchase of 8,700 gallons of regular unleaded gasoline for the Engineering Center
- 06-158 Resolution declaring Medina County property as excess property
- 06-159 Resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
- 06-160 Resolution authorizing the termination of an employee of the Medina County Sanitary Engineer
- 06-161 Resolution amending the table of organization of management reporting to the Medina County Commissioners and the table of organization of the Finance Department
- 06-162 Resolution authorizing the extension of the contract with Onyx Environmental Services, LLC for the collection, transportation, recycling, and/or disposal of unwanted/unusable paint products and other miscellaneous household hazardous waste
- 06-163 Resolution authorizing the County Sanitary Engineer to file an application and enter into agreement with Ohio Department of Natural Resources for the purpose of acquiring funds through the 2006 ODNR Community Development Grant
- 06-164 Resolution rescinding the award for one 2006 mid-size automobile 4-door on Resolution 06-135 and awarding to the second lowest bidder
- 06-165 Resolution granting a pipeline right of way and meter site agreement in the Medina County University Technology Park to Consumers Gas Cooperative
- 06-166 Resolution authorizing the County Sanitary Engineer to invest the retainer of Fabrizi Trucking and Paving Co., Inc. for the Chatham Township Waterline Project 2005 in an escrow account MCSE #W-500/00-5.1.61
- 06-167 Resolution repealing Resolution No. 04-220 and adopting the All Hazard and Flood Mitigation Plan as submitted by the Medina County Emergency Management Agency
- 06-168 Resolution appointing representatives and alternate to the OPWC District 9 Integrating Committee
- 06-169 Resolution appointing the township representative to the Transportation Improvement District (TID)

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06-170 Resolution to allow expenses of County officials

06-171 Resolution to allow expenses of County officials

MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Sharon A. Ray

Patricia G. Geissman

Respectfully submitted,

Peggy Folk CPS, Assistant Clerk