

COMMISSIONERS MEETING – MONDAY, MAY 16, 2005

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

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

At the beginning of the meeting the oral reading of the May 9 minutes was dispensed with. Each Commissioner has read them personally. Mr. Hambley moved to approve the minutes; Seconded by Ms. Ray. 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 approving the use of Subdivision Drainage Maintenance Funds for repair work in Fox Meadow Subdivision Phase I, Turnberry Subdivision Phase 2 and Montville Lakes Subdivision Phase 2, establishing a 25 ton load limit on Culvert #23 on Ledge Road, accepting and awarding the bid for 2005 County Specification Item 402 Resurfacing, and closing sections of Westfield Road and Root Road. Mr. Hambley moved to approve the 9 resolutions; Seconded by Ms. Ray. 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 amending the annual appropriation by increasing/decreasing appropriations, various fund transfers, purchasing fuel for the Engineering Center from Petroleum Traders, declaring county property as excess property for the on-line auction, and the weekly bills in the amount of \$889,612.48. Mr. Hambley moved to approve the 6 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. Gary noted that he will have the new Workforce Development Director present at the May 31st meeting. Mr. Hambley 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, had no resolutions today.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the investment of the retainer of G. E. Baker Construction into an escrow account for the S.R. 42 sanitary sewer replacement and SR 162 sanitary sewer extension projects.

Susan Hirsch, Department of Planning Services, stated that they held their 5th and final zoning workshop on implementation of comprehensive plans on the 10th. On May 26th they will have an organizational meeting for a school summit to meet with all of the schools, which was a recommendation of the Planning Commission. On the 24th the Ohio Planning Conference will be holding an audio-conference day. The topics start at 8:30 a.m. and will cover planning & public health, economic development for small towns, getting to density, defensible design review, and the face of zoning in the 21st century. Those interested can go to their office to review these sessions. They do have a flyer available with all of the information. She noted that the first Farmers Market this year will be held on June 11th.

Art Verdoorn, Building Official, presented and reviewed their report for April. They issued 80 new home permits versus 103 being issued in April 2004. In January there were more permits issued versus last January; however, since that month there has been a slight down-turn in issuances each month under residential. He believes we have peaked in residential construction and the work is leveling off, noting that nationally the predictions are that residential construction has peaked and will be down some this year and next year. The number of commercial projects is down, but the sizes of those projects have increased. He anticipates that commercial construction will be up this year. He noted that the Homebuilders Association requested a meeting regarding the structure requirements under the new code and they have

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requested a modification to that section. He, Commissioner Ray and their residential plan examiner will be meeting with the Association tomorrow.

Ms. Ray noted that in talking with an insurance agent the rating for residential homes, the rating went from 8 to 4 with the new requirements, which is a significant savings to homeowners.

Art agreed, noting that is going to be the big thing. The 2004 code should have been done in 2003, but they took extra time to review the updates and implement the new code. They had to go to the insurance service organization that prepares the ratings to receive a special one-year carryover of the old rate because of the extra time for the new code to go into affect and be adopted by our Building Department. After our adoption, the rating went from 5 to 4. If the new code had not been adopted, we would have seen the rating go from 5 to 8.

John Burke, Treasurer, stated that the Fix It Fund program was launched today and that there is \$1.5 million available in low interest home improvement loans. The rates offered by the 4 banks participating in the program are 3% below what they would normally charge. The banks involved are First Merit, Huntington Bank, US Bank and Key Bank. Homeowners can apply for up to \$50,000 at a fixed rate that is to be paid over 5 years. Homeowners qualify by being current on their property taxes and if their homes are not valued over \$200,000. There is no income requirement. People should contact the banks and do it soon as in the past couple of years that funds have gone within a couple of days. He thanked Commissioners for starting this program in 2002, adding that over \$5 million has been loaned to hundreds of homeowners in the county.

John Stricker asked if people can apply for expenditures that they've already taken care of a month or two ago.

John Burke stated that the funds have to be used on a new project.

Mrs. Geissman read a resolution commending Bruce O. Biliczky for his years of service with the Sanitary Engineer's Department. Mr. Hambley moved to approve the commendation with the correction of one typographical error; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman read a resolution appointing Mike Supeck to the Air Quality Public Advisory Task Force of the Northeast Ohio Areawide Coordinating Agency (NOACA). Mr. Hambley moved to approve the appointment; 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. Mr. Hambley moved to allow the expenses of county officials; Seconded by Ms. Ray.

Ms. Ray noted that she checked on the \$3500 allocation for Harvard Law School Mediation Program. The total tuition, \$2250, is being picked up by the Ohio Supreme Court and the remaining balance is coming out of Mediation's fee account. There are no general funds being used for this training.

There was no further discussion.

Roll Call on the motion and second to allow expenses showed all Commissioners voting AYE.

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

Mrs. Geissman noted that following the discussion session there will be a legal Executive Session. Mr. Hambley moved to recess into Executive Session for the purpose of pending

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litigation following the discussion session; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was recessed at 9:54 and reconvened at 10:00 for the discussion session.

Ms. Ray noted that the Adopt-a-Thon on Saturday was very successful. The Animal Shelter, attending for the first time in several years, took 6 cats and 5 dogs and all but 1 dog was adopted. The Animal Shelter staff worked hard and the attendance was steady all day. She also noted that Tracy Carlos, Channel 5, and Dick Goddard, Channel 8, attended the event.

Joan Heller, Auditor's Office, added that they had 31 tables set up.

Ms. Ray stated that relative to out-of-state travel she would like to get criteria from other agencies, etc. such as if something is offered locally versus out-of-state that the employee must attend the local training/seminar. Through the discussion of this, it was noted that a written policy needs to be in place. Ms. Ray noted that the next department heads meeting is in July and it would be good to have something in place that could be distributed at that meeting. Chris Jakab agreed to do some research on this.

Roxana Rohrich, Tax Maps Supervisor, noted that she has not prepared her written comments about the Expedited Type 1 annexation petition that was filed and approved for land from York Township to the City of Medina. First, adding the new land to the CEDA area will create an island of township land within the annexation territory. The original CEDA excluded these properties to avoid creating an island, but with the addition of the 3 properties there is now an island of 4 properties created. She noted that she is the owner of one of the 4 properties within the island that is being created and that these owners were told their home insurance will be affected if they annex and their property is rezoned. The original CEDA has a description of the perimeter of the property and no survey was done at that time. Two of the 3 properties now being annexed have accurate legal descriptions, but the third piece does not. It was noted that the taxes are still part of the township but the land becomes city lots and the city provides the services.

Trina Devanney, Assistant Prosecutor, stated that the description of the perimeter of the property has to be accurate. Under Expedited Type 1, creation of an island is not considered as long as there is a cooperative agreement between the township and city. It is her opinion that since the legal description was not accurate at the time of filing that the petition has to be re-filed and started over.

The Clerk noted that Bill Thorne, Assistant Prosecutor, had stated that it is considered a procedural defect and that it could be allowed contingent upon Tax Maps approval, and that it could be corrected. Trina stated that she will double check this with Bill as her opinion is that they have to start over.

There was a brief discussion relative to Roxana's interest as a property owner in the area. It was noted that Mike Salay, County Engineer, is over Tax Maps and he will be checked with to get another review of the plat and legal description.

Mrs. Geissman stated that Ron Rhodes, Hinckley Township Trustee, has requested that the Planning Commission members be uninvited to the meeting next week to discuss problems they have with the Subdivision Regulations and the enforcement of those. He had agreed to have a discussion involving Mike Salay, County Engineer, and Patrice Theken, Department of Planning Services Director. He has discussed this with the Planning Commission and did not want them involved in this discussion.

Mr. Hambley stated that the Planning Commission is just as much involved in the decisions about the regulations as the Commissioners are, and he's not sure they should be uninvited, noting that it is a public meeting.

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After a brief discussion it was agreed that only those on the original list would take part in the discussion.

Ken Hotz stated that the bids were received for the improvements at the Akron University Technology Park. The Transportation Improvement District (TID) will be meeting on Wednesday to make the award.

There was no further business before the Board for discussion.

At 10:25 a.m. Commissioners recessed into the Executive Session that had been voted on earlier.

At 10:55 a.m. Mr. Hambley moved to adjourn the meeting; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

- 05-0408 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 05-0409 RESOLUTION COMMENDING BRUCE O. BILICZKY FOR HIS YEARS OF SERVICE WITH THE MEDINA COUNTY SANITARY ENGINEER'S DEPARTMENT

- 05-0410 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOW SUBDIVISION PHASE 1 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

- 05-0411 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN TURNBERRY SUBDIVISION PHASE 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

- 05-0412 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN MONTVILLE LAKES SUBDIVISION PHASE 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

- 05-0413 RESOLUTION ESTABLISHING A 25 TON LOAD LIMIT FOR CULVERT NO. 23 ON COUNTY ROAD 135 (LEDGE ROAD)

- 05-0414 RESOLUTION ACCEPTING AND AWARDDING THE BID FOR THE 2005 MEDINA COUNTY SPECIFICATION ITEM 402 RESURFACING

- 05-0415 RESOLUTION DETERMINING THE NECESSITY TO CLOSE WESTFIELD ROAD (C.H. 15) BETWEEN GARMAN ROAD (T.H. 91) AND SEVILLE ROAD (C.H. 46)

- 05-0416 RESOLUTION DETERMINING THE NECESSITY TO CLOSE ROOT ROAD (C.H. 58) BETWEEN CHATHAM ROAD (S.R. 162) AND SPENCER LAKE ROAD (C.H. 45)

- 05-0417 RESOLUTION DETERMINING THE NECESSITY TO CLOSE ROOT ROAD (C.H. 58) BETWEEN SPENCER LAKE ROAD (C.H. 45) AND GARVER ROAD (T.H. 177)

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- 05-0418 RESOLUTION DETERMINING THE NECESSITY TO CLOSE ROOT ROAD (C.H. 58) BEWEEN GARVER ROAD (T.H. 177) AND SMITH ROAD (C.H. 4)
- 05-0419 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 05-0420 AUTHORIZING A CASH TRANSFER FOR THE GENERAL BOND RETIREMENT FUND
- 05-0421 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 05-0422 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS SANITARY ENGINEERING FUNDS TO THE COUNTY GENERAL FUND
- 05-0423 RESOLUTION AUTHORIZING THE PURCHASE OF 3,800 GALLONS OF PREMIUM UNLEADED AND 3,400 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 05-0424 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
- 05-0425 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 05-0426 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO INVEST THE RETAINER OF G.E. BAKER CONSTRUCTION INC. FOR THE S.R. 42 SANITARY SEWER REPLACEMENT AND S.R.162 SANITARY SEWER EXTENSION IN AN ESCROW ACCOUNT MCSE #SR-500/200-48.3.1
- 05-0427 RESOLUTION APPOINTING MEMBER TO THE AIR QUALITY PUBLIC ADVISORY TASK FORCE OF THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA)
- 05-0428 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Patricia G. Geissman

Respectfully submitted,

Stephen D. Hambley

Pamela J. Terrill, Clerk

Sharon A. Ray