

COMMISSIONERS MEETING – MONDAY, MARCH 29, 2004

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

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

At the beginning of the meeting the oral reading of the minutes of March 10 and March 22 was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Mr. Hambley. Mrs. Geissman noted that there is an addition to the March 10 minutes and it was agreed to table the approval of the March 10 minutes until everyone had a chance to read the addition. Mrs. Geissman moved to amend her motion to approve the March 22 minutes only; Seconded by Mr. Hambley. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution accepting and awarding bids for various hot bituminous plant mixes to various suppliers. Mrs. Geissman moved to accept and award the bids; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed resolutions approving various cash transfers, purchasing fuel for the Engineering Center and the Highway Garage from Ports Petroleum, approving a vehicle lease for the Soil & Water Conservation District, declaring a motor vehicle as excess property, declaring various county property as excess property, approving agreements with the Adult Basic & Literary Education Program, the Cornerstone Wellness Center, Hands Across Medina County Foundation and Salvation Army for office space in county buildings, approving an agreement for electronic procurement and surplus personal property sales, authorizing submission of a Tobacco Use Prevention & Control Foundation implementation grant application, authorizing the submission of a Juvenile Accountability Incentive Block Grant application, and the weekly bills in the amount of \$980,776.47.

The vehicle being leased is for the Soil & Water Conservation District, which allows them the benefit of the county's insurance. The county then leases the vehicle to the District. The vehicle being declared as excess property is a cruiser that was totaled in an accident. The insurance has paid off the vehicle and this allows the vehicle to be disposed of for salvage value. The other property being declared excess property is 25 computer monitors and 21 of those are going to Cloverleaf Schools. The agreements with various agencies for office space involve the Brunswick Human Services Center for 2004. The agreement for electronic procurement and surplus personal property sales is with LightGov, LLC in the amount of \$960/year. This will allow for internet sales and procurement of items through the internet, which has been authorized by the State. The CCAO has recommended LightGov, LLC to maintain a database and market items to sell. This should be ready to start in 4 weeks. This will be more efficient for his office in handling excess property sales. The grant application to the Tobacco Use Prevention & Control Foundation was prepared by MCDAC to allow for the implementation of their recommendations for programs beginning July 1. The amount of the application is \$217,979 and the matching funds will be taken care of by MCDAC indirect costs. The grant application for Juvenile Court is for their drug court operation in the amount of \$20,000 with a start date of April 1.

Mrs. Geissman moved to approve the 14 resolutions and payment of the bills; Seconded by Mr. Hambley. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve the personnel changes; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

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John Stricker, County Administrator, presented a resolution proclaiming April 2004 as “Fair Housing Month”. This resolution is being done in conjunction with the Medina County Fair Housing Consortium, which is sponsoring 4 workshops in April. Mrs. Geissman moved to approve the proclamation; Seconded by Mr. Hambley.

Ms. Ray thanked Dianne Ranftl for her countless hours and planning for these workshops.

There was no further discussion.

Roll Call on the motion and second to approve the proclamation showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing an offer to purchase water rights from the Medina County Park District. The Park District is trying to purchase the Baker Sand & Gravel property to develop into a park. They will start with 350 acres and as Baker completes their mining operation, the Park District will end up with 700 acres. As part of the search for water for the southern portion of the county, an agreement was entered and consortium established for the Westfield wells. This resolution authorizes sending a letter to the Park District regarding the water rights of the property purchase. Westfield Center and Seville are interested in this. Wadsworth City will be pulling out of the consortium once they get their connection through Barberton and Lodi already has a water connection established. If the Park District is successful in obtaining the property and the county obtains the water rights it will be an asset to recharge, find new wells, or enhance the wells already found. Mrs. Geissman moved to authorize the offer; Seconded by Mr. Hambley.

Mr. Hambley stated that putting the Southern Medina County Well Development Plan together started 5 years ago and the acquisition of this falls within that plan, particularly with securing sufficient land to protect the wells already drilled, having a sufficient recharge area, and having control of the water rights. The development plan and establishment of the consortium was in response to Burbank trying to seek the water rights by eminent domain. The plan development was put together to protect the area from overuse of the aquifer. He noted that a resolution support the Park District’s grant application to purchase the land is in the packet for approval later.

There was no further discussion.

Roll Call on the motion and second to authorize the offer to the Park District showed all Commissioners voting AYE.

Gary Searle, Workforce Development Director, presented a resolution approving an intergovernmental agreement with Summit County for Workforce Investment Act (WIA) Area 20 and a resolution appointing Medina County members to the Workforce Investment Board for WIA Area 20. Mrs. Geissman moved to approve both resolutions; Seconded by Mr. Hambley.

Ms. Ray thanked Gary, Chris Jakab, and Bonnie Craig for the time and effort they put into reviewing the agreement with Summit County. There had been concern about the relationship between the 2 counties in the past, but she is encouraged that this will be a good agreement for both counties.

There was no further discussion.

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

Art Verdoorn, Building Official, presented and reviewed the February report. The Building Department issued 60 new residential permits versus 48 last February. Residential construction is still following the upward trend and at this time, March appears to be going at the

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record pace as well. The interest rates are still favorable and there is a strong demand across the country for single family homes. Commercial is still down but is starting to pick up. He feels commercial construction this year will be along the range of 2002. He noted that the new Ohio Residential Building Code has been order and the State hearings have been completed. The tentative plan is to have an in-house review followed by a meeting with the local building departments. After that 2 informal meetings will be held in the evenings to review the new code with local builders. There are 2 public hearings required before the new code can be adopted for use in the county. The target is to have the code effective July 1. Through questioning, Art stated that he is not sure if the local departments will make uniform changes and that is why a meeting will be held with them. The plan is to review interpretation of the updates and to see if they are doing any modifications to the Ohio code. His office is aware of about 3-4 things that will be changed by the county department to clarify items. As much as possible the local departments try to establish uniform codes.

Mrs. Geissman noted that it can be confusing because we continue to have new homes and developments and at the same time there is an all time high on foreclosures, with many being done on newer homes.

Art stated that the FHA loans may possibly go with zero percent down for their loans.

Mrs. Geissman stated that may cause more foreclosures as people won't be making the initial investment and can easily walk away.

Ms. Ray stated that it is good to see that the commercial construction is starting to rise.

Ms. Ray presented a resolution supporting a Clean Ohio grant application being submitted by the Medina County Park District for Baker Sand & Gravel land purchase. Mrs. Geissman moved to approve the support resolution; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution appointing Susan Scruton and Paul Jacobs from the Cleveland Poison Control Center to the Local Emergency Planning Committee (LEPC). Mrs. Geissman moved to approve the appointments; Seconded by Mr. Hambley.

Mr. Hambley noted that the University Hospitals approached the Board during the budget process regarding funds for services to our community through the Poison Control Center. They are already making contacts and developing educational programs for agencies in Medina County.

There was no further discussion.

Roll Call on the motion and second to approve the LEPC appointments showed all Commissioners voting AYE.

Ms. Ray presented a resolution creating a Phase 2 Stormwater Management Illicit Discharge Committee. They will work on the NPDES Phase 2 Stormwater Management Plan. Steve Hambley will be the Commissioners representative with Jim Troike representing the Sanitary Engineer and Dan Willhoite for the County Engineer. Mrs. Geissman moved to approve creation of the committee; Seconded by Mr. Hambley.

Mr. Hambley stated that there was an illicit discharge training session on Friday on the plan that was submitted. There are areas that need to be addressed that were not in the plan and this review committee will look at those specific areas dealing with non-stormwater discharges, enforcement, investigation and dry weather observation. The intent is that that committee will meet about a year to review current regulations and make recommendation to various jurisdictions. The recommendations will be made to the county for the unincorporated urbanized areas as well as the Brunswick Hills, Hinckley and Wadsworth Townships and the Health

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Department. The report is due the first and we have to show that this is in progress to meet year one of the plan.

There was no further discussion.

Roll Call on the motion and second to approve the creation of the committee showed all Commissioners voting AYE.

Ms. Ray presented a notice of an annexation petition filed for 183.4020 acres from Guilford Township to the Village of Seville. The hearing is scheduled for May 24, 2004. This petition replaces a petition for 182.8268 acres that was previously filed.

The meeting was opened for public comment.

Mrs. Geissman introduced Brenda Vogley, Marketing Manager at Prime Outlets. She is participating in Leadership Medina County and shadowing Mrs. Geissman today.

The Clerk read the resolution to allow expenses of county officials. Mrs. Geissman moved to allow the expenses; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 10:02 a.m. Mrs. Geissman moved to recess into Executive Session to discussion property acquisition and legal issues; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reconvened the meeting at 1:32 p.m. for the discussion session.

Ken Hotz stated that Kauffman Tire has requested to share a sign with the CPF at no cost to the county. There had been a discussion about them when the CPF was constructed. Legally they don't have the frontage for a sign and the township has turned them down. After a brief discussion, it was agreed to allow Ken to pursue this and for Kauffman Tire to submit a design for approval.

John Stricker and Carol Shockley, Assistant Prosecutor, discussed the land purchase agreement with the University of Akron. The county tried to convey that we don't want them to sit on the property and then sell it off later, as occurred in Stark County. They want the county to be responsible for installation and maintenance of the utilities and roads. The University is concerned over the time for commencing being specified because they don't feel they can guarantee a certain time because of State funding. It was noted that the county can only agree to responsibility of public utilities (sewer and water) and public roads. There was a brief discussion about adding mediation or arbitration if their construction isn't started within a specified time. The University is concerned that something out of their control may keep them from commencing in the 5 years specified. There is no limit on when construction is to be completed. It was noted that the public roads are planned for next year. The stipulation of commencement of construction is for the footers to be in within 5 years. There was a brief discussion about keeping the 5 years in the agreement unless something beyond the University's control holds it up and setting a maximum of 10 years for commencement. Mrs. Geissman expressed concern with extending it to 10 years as 5 years is long enough. It was agreed that Carol would re-write the sections discussed and send it for the Commissioners' review.

Mr. Hambley noted a memo regarding waterlines in Hinckley. They have 112 residents in favor and 20 not in favor of bringing water into the township. Ken Hotz will be meeting with them tomorrow. It was noted that at least 1 subdivision in the area doesn't have sufficient pressure.

Mr. Hambley noted that a response was made to the City of Brunswick relative to the differences in the water proposals by the County and City of Cleveland. He thanked Ken and John for reviewing the proposals and setting the record straight on the differences.

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Mr. Hambley stated that there had been a meeting with ODOT regarding US Route 42 from Harding Street in Medina to Fenn Road. They are proposing the use of TRAC funds for this \$25.4 million project and they will need \$7.5 million of the costs shared by the 4 local entities involved. The cost of relocating the public utilities does not have to be covered. The project is scheduled for 2008; however, the project is still competitive at the State level. They are seeking support of the project. The local portion could come from TID funds, Issue 2 or NOACA. A funding plan will be developed over the next year. Dave Miller, County Engineer, is having a resolution of support put together and authorizing them to apply to the State for the project.

Chris Jakab reported that the guidelines for the Planning Department's Community Assistant program have been redrafted. He also noted that he met with Mike Jenks, ADAMH Board, and Mead Wilkins, Job & Family Services, regarding Medicaid and a compromise is being worked out.

The Clerk presented applications for appointment to the MCDAC Board. Interviews will be scheduled for next week. Commissioners agreed not to re-interview Antony Kibogo at this time, although he will be considered for appointment.

The Clerk reviewed information on a regional County Commissioners' Clerks & County Engineer's Secretaries Association meeting being held on April 30. She and the Assistant Clerk would like to attend and authorization to have the material for the May 3rd meeting packets turned in on Thursday was received.

The Clerk noted that calls are being received about whether the offices will be closing at noon on Good Friday. Notices are already on some elected officials doors that they will be closed.

Ken Hotz noted that the notice should read that the administrative offices will be closed because the County Home and the treatment plants cannot close.

Commissioners agreed to close the offices at noon on April 9.

Mrs. Geissman noted that she will be leaving tomorrow for the training session through the CCAO and won't be in the office until Friday.

There were no further items for discussion.

Mr. Hambley moved to recess into Executive Session for the purpose of discussing personnel/compensation; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners adjourned the meeting after 4:30 p.m.

RESOLUTIONS PASSED:

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| 04-0245A | RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS |
| 04-0246 | RESOLUTION PROCLAIMING APRIL 2004 AS "FAIR HOUSING MONTH" |
| 04-0247 | RESOLUTION ACCEPTING AND AWARDED THE BID FOR VARIOUS HOT BITUMINOUS PLANT MIXES AND COLD APPLIED PATCH MIXES FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT FROM APRIL 15, 2004 THROUGH APRIL 14, 2005 |

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- 04-0248 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT FUND TO THE PROSECUTOR TITLE IV-D FUND

- 04-0249 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT FUND TO THE JUVENILE COURT IV-D FUND

- 04-0250 AUTHORIZING A CASH TRANSFER FOR THE MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY

- 04-0251 AUTHORIZING A CASH TRANSFER FOR THE MEDINA COUNTY SOIL & WATER CONSERVATION DISTRICT

- 04-0252 AUTHORIZING A CASH TRANSFER FOR THE MEDINA COUNTY ADAMH BOARD

- 04-0253 RESOLUTION AUTHORIZING THE PURCHASE OF 3,000 GALLONS OF PREMIUM UNLEADED AND 4200 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

- 04-0254 RESOLUTION AUTHORIZING THE PURCHASE OF 5,500 GALLONS OF DIESEL AND 1,200 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE MEDINA COUNTY HIGHWAY GARAGE

- 04-0255 APPROVING A VEHICLE LEASE AGREEMENT WITH THE SOIL & WATER CONSERVATION DISTRICT

- 04-0256 RESOLUTION DECLARING A MEDINA COUNTY MOTOR VEHICLE AS EXCESS PROPERTY

- 04-0257 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY

- 04-0258 RESOLUTION APPROVING AGREEMENTS WITH THE ADULT BASIC & LITERARY EDUCATION PROGRAM, CORNERSTONE WELLNESS CENTER, HANDS ACROSS MEDINA COUNTY FOUNDATION, AND SALVATION ARMY FOR OFFICE SPACE IN MEDINA COUNTY BUILDINGS

- 04-0259 APPROVAL OF AN AGREEMENT FOR ELECTRONIC PROCUREMENT AND SURPLUS PERSONAL PROPERTY SALES

- 04-0260 AUTHORIZING THE SUBMISSION OF A TOBACCO USE PREVENTION AND CONTROL FOUNDATION IMPLEMENTATION GRANT APPLICATION

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- 04-0261 AUTHORIZING THE SUBMISSION OF A JUVENILE ACCOUNTABILITY INCENTIVE
BLOCK GRANT APPLICATION
- 04-0262 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE
JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 04-0263 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO OFFER TO
PURCHASE WATER RIGHTS FROM THE MEDINA COUNTY PARK DISTRICT
- 04-0264 RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH SUMMIT
COUNTY FOR WORKFORCE INVESTMENT ACT (WIA) AREA 20
- 04-0265 RESOLUTION APPOINTING MEDINA COUNTY MEMBERS TO THE WORKFORCE
INVESTMENT BOARD FOR WIA AREA 20 (SUMMIT AND MEDINA COUNTIES)
- 04-0266 RESOLUTION SUPPORTING A CLEAN OHIO GRANT APPLICATION BEING SUBMITTED
BY THE MEDINA COUNTY PARK DISTRICT FOR BAKER SAND AND GRAVEL LAND
PURCHASE
- 04-0267 RESOLUTION APPOINTING MEMBERS TO THE LOCAL EMERGENCY PLANNING
COMMITTEE (LEPC) FOR MEDINA COUNTY
- 04-0268 RESOLUTION CREATING THE PHASE II STORMWATER MANAGEMENT ILLICIT
DISCHARGE COMMITTEE
- 04-0269 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Sharon A. Ray

Patricia G. Geissman

Stephen D. Hambley

Respectfully submitted,

Pamela J. Terrill, Clerk