

COMMISSIONERS MEETING – MONDAY, MARCH 31, 2003

Stephen D. Hambley called the meeting to order at 9:00 a.m. with Sharon A. Ray and Patricia G. Geissman present.

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

There were no minutes for review at this time.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution accepting and awarding the bid for herbicidal spraying for roadside vegetation control to Chemi-Trol. Mrs. Geissman moved to accept and award the bid. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Chris Jakab, Finance Director, presented and reviewed 8 resolution involving authorizing the advertisement for proposals for WIA Adult and Dislocated Worker Services for the Workforce Development Office, approving a lease with Macedonia Property Management for office space for the Clerk of Courts Medina Auto Title Office, approving a lease renewal amendment with the Battered Women's Shelter (BWS) of Summit and Medina County Inc., approving an agreement for supplemental Courthouse Security services, purchasing fuel for the Engineering Center from Weaver Oil, revenue adjustment for Workforce Development, authorizing the advertisement for proposals for Fiber Optic Project Business Plan consultant services, and the weekly bills in the amount of \$567,197.31.

The proposals for WIA will start July 1, 2003. The current contract is with Goodwill Industries. Kathy Fortney, Clerk of Courts, has informed the Board that she wishes to relocate the Medina Auto Title Office to share space with the Bureau of Motor Vehicles (BMV) and the Highway Patrol. The new leased property is at 978 N. Court and increases their square footage by 50% to 2700 square feet. The cost is \$10/per square foot versus the old rate of \$15.50. There will be a savings of \$5200 a year with the larger space. The lease for BWS is for 1 year beginning May 1. This is property the Board purchased for a local shelter. He agreed the original term was for 3 years. The BWS has filed their annual report and statistics as required in their lease. The agreement for Courthouse Security is a renewal and will take the program through the end of this year. He has worked with Jim Douth, Economic Development Corporation Director, on the specifications for the fiber optic consultant. This is planned to commence on June 1, and the Board has appropriated funds for this.

Mrs. Geissman moved to approve the 7 Finance resolutions and payment of the bills. Seconded by Ms. Ray. There was no 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 Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution proclaiming April 2003 as "Fair Housing Month". This is being done for the overall Fair Housing program that goes through Community Development Block Grants. Mrs. Geissman moved to approve the proclamation. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution accepting an easement for the Foskett, Station & Beck Roads waterline improvement project. Mrs. Geissman moved to accept the easement. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mead Wilkins, Job & Family Services Director, presented a resolution authorizing agreements relating to childcare providers. They have been signing the agreements for years and found that there was no official approval for that. This approves signing the agreements for all childcare providers including private homes and centers. Mrs. Geissman moved to approve the agreements. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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Mead presented a resolution authorizing an agreement with Westside Community Center to continue a “Cultivating Kids” program that was originally handled through the Family First Council. This will allow for funding for one more year. Mrs. Geissman moved to approve the agreement. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

The meeting was opened for public comment.

Jerry Hornack stated that he has lived on Betty Lane in the area of Brunswick Colony Park for 34 years and that he has experienced sewer problems every year. He introduced his neighbor, Ernest Blackwell that has lived in the area for 38 years and has experienced the problems every year as well. The City is claiming the problem is the County’s and the County is claiming the problem is the City’s. He had the sewers replaced around his home and from his home to the street last May and both the County and City checked out the installation. The cost for this was almost \$9,000. Around July 22 his finished basement was flooded and he lost \$10,000. On September 6 there was a water main break by the City of Cleveland and again his basement was flooded. It is ridiculous that this continues to happen and that raw sewage comes into their basements even after having the sewers around his home replaced. This is also happening on Francis Drive and those people received a letter regarding a secondary tank being installed. A work crew was out in February and spent the day checking the sewers and talked about the sections that need replaced or repaired. He pays taxes and a sewer assessment every month, and questioned what the County is going to do to get this system working properly and why the whole system isn’t being replaced with an adequate system to handle any type of catastrophe that has been plaguing the area for 34+ years.

Mr. Hambley noted that the County has been working with the City of Brunswick on those problems. He added that he is a resident and he has been attending some of those meetings. He asked Ken Hotz to address this.

Ken stated that after the water line break occurred television cameras were run through the city storm sewers and they were found to be completely plugged. That is why the storm sewer couldn’t carry the storm water away and it ended up backing up into the sanitary sewers. The City has hired an engineer to design plans to replace the storm sewer in Betty Lane and when they do that the County will replace any section of the sanitary sewer that has been damaged by the years of backing up. Until the television cameras were used in the storm sewers it was unknown that they were completely plugged by roots. Through questioning, Ken stated that the County will not be replacing the entire sanitary sewer system. Betty Lane falls south to the north and the water collects there and ends up going through the drainage tiles and into basements. The City has finally agreed that the problem is in the storm sewers. Regarding Francis Drive, there are no storm sewers in that area and the City will be installing them, again, to carry the storm water away so it doesn’t end up in the sanitary sewers. There will also be work by the County to replace the sanitary sewer in the area because there are a bunch of tree roots getting into that system. He agreed the residents could be notified in writing regarding a timetable for this work. He met with the new City Manager last week and he felt they would have something under construction by fall. Regarding the stakes along the street, that is part of the survey work being done in order to draw up the plans.

Mr. Hambley added that the Interim City Manager and Council had employed a consulting engineer to survey and check elevations, etc. in order to draw up the detailed plans. The County has been working along with Brunswick and it really requires both entities to work together on this. He agreed that running the television camera through indicated where the problem was at and what needed to be done.

Through further questioning, Ken stated that the storm sewers are blocked throughout the entire street. The storm sewers have been cleaned out; even after the water main break occurred. He can’t say what the City will do as far as scheduling maintenance, but the County will keep them on the computer and have continual maintenance. With the materials used today it should

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be easier to keep the storm sewers free from roots and the City needs to do that in order to keep the water from ending up in the sanitary sewers.

Mr. Hambley added that as part of the new federal regulations, NPDES Phase 2, cities such as Brunswick have to take a greater responsibility for the water quality and quantity in their storm sewers. Brunswick will have to do more maintenance and inspections than they ever had before.

Mr. Hornack and Mr. Blackwell thanked Commissioners and Ken for the information.

Linda Hudson, Brunswick Hills Township Trustee, stated that they have some concerns regarding storm water surges and the Plum Creek plant. They understand how the tanks were built and that they are supposed to take on the storm water surges and pass it onto Liverpool. However, the same problem keeps occurring during storm surges on Mr. (Gilbert) Fuller's property in that storm sewers blow off and put raw sewage into the creek. Trustees have been there several times and observed the aftermath and been assured the problem is corrected or being corrected. After hearing just a few minutes of the previous discussion, when the storm sewers are cleaned out and with the development they are experiencing, the capacity going into the tanks will be larger and if they're stopped up they won't get the full capacity of the tanks. Most of the larger parcels in the township are either under contract or currently being built out and the Trustees are concerned about the capacity of the sewer systems in the area. They can't keep having surges spewing raw sewage into the creek and out of the manhole covers. One manhole was locked down and the pressure pushed the concrete out of the ground. There were some studies done in 1997 about extending sewer lines to the south and she's not sure how far into the future the Sanitary Engineer is planning or where they stand on this. She's concerned that the planning isn't going to be soon enough if they have a 20-year build out. If there are plans to build water towers and sewer plants, she questioned how quickly it will happen in order to address these problems. If they have a build out on the present parcels they are looking at almost 2000 homes in less than 5 years. She is concerned that with the increased development and cleaning out of storm sewers there will not be enough capacity at the tanks.

Mr. Hambley stated that the Plum Creek plant does not serve the 2 properties reference earlier. The western part of Brunswick Hills is serviced by Liverpool. The most recent problem at Plum Creek was not a problem of storm surge but of equipment malfunction. He asked Ken to address the issue.

Ken asked about the study that was done in 1997.

Ms. Hudson stated that Cunningham & Associates did it essentially for the Calderon properties and Dale Clark confirmed it.

Ken stated that his office never accepted the study and there are no plans for extending anything south. This is not on the 208 Water Quality Plan (208 Plan), which was adopted by NOACA. Brunswick Hills has increased its density considerably and right now they are looking at the need for another elevated storage tank to provide water for adequate fire protection because of the increased density. That will require an additional tap-in charge that will be assessed against the builders that are causing that problem. Relative to Plum Creek, they have 2 larger pumps and 1 smaller one and about 10 days ago the larger pumps did not receive the signal to turn on; however, the signal sent back to the Liverpool plant where they're monitored was that the pumps were all running. That is what caused the recent problem. A television camera is being installed on the wet well at the pump stations to make sure those at Liverpool can see the signal and that the pumps are operating. If the signal can be sent back to Medina the pumps will also be monitored in the main office. The recent problem was not caused by the tanks being there but was a result of a malfunction of equipment.

Ms. Hudson stated that another question is under what legal authority the Board of Commissioners authorized the Sanitary Engineer's Office to collect fees for the Ohio Water Development Authority (OWDA) on the taps presently being made on Foskett Road. This also happened on Plum Creek. She can't find anything in the lawsuit that gives the Commissioners that authority.

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Ken stated that Brunswick Hills Township was instrumental in creating the Western Reserve Water District (WRWD) to buy water. At that time the County was already supplying water to 60% of the township residents. The WRWD borrowed \$500,000 and they were unable to produce anything. A lawsuit was filed and it has been through the Common Pleas Court, the Appeals Court, the Franklin County Common Pleas Court, and the Supreme Court, which remanded it back to the Franklin County Court. If the County borrows money from the OWDA to service an area that was within the WRWD, the OWDA wants that proportionate share of the planning loan paid or they will not loan the County the money. That's why the County levied the \$370 to the residents on Foskett Road.

Ms. Hudson questioned under what authority the County has the right to do that. The OWDA says they won't loan the County the money unless they pay that, but that seems to be a backdoor approach in collecting funds that the defunct water board couldn't collect.

Ken stated that the OWDA is going to collect that money eventually because its been remanded back to the Franklin County Court.

Jack Schira, Brunswick Hills Township Trustee, stated that its not necessarily correct that OWDA will collect that money, as this is a convoluted complex court situation. There are 2 rulings by Judge Kimbler that the people cannot be assessed for this because the OWDA in conjunction with the WRWD spent that money before the people were told in the township about the plans and with the fact that they would be impacted with it. The word is now they want the WRWD Board reconstituted to try to collect the money again. The fact there is one ruling that says to try again is not authority to levy this on the people and he doesn't feel that would hold up in court. The Township has citizens saying they've waited so long for water that they'll pay this and they don't want anyone taking it on because it would delay the water more. Now they have people coming in that area little angrier and some don't even want the water, but a consensus of the people would be needed to take it into court. The reality is there is no authority to collect this money now. The WRWD is a failed business venture that went bankrupt and owed that money.

Mr. Hambley stated that it is a failed special district authorized by law to collect fees and assess for presumed benefits of a water system. It is correct that the lawsuit is remanded within the court. The OWDA is a source of funds in this county. The Prosecutor reviewed the arrangements with the OWDA and their requirement for collecting the assessments and signed off on it as well as Squire, Sanders & Dempsey, the county's bond counsel.

Ken added that the County didn't create the WRWD. The Township Trustees created that and the Township guaranteed the water.

Gilbert Fuller stated that the County did cause this by not servicing Brunswick Hills with water at the time. The County "was in bed with" the City of Brunswick to get Brunswick Hills incorporated into the city through force.

Ken stated that the fact is there would not be a Brunswick Hills Township today if there was no journal entry because the City would have extended water lines anywhere they wanted and demanded annexation. The journal entry, signed in September 1977, set districts as to what the County will serve and what the City will serve with and without annexation.

Ms. Hudson stated that she has looked through everything that the Township has and the Board of Trustees, not the WRWD, cannot initiate any way to collect those funds. She doesn't think the County can do this and questioned the authority that allowed it.

Ken stated that the previous Board of Trustees passed a resolution guaranteeing the loan.

Mr. Schira stated that all the Trustees can do is set up the water district and appoint people to it. The water district is then a separate governing entity and the trustees cannot get into their business or tell them what to do.

Mr. Hambley stated that the Trustees petitioned the court to create the district and once it was created as a legal entity, everyone within that jurisdiction is then liable for whatever costs are incurred by that entity.

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Mr. Schira stated that another step is that the WRWD has to let the people within that entity know its plans. Judge Kimbler has ruled twice that the people have to know what the plans are and the WRWD has to get their authority to collect money from them. That was never done. As much as people like to beat on the 4-6 people that were on the WRWD Board, they were aided and abetted in this by the OWDA with bad advice and skewed information. The OWDA should carry some of the criticism for this failed business venture. This is a failed business venture where the WRWD was a company trying to get water. That liability cannot be put on the backs of the people of Brunswick Hills Township. The Fee Committee took this to court and proved it. Now the County is doing this through the back door in conjunction with the OWDA.

Ken stated that the OWDA is a bank where the County borrows money at a very favorable interest rate. They have said that if the County is going to service within the area of the WRWD the County has to pay that proportionate share of the bill.

Ms. Hudson submitted that the OWDA is incorrect in doing that and making the County pay those assessments. She is here to try to find out where they need to go in the future. As a Trustee, she cannot in good faith appoint members to a WRWD Board in order for them to go back and tax or collect that fund. Now the OWDA is telling the County they won't issue a loan if the County doesn't collect the money from Brunswick Hills. They're wrong in doing that. She believes that if they had listened to Ken when the district was created and the loan obtained the Township wouldn't be in the shape they're in now. The current and past administration have taken the stand that because of the journal entry they don't want to enter into those areas in which they've battled over for many years. The Township is trying to correct the problems and negotiate with Brunswick City to move forward, but the 1977 journal entry keeps coming back into it. They have the old landowners with large parcels, the ones that fought for division and everything, that are now being developed out, and everyone is willing to pay the cost for it. The Trustees are in a hard position to make determinations because they have some homeowners that don't want to stir things up and delay getting water any longer while there are others that say they won't pay for this.

Mr. Hambley stated that he has attended meetings between Brunswick Hills and Brunswick City and he's very supportive of the effort. The issue of collecting the WRWD fees from people that want to tap into the county system is not defeating the progress or influencing the discussion. The City has nothing to do with that. It is not stopping any progress being made or future negotiations with the City of Brunswick or City of Cleveland.

Mr. Fuller stated that the City does have something to do with it because nobody can get water without annexing and the County won't service the area. He felt he was probably the only landowner that even knew about the court case that was going on because it was all hushed, and everybody signed up to renew the same situation. Through questioning, he stated that he is referring to the case regarding Dave Terry. He agreed he had heard Ken testify and say he was in favor of the township, but that he signed as well.

Ken stated that he signed nothing in that case.

Mr. Hambley stated that the Prosecutor signed off on the last agreement as well as the Trustees before the County signed off. He understands that the journal entry is under discussion by the new administration and council in Brunswick City. The City is still reviewing the last proposal regarding annexation or eliminating annexation, and providing water with some accommodations relative to zoning. He asked about the cost figure in the study prepared by Cunningham & Associates.

Ms. Hudson stated that it was about \$3 million.

Tim Fuller presented documents that included highlights of why the tanks were built, an agreement Commissioners signed relative to problems with overflow, and a lawsuit that was supposedly settled because the County agree to take care of the problems.

Ms. Hudson suggested that alternatives be looked into to install sewer and water in the area. She knows there is a set plan (208 Plan) in place for 20 years into the future, but the Township has had development happen and the density has increased, and this needs to be

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looked into and dealt with. One alternative is to look at putting a sewer in the Plum Creek area up through Foskett and back around. She asked if a larger trunk line from Plum Creek south through Medina Township would alleviate some of the problems they're encountering.

Ken stated that it would not help. The tanks are needed for flow equalization.

Mr. G. Fuller asked about taking it from the intersection of Route 3 down to Fenn Road or along the Ohio Edison pipeline.

Ken stated that Medina Township doesn't want any sewers. Regarding the Ohio Edison easement, when Lincoln Estate Subdivision was put in on Fenn Road sewers were suggested and Medina Township said no. They were to use septic tanks. There is no sewer line because Medina Township wouldn't let it happen.

Mr. Hambley stated that the 208 Plan confirms that the lines will be extended basically with the advice of the local government. Since that plan was adopted the policy has been that the County takes the input from the townships trustees before a decision is made on extension of lines. In this case, Medina Township Trustees made it very clear they do not wish to see large-scale expansion of the sewer lines within their township because they want to be largely rural.

Ken added that Medina Township killed the Calderon development because they don't want anything built over there.

Mr. T. Fuller stated that the City of Brunswick is developing, which is north, and the sewer runs through Brunswick Hills Township and ends at Medina Township because they say no. Now the sewage is coming down and hitting Brunswick Hills Township where it goes into the creek. Obviously the tanks don't work because there are people getting flooded basements.

Mr. Hambley stated that plant does not serve the area referenced earlier with problems with flooded basements. He understands there are 6400 customers that feed into the Plum Creek equalization plant and most of Brunswick is not serviced. Through questioning, he stated that it is for the storm water surge. That's why they were upgraded from tanks that were already there, under capacity, and not within recent standards.

Through questioning, Ken stated that the larger tanks were built for flow equalization. The rest goes to Hinckley and some goes directly to Hinckley and some goes directly to Liverpool.

Mr. G. Fuller stated that this plant was built purely for storm water and to alleviate problems of flooding that the people talked about earlier.

Mr. Hambley noted that it was stated earlier that it is a problem that requires not only the County to do something, but largely the City, if you're talking about storm water infiltration.

Mr. T. Fuller stated that there is more than just the pumps quitting and asked about the foam that flows off the top of the tanks.

Ken stated that the foam happened one time after it was constructed and the header fell off. There are cameras on the tanks and for the last year they have video of them with pictures taken every 20 minutes for a permanent record. There has been no foam anywhere.

Mr. T. Fuller asked for a copy of the pictures, noting that he has evidence of foam 2 weeks ago. Through questioning, he stated that he doesn't have pictures but he has witnesses.

Mr. Hambley asked that the tape be checked during that time period to see what it shows.

Dave Goodyear, Brunswick Hills Township Trustee, asked if, relative to the information given to the gentlemen regarding flooding and the storm sewers in the northeastern part of the community, this is possibly the same reason there are problems at the equalization tanks. He asked if other sewers in the storm system could be backed up in the similar manner.

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Ken stated that there are a lot of older areas in the City that don't have storm sewers such as the area along 303. That storm water ends up coming to tile and down floor drains. Until the City addresses those problems the sanitary system will continue to have problems in those areas.

Ms. Hudson read from a document by Dale Clark that was part of the Cunningham & Associates study. That says the sanitary sewers are available for extension and that they are located in the right-of-way of Fenn Road and extended over the right-of-way of Fenn Road over to a possible easement to the north within the Ohio Edison Transmission easement. A full sewer would need to be a minimum of 18 inches in diameter and should be extended in this size to SR 3 and I-71 to ensure adequate capacity. She understands the study was done just for Calderon properties, but it affects the property north of there as well. Her question is at what point this will be looked at. Medina Township doesn't want to allow this but Brunswick Hills is faced with something that needs to be dealt with now.

Ken stated that the sewer in Fenn Road and all the way across to Rocky River is only 8 inches and it cannot be discharged into. He noted the Trustees signed off on the 208 Plan. That Plan is mandated by Congress to provide a plan for 20 years of where sewer service will be made available. That Plan does not provide for sewer service to go through that corridor. The Plan was adopted by NOACA and we are stuck with it for 20 years unless it's amended by NOACA.

Ms. Hudson suggested amending the journal entry and the 208 Plan to provide for the future of the community. She's heard Commissioners in the past, not necessarily those currently seated, state they aren't going to encourage development in rural areas by not extending water and sewer lines in order to keep the rural atmosphere. Brunswick Hills Township is no longer a rural atmosphere, nor has it been for the past 10 years.

Ken agreed that it is time for the City and Township to sit down and come to an agreement. The County ends up being beat on because we supply water.

Mr. Hambley added that the people that will bear the cost for any improvements talked about will not be the taxpayers but the users of the improvements. If a \$3 million extension is what they are talking about, he presumes the Township will be supportive of a special assessment to those individuals that are seeking to use the additional capacity needed.

Through questioning by the Fuller's, Ken and Mr. Hambley stated that the County paid the \$2 ½ million to build the tanks and the County will not pay for a sewer line extension. The people that will use any extension will pay for it.

Ms. Hudson asked the Commissioners to look into the court rulings and determine what, if anything, the County will be doing especially with the assessments for the Foskett Road water line. She doesn't believe those residents should be charged via the Sanitary Engineer's Office. She'd also like the 20-year Plan re-examined in light of the new developments that Brunswick Hills has been experiencing. By reviewing the 2 things possibly suggestions could be made to the Trustees who are having a hard time especially on making judgments on the rules that were handed down by the district and federal courts in the OWDA case. She cannot in good faith appoint people to the WRWD Board for the sole purpose of collecting those funds.

Mr. Hambley stated that the issues of water, the OWDA case, and sewer capacity seem to be getting mixed up.

Mr. Schira stated that they are tied together. There is a treaty that goes way back, he believes with the British, that you can't have water from the lake unless you ship your sewage. They are doing just fine supplying along the area, the overflow, and everything in Brunswick Hills and the Liverpool tank. However, their residents were assessed for a lot of sewer line there but they're not allowed to have the water because its coming through Brunswick. That journal entry in essence endorsed the idea that annexation would be required for water. It's all part of the big thing and the bottom line is Brunswick Hills and their citizens aren't doing very well as far as a fair shake.

Ken stated that back in 1976 the County wanted to build a water line in the township and the City wouldn't issue the permits. The Township sued the County. The City wanted to build a water line in a county road and the County wouldn't give them the road permits. The City then

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sued the County. The judge took both cases together and there was an agreed journal entry filed in September 1977, which the Township Trustees at that time approved. If that had not been done, the City would have continued to extend the waterlines and required annexation, and sooner or later there would not be a Brunswick Hills Township. As far as he's concerned they can get rid of the journal entry and see what happens.

Mr. Goodyear noted that Ken had referred to raising the manhole that was a problem the other day. He assumes that means making it taller or moving it up the line higher. If there is water pressure that blows the lid off the manhole like it did the other day, he questioned how making it higher would keep that from happening.

Ken stated that the reason it hasn't been raised yet is that they're checking all of the manholes upstream and checking the elevation of that the pump station operates at. The pumps not operating caused the last problem and everything backed up and came up all over.

The Fuller's questioned why the people that were there weren't shown the pumps when they wanted to see them. It was stated that the employees at the plant didn't let them see the pumps.

Ms. Hudson stated that she believes there's not a key on the premises and that one person has the key and carries it back and forth.

Ken stated that there is certain personnel that have authorization to go in the pump station because they have to make sure nothing happens.

Mr. Hambley added that we are basically at war and there is some security at each of the County facilities with limited access to some of those critical areas. In this case he understands there is now a camera for remote sensing of those pumps.

Ms. Hudson stated that it is her understanding that they're supposed to be doing that and asked whose watching the person whose watching the camera.

Ken stated that if they can get the signal here to the office where there is 24-hour operation, they'd be able to watch right from the office.

Mr. Goodyear stated that a few weeks ago at a trustee meeting the Health Department was there talking about the West Nile Virus. He raised a question about the sewer plant and equalization tanks and within a couple of days Jim Troike, Assistant Sanitary Engineer, invited him down for a tour of the plant. He did not go into the pumping station. Jim told him what was there and he didn't ask to go in. While there, 2 workers came down and opened the gate and the door to get in to do some work. He walked down with Jim and looked inside and asked some questions. The workers didn't know about some of the things asked; they only knew what they were doing with their stuff. He wants to make it clear that nobody there was being nasty. If he remembers right, they were checking a camera or something in the little pump house. He doesn't want to give anybody any problems. The township, city and county have enough headaches right here that need to be straightened around soon before somebody gets totally ill on this sewage that's flowing down river. There are also the 2 gentlemen earlier that are getting sewage in their basements.

There was no further discussion relative to the problems in Brunswick Hills.

John Burke, Treasurer, announced that there is \$2 million available through the Fix It Fund Program starting tomorrow. There are 5 participating banks for these low interest home improvement loans, which are First Merit, Western Reserve, Key Bank, Huntington Bank, and US Bank (formerly First Star). Loans can be taken out from \$1500 to \$50,000 under this 5-year program for additions, siding, landscaping and any other permanent improvement. The loans are not available for items such as satellite dishes or hot tubs. They are offered at 3% below the going rates of the participating banks, which varies among the banks. There are no income limit requirements. The only requirements are that the homeowners are current on their taxes and that their property value is not over \$1/2 million. The County is not lending this money. The loans are available on a first come, first serve basis. Last year the program had \$1 million available and it was gone in 1-1/2 days.

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Mr. G. Fuller questioned in reference to raising the manhole, if it the water doesn't come up at that manhole whether the water pressure will just move up the line to another.

Ken stated that the manhole is not going to be raised until all of the other manholes are checked.

Mr. Hambley noted that there is an Investment Advisory Committee meeting scheduled for Commissioners to attend. The Executive Session this afternoon has been cancelled. The meeting will be reconvened at 1:30 p.m.

At 1:30 p.m. the meeting was reconvened for the discussion session.

Tom James, Park District Director, had a presentation on their 2002 annual report. The Corp of Engineers said 3 years ago that the dam at Hubbard Valley needed to be repaired, and those renovations started in 2001 and were completed in 2002. The renovations included doubling the width of the spillway, removing 4 feet of silt, asphaltting the walking trails, replacing the picnic shelter, new restrooms, fixing a bridge in the hiking trails, and making the picnic shelter handicap accessible. Improvements to the Chippewa Inlet Trail included paving the hiking trail, eliminating drainage tiles in the wetland, partial drainage of land to the north. There started a monitoring program in 2 areas near the wetlands and hope that the diversified wildlife will help control mosquitoes in the area. The Lester Rail Trail was reopened, which had been closed during the sewer line construction in the city. They leased Lake Medina and will be starting work on replacing the bridge and reopening that park. This added 190 acres to the total acres of parks in the county. The Chippewa Watershed Study and Natural Resources Inventory was completed. This will be used in Brunswick for the Plum Creek Watershed mitigation site. They also studied Chippewa Lake flooding. There was wetland and stream mitigation for the Black River in Hidden Hollow Park, which is in the same watershed as the Cleveland Airport. They worked with Lodi on the east fork of the Black River stream restoration. An additional 150 acres of land was purchased. The Plum Creek Park expansion occurred with the help of a private citizens group that helped raise funds that were used in conjunction with a grant and money from the Park District. Land acquisition around Lake Medina is proceeding. There is a 64-acre development planned near there and time is running out on getting additional land in the area. Survey crews have been working on this and they are continuing to try to raise funds for this. Mitigation fees that were collected help pay for new fishing piers at Letha House. They are continuing to work on easements for the Chippewa Rail Trail and are finalizing the engineering for construction. A wetland was created at Plum Creek Park. They are planning a new maintenance facility for the Deerview Lane property to replace a 17-year old structure. They acquired 328.2646 acres near River Styx, 38.89 acres for the Chandler Wildlife Sanctuary, 36.44 acres for Greenleaf Park, plus land for Hubbard Valley, the Lester Rail Trail and Princess Ledges, the East Fork Nature Preserve to bring the total park acreage to 3,337.0915 acres, excluding Plum Creek. Attendance at the parks is tracked through permits issued and there was good growth in a couple of areas with the total usage increasing. This was during the time that Hubbard Valley was closed and they anticipate an increase with that park reopening. The issuance of special use permits, such as baseball and soccer, increased. Visitors to the Wolf Creek Environmental Center also increased, with a number of school groups visiting. Their total attendance figures went from 42,000 to 53,000. People come from all around the county and out of county and those figures are pretty much the same. The school districts have increased usage as well as schools from out of the county. Fees collected for shelters and classes were up. The bulk of the fees at Wolf Creek are from out of the county. In review of revenue and expense charts, he noted they are trying to save for capital improvements. The charts show that 24.58% of their revenue comes from Local Government Funds. Plans for the future include that they would like to increase their acreage of parklands. Their 1978 master plan called for 5,000 acres, but most purchases of land are driven by opportunity. They had wanted to have 300 acres at each park but due to development they are getting surrounded. They would also like to see a 2,000-acre park in the southwest and northwest parts of the county. It would make sense to have Chippewa Lake as part of the parks, and they have acquired 380 acres on the western shore. Another 100 acres is critical to their planning and another 70 acres in that area would be nice.

Mrs. Geissman noted that the Ohio Public Works Commission (OPWC) has approved funding for the Bellus Road bridge. This will be forwarded to Dave Miller, County Engineer.

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Mrs. Geissman noted that there is an election reform seminar by CCAO on May 9 and she asked if any Commissioner will be able to attend; also noting that possibly members from the Board of Election could attend.

Mr. Hambley is unable to attend and Ms. Ray will check into it.

Ms. Ray noted that she attended the new Commissioner training last week. Everyone is still waiting to determine how the cuts from the State will be handled.

Ms. Ray asked if the mission statement and raises for the Planning Department are scheduled to be reviewed during discussion.

Mr. Hambley stated that the Planning Commission will adopt the mission statement, and all raises are scheduled for review during Executive Session next week.

Mr. Hambley noted that a discussion needs to be scheduled to discuss the Greenhaven annexation (Sharon Township to the City of Wadsworth). The Clerk checked with the Prosecutor's Office and since the court remanded this back to Commissioners the County has to pay for the transcription. Transcription is estimated at \$500. Commissioners need to determine if they need the transcript or if they want to rely on their own notes and the minutes of the Clerk. Whatever is used, the Board needs to prepare a finding of facts.

Commissioners agreed to depend on the Clerk's minutes and their notes. A discussion on this will be scheduled when the minutes are completed.

It was noted that the Clerk currently is working on a verbatim transcript of meetings involving the Wadsworth Township to Wadsworth City annexation. A verbatim was prepared for the public hearing, but not for the discussion session to determine the finding of facts or at the meeting in which the Board approved the annexation. The Township's attorney has requested the additional verbatim transcripts. The time for transcription is being kept track of.

Ms. Ray asked if the Board wants to prepare one of the form letters provided by the CCAO for state legislatures regarding the Local Government Fund (LGF).

Commissioners agreed that a letter or resolution be prepared for this.

Mr. Hambley stated that based on the discussion this morning with the Brunswick Hills Township Trustees about the capacity of the Plum Creek plant, he asked Ken to prepare an estimate of the capacity and to make sure there are no capacity issues. We know what the design capacity should be, but we should look at that area and see what expansion may occur. He believes most of the expansion of the area would be with the Fuller property and Mr. Fuller wants the higher density for development. We should be able to demonstrate whether we have the capacity for that growth or not. He proposed that after Ken prepared that information that a letter be sent to the Trustees with the results.

Ms. Ray suggested that Ken give the Trustees copies again of the documents that he has.

Mrs. Geissman noted that after the morning session, Mr. Fuller showed her pictures of foam from the plant that was all over the field. He said they were taken recently and that there were no dates on the pictures. She had noticed that there was a date on the back of the pictures and that date was March 2001.

Ken noted that is when the header fell off at the plant. He also noted that he has a CD of the film from the plant from May 2002 through last week. Tim Fuller had said foam had happened in the last couple of weeks so the staff reviewed the tapes of the last several weeks and there was no foam.

Ken stated that regarding density in Brunswick Hills Township, there was a time when their lot size was one home per acre/lot. He presented a drawing of the area at Marks and Center Roads where there are 1645 units being proposed. The development is becoming a concern relative to a need for more storage capacity for fire protection. They believe they could build a second tower next to the Brunswick Hills tower at Substation and 303, but the cost should be

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recouped because the increased density is driving that need. Some of these issues do need to be addressed and they have brought it up because they want to grow.

Ken also noted that the time of year is approaching when townships will be having their clean up days. In the past townships were given letters waiving the cost of processing the waste. Norton collects the waste and most of it goes to a landfill. The townships only pay the cost for disposal at the landfill. He asked if Commissioners wish to allow this again this year.

Mrs. Geissman moved to allow reduced costs for township clean-up collections. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

There were no further items before the Board for discussion.

Mrs. Geissman moved to adjourn the meeting at 2:14 p.m. Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

03-0209 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TRESURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

03-0210 RESOLUTION PROCLAIMING APRIL 2003 AS "FAIR HOUSING MONTH"

03-0211 RESOLUTION ACCEPTING AND AWARDING THE BID FOR HERBICIDAL SPRAYING FOR ROADSIDE VEGETATION CONTROL FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

03-0212 AUTHORIZING THE ADVERTISEMENT FOR PROPOSALS FOR WIA ADULT AND DISLOCATED WORKER SERVICES FOR THE MEDINA COUNTY WORKFORCE DEVELOPMENT OFFICE

03-0213 APPROVING A LEASE WITH MACEDONIA PROPERTY MANAGEMENT FOR OFFICE SPACE FOR THE CLERK OF COURTS MEDINA AUTO TITLE OFFICE

03-0214 APPROVING A LEASE RENEWAL AMENDMENT WITH THE BATTERED WOMEN'S SHELTER OF SUMMIT AND MEDINA COUNTY INC.

03-0215 APPROVAL OF AN AGREEMENT FOR SUPPLEMENTAL MEDINA COUNTY COURTHOUSE SECURITY SERVICES

03-0216 RESOLUTION AUTHORIZING THE PURCHASE OF 3,700 GALLONS OF PREMIUM UNLEADED AND 4,300 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

03-0217 REVENUE ADJUSTMENT FOR WORKFORCE DEVELOPMENT FUND

03-0218 AUTHORIZING THE ADVERTISEMENT FOR PROPOSALS FOR FIBER OPTIC PROJECT BUSINESS PLAN CONSULTANT SERVICES

03-0219 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

03-0220 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS WATER LINE IMPROVEMENT PROJECTS

03-0221 RESOLUTION AUTHORIZING AGREEMENTS RELATING TO CHILD CARE PROVIDERS FOR THE DEPARTMENT OF JOB AND FAMILY SERVICES

03-0222 RESOLUTION AUTHORIZING AN AGREEMENT WITH WESTSIDE COMMUNITY CENTER FOR THE DEPARTMENT OF JOB AND FAMILY SERVICES

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03-0223 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Respectfully submitted,

Sharon A. Ray

Pamela J. Terrill, Clerk

Patricia G. Geissman