

COMMISSIONERS MEETING – MONDAY, MARCH 27, 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 March 20th minutes 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 all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed resolutions to close a section of Hulbert Road in Westfield Township, between Seville Road and Mud Lake Road on March 27th and 28th for culvert repair, an emergency closing of a section of Jeffrey Road in Homer Township, between Zimmerman Road and Spencer Road on March 23rd and 24th for culvert repair, and approval of the final plat for the Cobblestone Park Subdivision, Phase 2A, in Montville Township. Ms. Ray moved to approve the three resolutions and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Acting County Administrator/Finance Director, presented and reviewed resolutions approving various cash transfers; expenditure adjustments for various funds; authorizing the purchase of gasoline for the Engineering Center; accepting a lease agreement with the Medina County Board of Education to provide 2,040 square feet of additional office space at the Professional Building for two years at an annual rental of \$14,280; authorizing the submission of a Tobacco Use Prevention and Control Foundation Implementation Grant continuation application in the amount of \$102,500 for the period of July 1, 2006 through December 31, 2006; approving an agreement for magistrate services provided by the Domestic Relations Court pursuant to the requirements of the Title IV-D of the Social Security Act with a program budget of \$621,245 and a contract budget of \$267,323; entering into an agreement and memorandum of understanding with Habitat for Humanity of Medina County, Inc. to provide financial assistance for two residential housing units funded by \$25,000 from the Comprehensive Housing Improvement Program (CHIP) Grant and \$50,000 made available through the Community Development Block Grant (CDGB); proclaiming April 2006 as "Fair Housing Month"; and payment of the weekly bills in the amount of \$521,644.44. Ms. Ray moved to approve the nine resolutions and payment of the weekly bills. Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. 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, had no resolutions today.

Mead Wilkins, Director of Job & Family Services (JFS) presented six resolutions. The first one authorized the advertisement for proposals for TANF tutoring services. One of the goals of TANF is teenage pregnancy prevention and school success is a positive asset in preventing teenage pregnancy.

The second resolution Mead presented was authorizing for proposals for tutoring services for children in foster care and adoption. This is a contract they have had very good success with through the Medina County Board of Education and they would like to renew it.

The third resolution was authorizing the advertisement for proposals related to contract monitoring for JFS. There is a big shift in state monitoring and auditing using different criteria so they need to have someone that is familiar with this to make sure that there is no liability to the county.

The fourth resolution was authorizing an agreement for TANF employment and training services to custodial and non-custodial parents involved in the Medina County correctional system. This is a TANF demonstration grant that began operating at the Jail on July 1st in

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

conjunction with Alternative Paths. It has been moderately successful. The courts have said that there are people on probation that could pay child support, but county statistics show that 171 out of 769 people on probation are unemployed. They are looking at working with the Career Center to put some intensive case managers directly into the court and the one from Alternative Paths still work at the Jail. They have tentative approval for the implementation plan that could work for employment services for people who are in the jail and also on probation before they go to jail, which might help with overcrowding.

The fifth resolution Mead presented was creating guidelines for the utilization of adoption incentive funds in the amount of about \$60,000 to help with adoption services.

The last resolution changes the Prevention, Retention & Contingency Plan (PRC) that would give them spending approval for some of the programs and to support the countywide needs assessment. Ms. Ray moved to approve the six resolutions. Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mead presented a chart showing the update of their PRC expenditures and surprisingly it showed how Medina County was affected by Hurricane Katrina last September and October. Upon questioning by Mrs. Geissman, Mead said they helped about 62 people. Mead reported that JFS has the “Rising Up and Moving On” breakfast on Thursday. They have had a series of brown bag lunches for the income maintenance staff in order to catch up with the workload and for the first time in five years they are caught up. Mead presented a graph showing the 32 Medicaid Programs that JFS administers and uses \$100 million per year. The state has ordered that Medicaid be managed care by June 1st. House Bill 66 has ordered it pulled out and to become its own department so there are going to be a lot of changes in an already complicated system. He asked Debbie Kiley to report on the Health Check Program.

Debbie Kiley, JFS Eligibility Services Specialist, said that the Health Check Program is the State of Ohio’s name for the federally mandated Early Periodic Screening Diagnosis and Treatment Program. This is for Medicaid eligible individuals under the age of 20 and it includes a program for pregnant women. It offers comprehensive prevention and treatment services such as dental, vision, and hearing. The idea is, if each Medicaid recipient under 20 receives these routine exams that future costs of Medicaid dollars can be reduced. Hopefully, they will catch a medical problem early and not have to treat it later. Giving pregnant women services, transportation, and medical appointments will encourage them to get checkups before the third trimester, as they do now, promoting healthier babies and moms. There are over 6,000 children that are Medicaid eligible in Medina County. JFS is mandated by the state and federal government to coordinate services with these people including transportation.

Dr. John Waddell, Tobacco Coordinator, expressed his appreciation to the Commissioners for passing the resolution that allows them to submit the grant proposal to the Ohio Tobacco Use Prevention and Control Foundation (TUPCF). He feels that Medina County is in good shape to receive the grant that would extend the programs for six months. It also sets them up in a good position to be able to apply for future grants. He said he took the TUPCF training in Columbus that was offered by the Mayo Clinic and that allowed him to become a certified Tobacco Treatment Specialist. He has been using that training to talk to other physicians and urge them to back the tobacco effort. Dr. Waddell will be speaking at Medina General Hospital on April 19th and at other hospitals after that. They have two years of implementation data compiled now so they can look at that and see that they are actually making a difference with their two tobacco cessation initiatives – working with the youth and also with pregnant women.

Bill Hanigan, Workforce Development Director, reported that the contract with Goodwill continues to exceed and meet all of the criteria. The foot traffic at the One Stop is up 21% from a year ago, which is an indication of recognition of their location so they are getting some market penetration. The request for proposal is out for the Youth Committee and that should be wrapped up by the end of April. They are moving ahead with contract negotiations with Goodwill for the Adult and Dislocated Workers and will submit that to the Commissioners for approval when it is ready. They are working with the Curriculum Committee for the University Center in hopes of bringing together a Polymer Training Program. The state announced that Medina County is the first to sign up the incumbent workers program. The Medina County

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

Workforce Policy Board and the Joint Medina/Summit County Board met on March 7th and he thanked Sharon Ray, the Commissioner liaison, and the other Commissioners for their support

Mr. Hambley presented a resolution reappointing a representative, Laura Dean, and alternate, Wally Schaedel, for the City of Medina to the Medina County Drug Abuse Commission (MCDAC). Ms. Ray moved to approve the appointments and Mrs. Geissman seconded. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented a resolution proclaiming April 2-8, 2006 as “National Library Week” in Medina County. The proclamation was approved on a motion made by Ms. Ray and seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented a resolution proclaiming April 2-8, 2006 as “American Home Week”. Ms. Ray made a motion to pass the resolution and Mrs. Geissman seconded that motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley read a resolution proclaiming April 23-29 as “Administrative Professionals Week” and Wednesday, April 26, 2005 as “Administrative Professionals Day”. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley read for public record the notice of a Regular annexation petition that was filed in the Commissioners Office on Friday, March 24, 2006. It is for 139.6205 acres from Wadsworth Township to be annexed to the City of Wadsworth. The hearing is scheduled for Tuesday, May 30, 2006 at 10:30 a.m.

The Assistant Clerk read the resolution to allow the travel and training expenses of County Officials and the resolution to allow the travel and training expenses for the County Engineers Office. Ms. Ray moved to allow the expenses on both resolutions; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley said normally they look at all the resolutions and do all of their business before they open up the meeting for public comment, but they have changed things around this morning because there is a review of an Expedited Type 2 annexation request on the schedule for 15.5631 acres of land from Guilford Township to the City of Rittman. They will move this agenda item to immediately following public comment. After public comment the representatives from the three parties are welcome to address the Board. Each party has filed a brief; there is a motion for dismissal on record from the township, and also an objection and strike the motion to dismiss from the property owners. He acknowledged the information and letters received from adjoining property owners and residents and said they are welcome to comment as well. Mr. Hambley stated that the Ohio Revised Code provided them with a list of strict criteria to follow for Expedited Type 2 Annexations and during their review they will be taking those facts into consideration in making their judgment. Those that testify will not need to be sworn in since this is not a public hearing as required with other types of annexations and there are no cross examinations.

The meeting was opened for public comment.

Lenny Hrovat, representative for Alternative Paths, stated that he works full time at the Jail providing substance abuse services. He was representing his supervisor, Gail Carmon, regarding today’s Job & Family Service resolution authorizing TANF dollars to be used for training services to parents in jail. He said they hired a person last November, but recently let her go so they are presently reevaluating the direction of that program.

Tom Huggins, R.N. and Jail Mental Health Coordinator said he was concerned about the same resolution because it implied that Gail Carmon would be actively involved in supervising about four people. That is something she does not want to do if it goes in the direction that the resolution suggests it will.

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

Mrs. Geissman said she is liaison to the Sheriff and the Jail so she would talk to Mead Wilkins and Sheriff Hassinger and they would resolve this issue. She thanked them for bringing this to their attention.

Glenn Waggy, 10066 Rawiga Road, Guilford Township, Seville, thanked the Commissioners for the opportunity to speak about the annexation. In his opinion this annexation is impractical, uneconomical, and not a good idea. He said the annexation law requires a 5% perimeter of the annexed property be contiguous to the city. It was set at 5% to lend a measure of practicality to annexations and prevent a sizable tract, like this one that is somewhat removed from the city, to be annexed when it is only touches the corporation line on one point and is not adjacent to the city. The petition that is before the Commissioners appears to meet that 5% criteria, but documented evidence shows that the petitioner is offering 98 acres to the City of Rittman to be annexed. Rittman City Council's acceptance of this offer was based on the idea that it was going to be 98 acres and that the petitioner granted her legal counsel freedom to add or take away from the acreage as necessary to have the annexation approved. The 15.5631 acre petition that was presented to the City of Rittman included a plot map showing a total of 98 acres to be annexed in two phases labeled "Phase 1" with 15.5631 acres and "Phase 2" with 82.8231 acres. He gave the Commissioners a copy of it. Copies of the petition for phase one including the plot map with both phases were given to each Council person prior to their meetings, hearings, and vote to accept or reject the petition. It is his contention that from this point forward, it was impossible for the Council people to evaluate the 15.5631 acre proposal on its own merit and no attempt was made to do so at these hearings. To them it was a two-phase package proposal of 98 acres. The petition filed with the county was for 15.5631 acres and made no mention of the additional 82.8231 acres and no plot map. Therefore, the petition to the County Commissioners is a misrepresentation of the intent and purpose of the proposal put before them. The 5% contiguous boundary criteria applied to the 98 acre parcel does not meet the requirement because if it did, it would need 686 feet, but only has 208 feet. It only meets the criteria if it is broken down into phases. He added that this is another attempt by the petitioner to circumvent the law by misrepresentation and manipulation. He would like to argue the point if someone says this is legal. If it is okay to break the property into smaller parcels in order to meet the 5% requirement, he asked what would prevent anyone from annexing any portion of property by breaking it down into small enough portions. If they get the first one accepted that would give them leverage for the second one, third one, etc. Certainly this annexation law did not have this in mind when it was created. It does not say this in the law because there cannot be a law for every infraction and there is a certain amount of interpretation required. In this particular case, he feels the evidence is clear that the petitioner wants to annex 98 acres eventually and they are using the breakdown into Phase 1 and Phase 2 to circumvent this law. Therefore, they should look at it as a total package of 98 acres that does not meet the criteria of Item 4 in Division E of the Type 2 Annexation Law.

Sean Hughes, 3649 Shaw Road, Guilford Township, stated that there is a contingent of Guilford Township residents and they are going to show their side of the argument. He stressed that knowledge of the presentation is extremely important. The petitioner's attorney did a ten-minute presentation to the City of Rittman about the great benefits and beauty that a potential 98-acre development would bring. Nothing was mentioned about the smaller development. The Mayor mentioned what 80 homes would bring to the area and they were all in collusion regarding the large windfall of benefits such as tax dollars, new people, and increased retail sales that the package the Laurilas presented would bring to the City of Rittman. He thinks it is extremely important they realize it is not just about the 15.5631 acres, or they would not be here. He suggested they get a copy of the minutes from that Council meeting and they will see that it is really about 98 acres.

Vernon Eades, 105 Joshua Drive, Rittman, said that the audio from that Rittman City Council meeting is on the internet and they can access it by going to rittmaninfo.com.

The public comments lead into the discussion about the annexation. Mr. Hambley asked if there was a representative from the township that would like to speak.

Terry Griffith, special counsel from Erie County, said that there has already been an objection filed and a brief in the court of those objections. These objections are twofold. 1.) This matter is res judicata because the Commissioners considered the annexation in 2001 and rejected it when it was 251 acres. 2.) The objection raised by the ORC Section 709.023 that Mr.

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

Waggy addressed dealing with the 5% contiguous criteria only applies if they look at the 15.5631 acres. If they look at the 98 acres that are really the subject of this annexation, there is a shortfall in the contiguous acres.

Mr. Hambley asked if there was a statement from the representative for the property owner.

Andrew McIlvaine, from Palecek, McIlvaine, Hoffmann & Morse, Co., L.P.A., stated that he is attorney for the petitioner, Jane Bauman Laurila, the trustee for this particular property. Before them today is a 15.5631 acre annexation petition. The suggestion and unfortunately, barbs that have been thrown at his client suggest that they are being asked to approve annexation of some other property that is not before the Board. That is not what is presented before the Board. It is not what is allowed to be reviewed by the Board, and he believes that not just the statute, but case law that always followed annexation petitions consistently held that the prospect of other annexations is a characteristic of any annexation. Because of that it is never a ground to deny an annexation. It is being suggested that because this and any other annexation could lead to the annexation of other properties that that should be a ground to deny a request. That would inherently congregate the public policy to encourage a landowner to choose whether or not they are going to bring their land in. The 100% owner of land has chosen annexation to benefit their property and the Ohio Revised Code has outlined what they should look at and consider. The petitioner has met all seven elements of the ORC. Because of that, the petitioner asks that the Commissioners review and approve the annexation.

Mr. Hambley asked if there was any statement from a representative of the municipality and there was none. Mr. Hambley said they had a resolution approving the petition for annexation of 15.5631 acres that outlines the criteria that it meets:

1. Meets the requirements of ORC 709.02 & 709.021:
 - a. Territory proposed to be annexed is contiguous to the municipality
 - b. Petition contains the signature of all property owners within the territory to be annexed
 - c. No signature was obtained more than 180 days before the date of filing
 - d. An accurate legal description and accurate map/plat were filed
 - e. An agent was named in the petition
 - f. A list of adjacent tracts, lots or parcels, including names and addresses of owners, and permanent parcel numbers was submitted

2. Meets the requirements of ORC 709.023:
 - a. The land is not excluded/detached from the township
 - b. Owners waive the right to appeal any action by the Board in law or in equity
 - c. The agent has provided proof that within 5 days of filing, the required notices to 1) the clerk of the municipality, and 2) the clerk of the township(s), and 3) the clerk of the board of county commissioners
 - d. The agent has provided for the required notices to 1) all of the property owners within the territory proposed to be annexed, and 2) adjacent property owners
 - e. The city/village has passed and filed an ordinance relative to services to be provided and filed said ordinance with the Board of Commissioners within 20 days of the date the petition was filed
 - f. The city/village has passed and filed an ordinance relative to zoning regulations and the requirement for a buffer {if proposed annexation territory is subject to municipal zoning that is incompatible with township zoning}; said ordinance was filed with the Board of Commissioners within 20 days of the date the petition was filed
 - g. Territory proposed to be annexed does not exceed 500 acres
 - h. There is a contiguous boundary between the municipality and township of at least 5% of the perimeter of the territory proposed to be annexed
 - i. The annexation does not create an unincorporated area of the township completely surrounded by the territory proposed to be annexed
 - j. No street or highway will be divided/segmented by the boundary line of the township and municipality creating a road maintenance problem; if a

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

street or highway is divided/segmented, the municipality has agreed to assume the maintenance of the street or highway

Upon questioning, Pam Vereb, Asst. Clerk verified that the annexation petition met requirements c through f under ORC 709.02 & 709.021.

Mrs. Geissman commented that what has occurred here and what Mr. Waggy has said, that annexing 15 acres to get 98 acres is quite possibly what is going to happen. In talking with their attorney today there is definitely a loophole in the legislation and perhaps that is what will be taken advantage of here. If she understands their attorney correctly, if that does occur they might be able to do something about the larger parcel being annexed to the City of Rittman.

Ms. Ray said that as a former Guilford Township resident, she is a little dismayed by this annexation as well. Unfortunately, the way it was explained it is kind of like a dog bite law in the State of Ohio – you can see the dog, you know it's going to bite you, but until it actually bites, there is absolutely nothing you can do. The law provides for the Commissioners only to do a cursory review and as long as procedurally things have all been completed, they really have no discretion in this matter unless the second annexation comes through. At that time they may be able to take some different action.

Mr. Hambley said they are a ministerial function and just reviewing the facts and applying it specifically to the questions at hand. He and Mrs. Geissman were on the Board several years ago when the original annexation came in and they rejected it. That was a Regular annexation and it was before the annexation laws were reformed and even before the creation of the Expedited Type 2 annexation. If they had the same latitude he would make the same decision again. If legislative intent was clearer then they might be more comfortable, but at this point whenever the negotiation process was going through, the Ohio Townships' Association, the County Commissioners Association, the Ohio Municipal League, and the political parties all signed off on the new annexation law, perhaps with some compromises. He feels there was probably not a legislator that envisioned that an Expedited Type 2 would be utilized in this manner. But, that is the law and they have each sworn to uphold the law to the best of their ability. They are forced to act upon the criteria they have before them. Hopefully, legislators in the future will be able to revise the law and provide some safeguards and more appropriate use of the Expedited Type 2 annexation. Ms. Ray moved to approve the annexation and Mrs. Geissman seconded the motion.

Mrs. Geissman commented that the Commissioners allowed the public to make comments today because they wanted them to have the opportunity to go on record. Unfortunately, the Commissioners cannot consider their comments in their decision.

Glenn Waggy asked if they are supposed to ignore the fact that the 5% contiguous is in the law.

Mr. Hambley said that as a matter of fact, the 15.5631 acre parcel annexation petition before them meets the 5% contiguous requirement. That is what the law says. What the intent was prior to the law change was the idea of contiguity of community. That was a Regular annexation where they could consider if a parcel outside the boundaries of Rittman still constituted a whole that could be considered as part of the community. The law allowed them the latitude and that was their judgment last time. Now the law says basically it is a matter of numbers and the facts before them say yes. They do not have a Phase 2 before them.

Mr. Waggy said he hears him saying there is no Phase 2 and asked if that was correct.

Mr. Hambley said he has no idea in terms of being a Board member here and the evidence before them. That could be likely and he does not doubt that at all. The law does not allow them to consider that.

Mr. Waggy asked if it would make a difference if the petitioner were to sign a sworn statement that there is no Phase 2.

Mr. Hambley said they could not consider that as a matter of fact. There is nothing in the law that says they can consider future annexations.

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

There was no further discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley noted that there is a request for an Executive Session to discuss a personnel appointment at 10:45 a.m. Ms. Ray moved to recess into Executive Session as noted; seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 10:26 a.m. Commissioners recessed and reconvened the meeting and at 10:32 a.m. for the Public Hearing to discuss the 2005 Culvert Replacement Package.

Joe Harr, Project Coordinator with the County Engineers Office, stated that this is an Issue 2 Project through the Ohio Public Works Commission. They are proposing to replace three culverts that are about 50 to 60 years old that had fallen into a state of disrepair. One in River Corners Road in Homer Township, one on Sleepy Hollow Road in Brunswick Hills Township, and one on Dunsha Road in Granger Township. They will be replaced with 70" diameter concrete pipe, walls, grading, and embankment work. The tentative starting date for the project is July 2006 and they hope to complete it by the end of September. 75% of the \$284,000 they applied for will be paid for by OPWC and the other 25% will be paid for by the townships. These are township roads, but the county is acting as agent. All of the townships have entered into a resolution of cooperation with the County Commissioners to pay their 25% match. He asked if there were any questions.

Mary Segeler asked how far into the property the culvert extends.

Joe said the right-of-way is normally 60 feet. On Sleepy Hollow Road the right-of-way goes to the south edge of the roadway. Normally it is closer to the centerline of the road and goes out 30 feet on each side. They would only be impacting her slightly. They would be impacting Mr. & Mrs. Egan more.

Mr. Hambley asked if they were requiring easements.

Joe said they requiring easements from the Egans and they are hoping and they are hoping to enter into a temporary work agreement.

Mrs. Segeler asked when they think they will start and end the project.

Joe said they enter into a contract with OPWC on July 1st, but they are hoping to advertise for bids next week. They will not be able to start until July 1st. They have allowed until September 29th to complete the project, but it should not take that long. They will know better at the pre-construction meeting with the contractor and Joe will let them know.

Kathleen Scheutzow, Brunswick Hills Township Trustee, asked if he will notify them when they want the road closing resolution.

Joe said he would notify the Trustees and the contractor will start on one particular culvert and finish it so they do not impact all three roads for three months.

Mrs. Segeler asked how long it takes to complete a culvert.

Joe said he thinks Dunsha and River Corners should only take two weeks each because they are not as complicated as Sleepy Hollow. Sleepy Hollow might take three or four weeks.

There was discussion about the stones and Joe said they belong to the Township. He said he would talk to them after the meeting if they were interested in obtaining some.

There were not further questions. Ms. Ray motioned to close the Public Hearing at 10:42 a.m. and Mrs. Geissman seconded the motion. There was no further discussion. Roll Call showed all Commissioners voting AYE.

The Commissioners moved to the Conference Room and for the Discussion Session at 10:45 a.m.

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

Mrs. Geissman reported that Wireless 9-1-1 Planning Committee approved the Draft Plan that had been presented to them from the Technical Committee. They are ready to send it to the PUCO so they can start getting reimbursed. One of the members thought that the Commissioners had to hold a Public Hearing first so Chris Jakab is checking on that with the PUCO. Pat said she will get Mr. Hambley and Ms. Ray a copy of the approved Plan.

Mrs. Geissman asked for approval of the draft letter to Congressman Regula and a similar letter to Senator Voinovich for support for getting funds for Jail expansion and Commissioners approved it.

Mr. Hambley said he sent a memo to the Treasurer on Friday regarding the Computer Center relocation. Chris has met with the RFP Committee.

Chris said the RFP Committee met last Thursday afternoon and narrowed it down with a formula from seven consultants to three. They have scheduled interviews with them on April 12th. Copies were sent to the Treasurer for his records.

Mr. Hambley said there was a big meeting regarding the Tax Expenditure Limitation (TEL) Amendment in Cuyahoga County with City Managers and Mayors Association. He received comments from the letter he sent out and there is considerable interest from local governments and agencies to get together to talk about potential impact. If it was agreeable to the other Commissioners, they could hold a public meeting and invite Ted Hill or Kevin O'Brien to speak on the matter as well as proponents of it.

Mrs. Geissman said the County Commissioners Association of Ohio (CCAO) is promoting that Commissioners do something like they did with the local government funds issue.

Ms. Ray suggested they also invite representatives from schools and the Park District to the meeting.

Chris Jakab discussed the highlights of his report on the fiber optic network project. It showed a summary of debt schedules and how they fit in with the business plan. It was based on a \$7.23 million non-tax revenue bond issue. He incorporated the new debt numbers to see how the cash flow is affected. The summary was based on the assumption of a 15 year debt issue, 2/3 of the debt issue would be considered tax-exempt and for public purposes and the other 1/3 of the project would be based on non-public taxable uses. The tax-exempt portion of the bond is shown as 3.906% and taxable portion is at 5.3%, but the rates change often. Chris said the bond counsel is cautioning that operational costs of this project are not fundable through the debt issue, which if approved will necessitate the Port Authority to seek other financing for those costs in the first year or two of the operation. Chris discussed the second handout that shows cash flow needs that the Port Authority would have based on the assumed expenses and revenues.

Mrs. Geissman said she checked with Representative Calvert and there will not be any state money available for this project.

Chris said the next step would be for him to meet with bond counsel, the underwriter, and members of the Port Authority to discuss the details to see what they can do to alleviate the cash flow problem in the first year and make sure everyone is still in agreement with the business plan. He said he is comfortable with this plan in terms of the way it is put together and if the Commissioners support this plan and agree to finance it, there are many details that have to be worked out including oversight. Commissioners agreed to Chris' proceeding with the meeting to discuss it, asking him to outline the process, seeing about an oversight committee for the construction, and coming up with a time frame for the next steps.

In another matter, Chris said they still have document imaging requests for Job & Family Services and Child Support. JFS has a time frame and a limited window for an allocation. He met with Mead Wilkins and Mike Pataky last week and they discussed their two proposals they receive from Northwoods. There is a state purchasing agreement that covers the procurement and there are other bid processes that come into play because of the use of both state and federal money. The federal government has a \$100,000 bid limit and if the State Auditors bid it out

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

using their state purchasing program it does not exempt the county from bidding. This means they would have to write bid specs unless they can get the cost for the software under \$100,000 and the other ancillary costs and break it up into two pieces. Mead feels they should be able to get the process completed by June 30th and utilize the allocation. Chris said he will meet with Mead and Mike this week and get some resolution on the matter and iron out the details. Chris will provide the Commissioners an analysis showing that the system would pay for itself over the next several years through savings associated with staff time and other miscellaneous costs. This is an important cost savings measure.

Bill Thorne said they needed an Executive Session to discuss imminent litigation.

Pam Vereb said Portage County was hosting a regional Clerks meeting on April 28th in North Canton and she and Peggy Folk were interested in going. There would be no costs involved. The Commissioners approved their attendance.

On a motion by Ms. Ray and a second by Mrs. Geissman the Commissioners went immediately into Executive Session at 11:07 a.m. for the purpose of discussing imminent litigation and also to discuss personnel/appoint that they voted on before. Roll Call showed all Commissioners voting AYE.

The meeting adjourned at 11:17 a.m. on a motion by Ms. Ray, seconded by Mrs. Geissman. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

- | | |
|---------|---|
| 06-0216 | RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS |
| 06-0217 | RESOLUTION PROCLAIMING APRIL 2-8, 2006 AS "NATIONAL LIBRARY WEEK" IN MEDINA COUNTY |
| 06-0218 | RESOLUTION PROCLAIMING APRIL 2-8, 2006 AS "AMERICAN HOME WEEK" |
| 06-0219 | RESOLUTION PROCLAIMING APRIL 23-29, 2006 AS "ADMINISTRATIVE PROFESSIONALS WEEK" AND WEDNESDAY, APRIL 26, 2006 AS "ADMINISTRATIVE PROFESSIONALS DAY" |
| 06-0220 | RESOLUTION DETERMINING THE NECESSITY TO CLOSE HULBERT ROAD (C.H. 158) BETWEEN SEVILLE ROAD (C.H. 46) AND MUD LAKE ROAD (T.H. 116) |
| 06-0221 | RESOLUTION DETERMINING THE EMERGENCY CLOSING OF JEFFREY ROAD (C.H. 111) BETWEEN ZIMMERMAN ROAD (C.H. 30) AND SPENCER ROAD (S.R. 301) |
| 06-0222 | RESOLUTION APPROVING THE FINAL PLAT FOR THE COBBLESTONE PARK SUBDIVISION PHASE 2A LOCATED IN MONTVILLE TOWNSHIP LOTS 21, 22, 31&32 |
| 06-0223 | CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND |
| 06-0224 | CASH TRANSFER OF COUNTY GENERAL FUNDS TO THE DIVERSION PROGRAM |

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

- 06-0225 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS

- 06-0226 AUTHORIZING THE PURCHASE OF 8,700 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

- 06-0227 RESOLUTION ACCEPTING A LEASE AGREEMENT WITH THE MEDINA COUNTY BOARD OF EDUCATION

- 06-0228 AUTHORIZING THE SUBMISSION OF A TOBACCO USE PREVENTION AND CONTROL FOUNDATION IMPLEMENTATION GRANT SIX MONTH CONTINUATION APPLICATION

- 06-0229 RESOLUTION APPROVING AN AGREEMENT PROVIDING COURT SERVICES PURSUANT TO THE REQUIREMENTS OF TITLE IV-D OF THE SOCIAL SECURITY ACT

- 06-0230 RESOLUTION ENTERING INTO AN AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH HABITAT FOR HUMANITY OF MEDINA COUNTY, INC TO PROVIDE FINANCIAL ASSISTANCE FOR 2 RESIDENTIAL HOUSING UNITS

- 06-0231 RESOLUTION PROCLAIMING APRIL 2006 AS "FAIR HOUSING MONTH"

- 06-0232 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 06-0233 RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR PROPOSALS RELATING TO TUTORING SERVICES FOR CHILDREN SERVICES FOR MEDINA COUNTY JOB & FAMILY SERVICES

- 06-0234 RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR PROPOSALS RELATING TO TANF-TUTORING SERVICES FOR MEDINA COUNTY JOB & FAMILY SERVICES

- 06-0235 RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR PROPOSALS RELATING TO CONTRACT MONITORING FOR MEDINA COUNTY JOB & FAMILY SERVICES

- 06-0236 RESOLUTION AUTHORIZING AN AGREEMENT FOR TANF EMPLOYMENT AND TRAINING SERVICES TO CUSTODIAL AND NON-CUSTODIAL PARENTS INVOLVED IN THE MEDINA CORRECTIONAL SYSTEM

- 06-0237 RESOLUTION CREATING GUIDELINES FOR EXPENDITURE OF ADOPTION INCENTIVE FUNDS FOR MEDINA COUNTY JOB AND FAMILY SERVICES

- 06-0238 RESOLUTION AMENDING THE PREVENTION, RETENTION & CONTINGENCY PLAN (PRC) FOR MEDINA COUNTY JOB AND FAMILY SERVICES

- 06-0239 RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE FOR THE CITY OF MEDINA TO THE MEDINA COUNTY DRUG ABUSE COMMISSION (MCDAC)

COMMISSIONERS MEETING – MONDAY, MARCH 27, 2006

06-0240 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

06-0241 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

06-0242 RESOLUTION APPROVING THE PETITION FOR ANNEXATION OF 15.5631 ACRES OF LAND KNOWN AS BEING PART OF GUILFORD TOWNSHIP TO THE CITY OF RITTMAN, MEDINA COUNTY, OHIO

Medina County Commissioners:

Stephen D. Hambley

Sharon A. Ray

Patricia G. Geissman

Respectfully submitted,

Pamela M. Vereb, Asst. Clerk