

COMMISSIONERS MEETING – MONDAY, MARCH 4, 2002

Patricia G. Geissman called the meeting to order at 9:30 a.m. with Thomas R. Bahr and Stephen D. Hambley present.

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

Mrs. Geissman asked that approval of the February 25 minutes be tabled at this time.

Doug King, Administrative Assistant in the County Engineer's Office, presented 3 resolutions accepting and award the bid for extension of Culvert No. 57 on Smith Road, resolution to close a section of Chippewa Road, and resolution accepting and awarding the bid for various types of aluminum sign blanks, etc. for the Highway Department. The bid for the culvert extension is awarded to HSH Construction. The road closing is for bridge repairs. The bid award for the signs is to various parties. Mr. Bahr moved to approve the 3 County Engineer resolutions. 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 5 resolutions involving entering into an agreement with the ADAMH Board for space at the Old Achievement Center, transfer of funds, purchasing fuel for the Engineering Center and Highway Garage from Weaver Oil, and the weekly bills in the amount of \$824,151.68. The ADAMH Board agreement for space is a 2-year renewal for the C-Fit Program. Mr. Bahr moved to approve the 5 resolutions. Seconded by Mr. Hambley.

Mrs. Geissman noted that the chart attached to the fuel purchase resolutions showed that the cost of gasoline has gone up and down.

Mr. Bahr added that the sheets show differences in the bids from the same companies.

There was no further discussion.

Roll Call on the motion and second to approve the 5 resolutions showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the advertisement for bids for 3 replacement and one additional vehicle. There are trade-ins for the 3 vehicles and the additional vehicle is for the new supervisor in the Water Department. Mr. Bahr moved to approve the bid advertisement. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger Harris, Human Resources Department, presented and reviewed the personnel changes resolution. Mr. Bahr moved to approve the changes. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger presented a resolution approving personnel changes for the Sanitary Engineer's Department. These are for pay increases as agreed upon in the contract with the SEIU. The increases are retroactive to the first of the year. Mr. Bahr moved to approve the changes. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger presented a resolution adopting a new 3-year contract with Teamsters Local 436 and the County Engineer. Mr. Bahr moved to approve the contract. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger presented a resolution rejecting the Fact Finder's recommendation in the negotiations between the Sheriff and the Ohio Patrolmen's Association for the deputies. Mr. Bahr moved to reject the recommendation. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Joyce Farnsworth, County Home Administrator, stated that they are holding a party on Wednesday evening for a Miss Medina Scholarship winner, Rustee Clutter. She had chosen the

COMMISSIONERS MEETING – MONDAY, MARCH 4, 2002

County Home as her charity to speak about and received a second place in performance and 1st in their People's Choice. Wednesday night she will speak and present the money to the County Home. On the 14th they will be holding a birthday party for a resident that will be 109 years old. They have had no problems with the flu at the Home. They have 10 people on their waiting list. There was a brief discussion about whether the resident is the oldest known citizen in the County. Recognition for her birthday is coming from Senator Voinovich and she's sure there will be more coming in.

Dr. Ross Santamaria, Diversion & Forensic Services Director, stated that the program fees are high at this time. They have been doing some testing for Lorain County and that may be a reason for the fees being high. The shared location with the Link Program and MCDAC is working very well. Link helps young people with GED or additional school for jobs. He has made referrals to them. Some young people don't understand the connection between education and jobs.

Chris Hartman, Soil & Water Conservation District, presented copies of their recently completed 2001 annual report. In the last month they assisted 179 people with conservation related information and loaned 2 education-training kits to teachers. There will be 8 schools represented from Medina County in the regional Enviro-thon this year. This is a statewide environmental awareness competition where teams go through different stages involving wildlife, wetlands, forestry, or soils. From the regional competition the top 3 school teams go on to the statewide competition, and the top state team goes on to the national competition. There will be a simulated session held in April for the Medina County teams. Every year there are 8-10 teams from the schools around Medina County. In their relationship with the Central Processing Facility (CPF) there were 154 students that toured the facility last month. There had 16 teachers complete the education workshop "Focus on the Land". Their information involving pollution abatement complaints were printed and copies presented to the Commissioners. One form is for filing a complaint involving agricultural waste pollution and the other form describes the accused parties' rights and responsibilities. WCTV has been running a video on last years fall foliage tour. In the last month they assisted OSU Extension with a manure management seminar for 4-H participants, completed an agricultural wetlands delineation in Harrisville Township, assisted 5 landowners with drainage issues, completed one pond assessment, and reviewed one pond plan. They received the 2002 Recycle Ohio grant with the CPF. They also completed 2 preliminary reviews for the Department of Planning Services, assisted the County Engineer with erosion plans, and completed 22 site inspections. He thanked the Prosecutor for their assistance in completing their policies. They are partnering with the Home Builders Association's Parade of Homes. There will be a demonstration project on erosion control on individual building sites. The demonstration site will be in Montville Farms in Medina City. At the January Ohio Federation annual meeting their office received a rating of superior, which is the highest rating districts receive.

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

The meeting was opened for public comment and there was no one wishing to comment.

Mrs. Geissman noted that the discussion session will start at 10:00 and be followed by an Executive Session for personnel/labor negotiations and discipline at 10:30.

Mr. Bahr moved to recess into Executive Session at 10:30 a.m. for personnel/labor negotiations and discipline. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners recessed the meeting at 9:53 a.m.

Commissioners reconvened the meeting at 10:04 a.m. for the discussion session.

Mr. Hambley noted that a fax was received from Neil Hofstetter regarding the need for an appointment to the NOACA Transportation Advisory Committee (TAC). The NOACA Board needs to act on this on Friday. A change in their bylaws allows for representation from the private sector. He has talked with Jim Douth, Executive Director of the Economic Development

COMMISSIONERS MEETING – MONDAY, MARCH 4, 2002

Corporation and at their last meeting they nominated Jim Doult as the TAC representative with Tom Arnold as the TAC alternate. He asked about sending a letter to NOACA about these appointments so they can act on it this Friday. Commissioners can then take official action on the appointments next week.

Mrs. Geissman and Mr. Bahr agreed with the appointments, and Mr. Hambley agreed to prepare the letter to NOACA.

Mr. Hambley also noted that he had also talked to Jim about updating the appointment to the Transportation Improvement District (TID). The Corporation has recommended Jim Gerspacher as the member and Jim Doult as the alternate. Commissioners' last representative was Mel Tolsma who, as a township trustee, was a member of the Economic Development Corporation. He is no longer with the Corporation. This appointment should be formalized next week as well.

Mr. Hambley stated that the programming for *Your Medina County* needs to be finalized. The tape for March's program needs to be done by Thursday.

Mrs. Geissman stated that she can't add 15 minutes to the tape he has prepared. She has reviewed the tape and it's very pro-County Home. She feels it is difficult to add the facts to the pro portion of this tape when the majority of the Board is not interested in promoting an unnecessary increase in property taxes.

Mr. Hambley disagreed that the tape was pro-County Home, and stated that the question is whether the show is permissible under the policies for the government access channels. We are given a half hour every month and there have been times that special election editions were shown outside of that cycle.

Mrs. Geissman doesn't feel the Commissioners should do anything pro or against, but they have the responsibility to get the facts out.

Through discussion on the facts, Mrs. Geissman suggested that the chairman of the Transition Team or the Director of Alternative Paths be interviewed to get the facts out. She feels that Joyce Farnsworth's comments are based on her job depending on the passage of the levy and that comments on the tape were inaccurate. She has documentation to go with the facts she is preparing. She is currently negotiating with Debra Beckstett, Alternative Paths Director, on costs and will be able to work more on the fact sheet after Wednesday.

Mr. Hambley presented a list, attached as Exhibit A, of the programs since 1997 on various issues. Individuals spoke regarding the issues to educate the voters on what the issue was, why it was on the ballot, and what would happen with or without passage. There were 7 programs and one of those was done after the ballot as an analysis. The TID, Library and MCDAC issues were among those programs. He understood everyone of the programs were in compliance with the B52 policies for government access

Through questioning, Mr. Hambley stated the Commissioners were not in full agreement of all of the issues, such as the TID and Parks.

Mrs. Geissman stated that there has never been an issue on the ballot before that at least 2 Commissioners were not in favor of.

Mr. Hambley stated that all 3 voted on this issue.

Mrs. Geissman stated that 2 reluctantly voted on this and that she has said from that time that she is not interested in promoting an unnecessary tax.

After further discussion Mr. Hambley stated that he would proceed with having the 15-minute tape run as it is.

Mrs. Geissman asked that her name be removed from the credits as she doesn't support the tape and it will give the perception that the Board is behind it.

COMMISSIONERS MEETING – MONDAY, MARCH 4, 2002

After further discussion, Mr. Hambley stated Mrs. Geissman can exercise her right to remove her name from the credits and that he expects the same courtesy when she does her program on the issue.

After discussion about the proposed fact sheet and the April program, Mr. Bahr made a motion that there be no program done on the County Home.

Mr. Hambley stated that there would need to be an agreement between the 3 Commissioners about not doing a program. At this point, since there is an impasse as to the program content and who should or shouldn't be interviewed, he reluctantly agreed.

It was clarified that this agreement pertains to programming for *Your Medina County* only and does not prevent any one of the Commissioners from doing programs or other things in regards to the issue.

Mr. Hambley stated that since the County Home is off the programming for *Your Medina County*, a decision needs to be made about programming for March and April.

After discussion, Commissioners agreed that March will be about Family First and something related to March being MRDD Month. April will be about the home-delivered meals program and May will be about the CPF.

Mr. Bahr noted that information from Jim Dudek about the NOACA TAC discussion on commuter rail services doesn't indicate any reason for Medina County to take a position against it.

Mr. Hambley agreed, noting that right now it is a debate between Congressman Sherrod Brown, who is for the extension into Lorain, and Congressman Dennis Kucinich, who is against any more trains in the communities. He believes the 2 should fight this out and Jim can use his best guidance and judgment in his decision on this.

Mrs. Geissman and Mr. Bahr agreed.

Mr. Bahr noted that the process of interviewing for the Director of the Department of Planning Services has started. He and Roger Harris have narrowed the list down to 6 and Roger is doing background checks. The interviews should be scheduled in the next week or two.

Mr. Bahr noted that a letter from the Governor's Office was received regarding the Young American Medals Program that honors youth for heroic acts. He suggested checking into the case of the young men that rescued children from a fire in Wadsworth as one possibility for the program. He will have this looked into.

Mrs. Geissman noted that she had Bill Thorne, Assistant Prosecutor, review the liability involved with holding an open house at the County Home.

Bill presented copies of his written response and stated that there is nothing illegal about holding the open house and it doesn't expand the scope of liability. The situation of having people promoting the County Home at an open house could cause problems although it is not illegal. If it is allowed, then a group opposing the County Home issue would also have to be allowed access to the Home as a public forum. Public money cannot be used pro or con on this issue. The main problem with allowing the use of the Home for a public forum for one group is that other groups would then have to be allowed.

During discussion concern was expressed about having large crowds going through this facility and the affect holding debates on the issue will have on the residents. Commissioners agreed that an open house is okay as long as there are no references to the levy, either pro or con.

There was a review of an invitation to the event being held this Wednesday by the Miss Medina Scholarship program. It does not appear to be in conjunction with the issue of the County Home levy. Bill was asked to review all of this information with Joyce to make sure the levy is not a topic during this program or the planned open house.

COMMISSIONERS MEETING – MONDAY, MARCH 4, 2002

Ken Hotz stated that there is a meeting scheduled for Thursday with the Remsen Chase residents regarding water. They also are working on income surveys for the Chatham water. They cannot split Chatham Township with some getting Medina County water and some getting water from Lorain Rural Water Authority. This project will not proceed before next year.

The Clerk noted that departments are calling regarding Good Friday. She noted that calls have been made to departments and it appears that Domestic Relations Court has trials scheduled all day and Court Room #1 has a trial scheduled, but it may not run into the afternoon. All other elected officials are closing their offices at noon, except it is unknown at this time about the County Engineer. Commissioners agreed to closing their offices and offices under their jurisdiction at noon.

The Clerk noted that she forgot to list a meeting on the agenda for Thursday. The Council of Governments (COG) for Drug Eradication is scheduled to meet in Balcony Room A at 10:30 a.m.

There were no further items for discussion.

Commissioners recessed the meeting at 11:00 a.m. for the Executive Session, which was voted on earlier.

At 11:35 a.m. Mr. Hambley moved to adjourn the meeting. Seconded by Mr. Bahr. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

02-0151 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

02-0152 RESOLUTION ACCEPTING AND AWARDING THE BID FOR EXTENSION OF CULVERT NO. 57 ON SMITH ROAD FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

02-0153 RESOLUTION DETERMINING THE NECESSITY TO CLOSE CHIPPEWA ROAD (C.H. 50) BETWEEN AVON LAKE ROAD (S.R. 83) AND VANDEMARK ROAD (C.H. 31)

02-0154 RESOLUTION ACCEPTING AND AWARDING THE BID FOR VARIOUS TYPES OF ALUMINUM SIGN BLANKS, REFLECTORIZED ROLL GOODS, ELECTRONIC CUTTABLE FILMS & GALVANIZED POSTS FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT IN MEDINA COUNTY, OHIO

02-0155 RESOLUTION ENTERING INTO AN AGREEMENT WITH THE MEDINA COUNTY ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES BOARD FOR USE OF SPACE AT THE OLD ACHIEVEMENT CENTER

02-0156 CASH TRANSFER FOR INDIGENT COUNSEL REFUNDS TO THE GENERAL FUND

02-0157 RESOLUTION AUTHORIZING THE PURCHASE OF 3,000 GALLONS OF PREMIUM UNLEADED AND 4,600 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

02-0158 RESOLUTION AUTHORIZING THE PURCHASE OF 6,500 GALLONS OF DIESEL AND 1,500 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE MEDINA COUNTY HIGHWAY GARAGE

02-0159 RESOLUTION AUTHORIZING THE SANITARY ENGINEERING DEPARTMENT TO ADVERTISE FOR BIDS FOR THREE (3) REPLACEMENT VEHICLES AND ONE (1) ADDITIONAL VEHICLE

COMMISSIONERS MEETING – MONDAY, MARCH 4, 2002

02-0160 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

02-0161 RESOLUTION APPROVING PERSONNEL CHANGES FOR EMPLOYEES OF THE SANITARY ENGINEERS DEPARTMENT (PAY INCREASES)

02-0162 RESOLUTION ADOPTING A NEW 3-YEAR CONTRACT WITH TEAMSTERS LOCAL 436 AND THE MEDINA COUNTY ENGINEER

02-0163 RESOLUTION REJECTING THE FACT FINDER'S RECOMMENDATION IN THE NEGOTIATIONS BETWEEN THE MEDINA COUNTY SHERIFF AND THE OHIO PATROLMEN'S ASSOCIATION (DEPUTIES)

02-0164 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Patricia G. Geissman

Respectfully submitted,

Thomas R. Bahr

Pamela J. Terrill, Clerk

Stephen D. Hambley