

COMMISSIONERS MEETING – MONDAY, MAY 20, 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.

At the beginning of the meeting the oral reading of the minutes of May 13 was dispensed with. Each Commissioner has read them personally. Mr. Bahr moved to approve the minutes. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gina Frimel, County Engineer's Office, presented 2 resolutions to close sections of State Road for culvert repairs, 2 resolutions allowing the interim use of stop signs at the intersection of Friendsville Road and the Wheeling & Lake Erie railway grade crossing and the intersection of Firestone Road and the CSX Transportation railroad grade crossing, extending the completion date of the Smith Road Culvert #57 extension contract with HSH Construction & Excavating, accepting and awarding the bid for the reclamation of Crow Road, accepting and awarding the bid for seal grade liquid asphalt, approving the final plat for Westbury Place Subdivision Phase II in Brunswick Hills Township, and approving the annual assessment on improvements and establishing a public watercourse for Westbury Place Subdivision Phase II. Mr. Bahr moved to approve the 9 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 9 resolutions involving amending the annual appropriations by transferring and increasing appropriations, expenditure adjustments for various funds, various fund transfers, authorizing submission of Family First Council Partnership For Success grant application, establishing a revised rate structure for new admissions to the Medina County Home, and the weekly bills in the amount of \$504,439.69.

The grant application for Family First is with the Ohio Department of Job & Family Services in the amount of \$98,252. The grant period is July 2, 2002 through June 30, 2003. The revised rate structure for the County Home is based on the discussion session last Tuesday. This will affect new admittances in the Home. The rate will be \$1580/month or \$52.50/day. The new rate is based on the average daily occupancy of 52 and the estimated operating budget this year. He requested the addition of a bill to McClain Elevator for \$4,000, which will allow for the ordering of a part for the Professional Building elevator so the repairs can be completed.

Mr. Bahr moved to approve the 9 Finance resolutions. Seconded by Mr. Hambley, except for the resolution establishing revised the rates for the County Home. Mrs. Geissman seconded the original motion to approve the 9 Finance resolutions.

Mr. Hambley stated that, recognizing that the full cost per diem has been calculated based on relevant statistics from last year, and the current rate has been \$1100 since last September and the full cost per diem has never been charged in the past, he questioned why the increase to full rate is being done at this time.

Mrs. Geissman believes Commissioners were not aware the charges were not enough to cover the costs. She has never been liaison to the County Home, but she was not aware the full amount was not being charged. This will affect very few people.

Mr. Hambley stated that this is just the start. This will affect new admissions and then the charge to current residents will be increased at some point.

Mrs. Geissman stated that is to be determined later.

Mr. Bahr asked Chris if he knows why the total rate was never charged before.

Chris believes the County Home wished to keep it fairly low to attract residents and make it more affordable. An attached chart shows the actual monthly costs per diem versus the charged monthly rate. That practice started years ago and was continued, which never reflected

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true operating costs. We knew the costs exceeded the fees and that very few of the residents based on their income could support the rate.

Mr. Bahr stated that this resolution is saying that if residents have funding available they will be required to pay the full rate.

Chris agreed.

Mr. Hambley asked why this wasn't included in the calculation to determine the millage needed. When the millage amount was being reviewed it was anticipated that the rate would go up July 1 to \$1200 and it would go up \$100 per month every year after during the 5-year period of the levy. He has a copy of the memo that shows the calculations. He had great concerns at that time that we were asking for too much money. Their budget is revenue generated from the Board in the monthly fees and the levy at this point. Those 2 items will equate what the total budget is. If the rates that are received from the residents is boosted, he questioned why so much was asked from the taxpayers.

Mr. Bahr stated that we're not going to receive that from all of the residents.

Chris stated that the calculation method also took into account that with the average collection would be about \$720/month, no matter what the rate structure is. That income is not going to be substantially boosted by this increase or any subsequent resolution for the current residents.

Mr. Hambley stated that what the Board had in December basically showed that there were presumptions in the board and care revenue. There are 7-8 residents paying the full amount now. If the amount is boosted to \$1580, in a couple months they're going to spend down their money. He agreed that all of the money from the levy doesn't have to be spent. However, charging them a higher rate than in the past doesn't have to be done either.

Mrs. Geissman stated that this will affect few people. It will only affect those that can pay the full amount. The average income at the Home is \$725/month. Few people will be affected and it will reflect the Home's mission, which is to take care of those in need and the indigent.

There was no further discussion.

Roll Call on the motion and second to approve the 9 Finance resolutions showed all Commissioners voting AYE on 8 of the resolutions, with Mrs. Geissman and Mr. Bahr voting AYE on the resolution establishing revised rates for the County Home. Mr. Hambley voted NAY on the revised rates.

Matt Gallo asked how much money is spent on the MCDAC program.

Chris stated that he believes the grant award total was around \$975,000.

Mrs. Geissman added that some of the grantees supplement the money they receive from MCDAC with grants.

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

Roger presented a resolution authorizing continued participation in the CCAO Worker's Compensation Group Rating Plan for the year 2003. Mr. Bahr moved to approve the participation. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Roger presented a resolution accepting the Fact Finder's recommendation in the negotiations between the Job & Family Services (JFS) and Teamsters Local 293. Mr. Bahr moved to accept the recommendation. Seconded by Mr. Hambley.

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Mrs. Geissman noted that she is pleased the recommendations have been accepted.

There was no further discussion.

Roll Call on the motion and second to accept the Fact Finder's recommendation showed all Commissioners voting AYE.

John Stricker, County Administrator, and Ken Hotz, Sanitary Engineer, had no resolutions today.

Patrice Theken, Department of Planning Services Director, presented a report on the income coming into the department. They have received \$1,440 in the first quarter for minor subdivisions, which is down from last year at the same time. Indications are that they will catch up with last year's figures in the second quarter. Receipts for the major subdivisions were higher than last year's first quarter at \$13,050, and it appears the second quarter will be much higher than last year's. Through questioning by Mr. Bahr about workshops, Patrice stated that there is a Northeast Ohio Regional Retail Analysis that was done by NOACA and Cuyahoga County that will be reviewed at a workshop on June 18. Information will be presented on commercial development in Northeast Ohio and show how it has changed over the years. The information will go to townships to help them make decisions on commercial development. On July 18 they are partnering with Project Impact in a workshop on planning for natural disasters. Information will be presented on planning for tornadoes, floods, etc. and how the planning and natural disasters interfaces. They has been working a lot with the Emergency Management Agency for this. In September a workshop is being planned on smart growth. They are partnering with the Akron Division of the Ohio Planning Conference, and it will include different forms of development to preserve natural resources. There has also been a meeting with Bill Thorne, Assistant Prosecutor, on zoning workshop. He is working on an agenda for these. AICP continuing education credits will be offered through some of the workshops, and approval has been received for the first 2 workshops to be AICP approved.

Mr. Hambley stated that Jamie Wheeler of NOACA did a presentation to Brunswick City and Brunswick Hills Township from the American Planning National Conference and it was well received. Hopefully these workshops will have a good turnout.

Patrice stated that there is a meeting on Thursday to review the subdivision regulations and hopefully this will be the last meeting. The committee will be given the final draft and they will go over the environmental guidelines. After the regulations are finalized they will be sent to the Planning Commission, a public hearing will be held, and hopefully the Commissioners will have them by the end of the summer for approval.

Mike Pataky, Child Support Enforcement Agency Director, stated that the governor's project is nearing completion as they are almost done with the full review and then the Ohio Department of Taxation reviews will be done.

Art Verdoorn, Building Official, stated that there were 108 residential permits issued in April, which made it the highest April total in the last 3 years. Commercial was up. Although the estimated costs were down, the square footage being built is higher. It looks like it will still be a busy year. Part of the influence on the totals has been the weather, noting that on Thursday the department did 35 inspections and Friday they did 85 because of the better weather. Overall they are seeing increases. The department participated in the 5-County Building Officials continuing education, which was mainly about commercial. Wednesday there is a workshop on residential building.

Mrs. Geissman noted that hopefully the indications are that the economy is on an upswing. She noted that it is still over \$200,000 to build a new home with the land and construction costs combined.

Art added that the majority of homes are Ryan Homes, which are lower in cost.

Mr. Bahr noted that although the usual townships, Montville and Brunswick Hills, are still leading in permits issued, there are other townships showing increases over previous years.

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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.

Jim Dudek stated that at the conclusion of last Tuesday's County Home meeting it was his understanding that the resolution passed this morning would be discussed today. He asked that the minutes be read. He asked at what public meeting that meets the Sunshine Law the fee structure was discussed because it was tabled by the Board on the 14th.

Mr. Bahr stated that the policies and procedures were tabled.

Mr. Dudek stated that there was a brief discussion addressing the fee structure at that meeting.

Mr. Bahr stated that it was agreed to proceed with that today.

Mr. Dudek asked at what public forum the fee structure was discussed.

Mr. Bahr stated that it doesn't have to be discussed at a public meeting. Commissioners have the ability to set that fee structure without a public meeting.

Mr. Dudek asked that the Clerk read the inclusion of the minutes of the 14th.

The Clerk stated that they have not been completed at this time.

Mr. Dudek requested a copy of the minutes as well as the tape of that meeting.

Mr. Bahr stated that would be no problem.

Matthew Gallo asked where the food inspectors are looking when it took a TV reporter to bring out violations.

Mr. Bahr stated that the food inspectors are under the Health Department. Commissioners do not have jurisdiction. He would need to go to the Director of the Health Department with that question.

Mrs. Geissman noted that is one of the misconceptions about the Health Department. All they need Commissioners for is for levies on the ballot.

Trina Devanney, Assistant Prosecutor, stated that there is a Health Board meeting this evening.

Mr. Hambley noted that the Commissioners don't even appoint members to that Board.

Mr. Gallo asked if the Commissioners have jurisdiction over equipment such as antique equipment being taken into the fairgrounds during the fair, noting that there is concern that nothing happens like last year.

Mr. Bahr stated that, again, Commissioners have no authority over requirements of the Fair Board. Commissioners own the fairgrounds property but have no jurisdiction over the fair.

Mrs. Geissman stated that she believes the Fair Board shares the concerns about the equipment.

Commissioners recessed into the conference room at 10:12 a.m. for the discussion session.

Mr. Hambley noted that a letter was received regarding AARP's use of the Brunswick Human Services Center for tax preparation work.

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John Stricker noted that they usually use Room 111, which is a big room, and another smaller office. They would like to continue their use at no charge.

Mr. Hambley suggested that they make sure they are renting an appropriate room and one that isn't rented out often.

There was a consensus to allow AARP to continue using the rooms as long as they use the ones less likely to be rented by others during tax preparation season.

John will have the arrangements taken care of. He noted that many people use their service, and noted that although many were upset when the service was moved in Medina from the Office for Older Adults area to Camelot Place, many in Medina use the service as well. The Office for Older Adults helps get many people there.

Mr. Hambley stated that he would like to further discuss an advisory committee for the County Home.

Mr. Bahr stated that before going further he feels a consultant should be brought in to review policies and procedures. At last week's meeting information was given that Commissioners and even the Prosecutor's Office weren't aware of. He suggested getting the consultant and then putting the committee together with the consultant because a consultant may have suggestions on who should be on the committee.

Mr. Hambley stated this proposal is the same one he made back in December that was challenged dependent on the passage of the levy.

Mr. Bahr stated that the proposal included public involvement, and he challenged that because he didn't think that was the time. The levy is in place now, but what he heard last week made him feel strongly that a professional needs to be brought in to help guide this.

Mr. Hambley agreed to a consultant, but he feels the consultant will need to have some resources. But we need to look beyond that in terms of planning, such as looking for other resources, whether the needs of the community are being met, etc.

Mr. Bahr stated that he doesn't dispute that, but feels a consultant should be brought in first and then let them tell us what to do.

Mr. Hambley stated that there have been other advisory groups that have helped Commissioners find a consultant and that has been beneficial to the Board as well as the process because those involved would have an idea of what consultants can provide.

Mr. Bahr stated that he feels the County Administrator can research this and advise Commissioners on this. He doesn't feel putting a committee together should be done before getting the consultant. He is against forming a committee at this time.

Mr. Hambley stated that before he can support hiring a consultant he would like more details on what is anticipated for the consultant to do. He asked if a request for qualifications would be done. He still feels there needs to be more public involvement.

John stated that he would recommend an RFQ.

Mrs. Geissman agreed about seeing public involvement and she sees no problem with forming the committee, but she agrees that a consultant is needed. She has added a couple people that she feels would be important to the committee. She doesn't feel this advisory committee would be the one making policies and procedures. That is the Commissioners responsibility and that advice from a consultant is needed. This committee certainly can help in many ways on accountability with the County Home, the Commissioners responsibilities, etc. She agrees the committee is needed, but feels the first step needed is to get a consultant because the Commissioners don't have the knowledge about running the County Home. There are funds available to do that.

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Mr. Bahr stated that he instructed John to go to the County Home Association of Ohio to have them give us some recommendations.

A gentleman asked if county funds are available to pay for a consultant.

Mrs. Geissman stated that they are available from the levy.

Mr. Hambley added that it would also come from the fees collected from the residents.

John will start developing an RFQ and will get in touch with the County Home Association.

Mr. Bahr stated that notices was received from the CCAO about the upcoming state budget and how cuts are proposed for the local government funds. He asked if a letter should be put together against this.

Mrs. Geissman stated that she has already called the state representatives and was told by Representative Chuck Calvert to definitely expect cuts. Representative Amstutz said the same thing. A letter from the Board wouldn't hurt.

It was noted that the Transit cuts are under the discretion of the Governor and that can go any way depending on what the Director of ODOT wants.

It was determined that a letter will not help any and that Medina County is on record as being opposed to it.

Mrs. Geissman stated that she had a message from Pat Keel, Society for Handicapped Citizens, to see if Commissioners want to support the Sports Hall of Fame with an ad in the paper. She believes the cost was around \$17.50 each last year.

All Commissioners agreed to support this. It was noted that these are personal donations and not public funds.

Mrs. Geissman stated that information was passed out from Intellitech at a CCAO meeting about pay-to-stay at jails, and she gave the information to Sheriff Neil Hassinger. They have a meeting next week with Intellitech and are trying to set up a meeting with another company. One problem that was brought up at the CCAO meeting was that there is no way to enforce payment of fees. When one inmate starts talking about it not being enforced, collections went down in other counties. After the meetings the Sheriff will come in to discuss the pay-to-stay. There are 7-8 counties doing this now.

Ken reported that the waterline transmission to the City of Medina from Avon Lake is in service. Lorain Rural Water is using their station and the county's station is being used. The City of Medina hopes to have their station operating by next month. They are doing more flushing this week.

Ken stated that he will have a report next week on the drop-off that was held over the weekend. They had tremendous response on drop-offs of paints, oils and tires.

There were no other items for discussion.

Mr. Hambley moved to recess into Executive Session to discuss personnel/compensation following the annexation hearing. Seconded by Mr. Bahr. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners recessed the meeting at 10:24 a.m.

At 10:30 a.m. the meeting was reconvened for the public hearing on the petition for annexation of 12.00 acres from Wadsworth Township to the City of Wadsworth.

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Mrs. Geissman asked the Clerk if the required copies of notices to the City and Townships Clerks, legal notice, city ordinance relative to services, and Tax Maps letter have been received.

The Clerk stated all items have been received. Tax Maps had recommended some changes and has approved the changes that were made.

Mrs. Geissman swore in those wishing to speak during the hearing.

Blake Gerney, Agent for the Petitioner, introduced Bob Miskella, owner.

Mr. Gerney stated that the owner is looking at developing the property with access to water and utilities. The owner feels the property will be better served.

Mr. Miskella stated that fire service and some other items will not change. The property has operated as an agricultural entity for 30 years and there surrounded by a city neighborhood now because of spraying of insecticides, etc. They own property on Boneta Road that the agricultural business will be moved to. He intends to get more appropriate zoning on the property for development that will fit into the existing city properties. That portion of the property will be developed similar to the development to the south and west. They will retain 2 acres in the front as part of the business. The land is contiguous to the City.

Mr. Bahr moved to adjourn the hearing on the petition for annexation of 12.00 acres of land from Wadsworth Township to the City of Wadsworth. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman asked if the Board wants to make a decision today or hold off. After a brief discussion the Clerk was advised to prepare a resolution of approval for next week.

Commissioners recessed into Executive Session at 10:40 a.m., which was voted on prior to the annexation hearing.

At 11:45 a.m. Mr. Bahr moved to adjourn the meeting. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 1:30 p.m. the Clerk received bids for hot mix resurfacing for the County Engineer from Kokosing Construction Company, S.E. Johnson Company, McCourt Construction and Karvo Paving. The bids were turned over to the County Engineer's Office for review and recommendation.

RESOLUTIONS PASSED:

02-0394 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

02-0395 RESOLUTION DETERMINING THE NECESSITY TO CLOSE STATE ROAD (C.H. 44) BETWEEN LEDGE ROAD (C.H. 135) AND BELLUS ROAD (C.H. 140)

02-0396 RESOLUTION DETERMINING THE NECESSITY TO CLOSE STATE ROAD (C.H. 44) BETWEEN LEDGE ROAD (C.H. 135) AND BELLUS ROAD (C.H. 140)

02-0397 RESOLUTION TO EXTEND THE COMPLETION DATE OF THE SMITH ROAD, CULVERT NO. 57 EXTENSION CONTRACT BY AND BETWEEN HSH CONSTRUCTION & EXCAVATING INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS

02-0398 RESOLUTION ALLOWING THE INTERIM USE OF STOP SIGNS AT THE INTERSECTION OF FRIENDSVILLE ROAD (C.H. 35) AND THE WHEELING & LAKE ERIE RAILROAD GRADE CROSSING, DOT#473-58F, WHICH IS LOCATED .42 MILES NORTH OF THE WAYNE COUNTY LINE

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02-0399 RESOLUTION ALLOWING THE INTERIM USE OF STOP SIGNS AT THE INTERSECTION OF FIRESTONE ROAD (C.H. 26) AND THE CSX TRANSPORTATION INC. RAILROAD GRADE CROSSING, DOT#142085W, WHICH IS LOCATED .03 MILES NORTH OF WANDEL ROAD (C.H. 81)

02-0400 RESOLUTION ACCEPTING AND AWARDED THE BID FOR THE RECONSTRUCTION OF CROW ROAD (C.H. 64) FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

02-0401 RESOLUTION ACCEPTING AND AWARDED THE BID FOR SEAL GRADE LIQUID ASPHALT FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT

02-0402 RESOLUTION APPROVING THE FINAL PLAT FOR WESTBURY PLACE SUBDIVISION PHASE II LOCATED IN TRACT 1, LOT 10 OF BRUNSWICK HILLS TOWNSHIP

02-0403 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED...5.6781 ACRES OF LAND IN TRACT 1, LOT 10 OF BRUNSWICK HILLS TOWNSHIP KNOWN AS WESTBURY PLACE SUBDIVISION PHASE II AND ESTABLISHING WHEREBY SAID IMPROVEMENTS AS A PUBLIC WATERCOURSE

02-0404 RESOLUTION AMENDING THE 2002 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS

02-0405 RESOLUTION AMENDING THE ANNUAL APPROPRIATIONS RESOLUTION

02-0406 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS

02-0407 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR INDIRECT COST ALLOCATION

02-0408 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS SANITARY ENGINEERING FUNDS TO THE COUNTY GENERAL FUND

02-0409 TRANSFER OF COUNTY GENERAL FUNDS TO THE COUNTY DIVERSION PROGRAM

02-0410 AUTHORIZING SUBMISSION OF FAMILY FIRST COUNCIL PARTNERSHIP FOR SUCCESS GRANT APPLICATION

02-0411 ESTABLISHING A REVISED RATE STRUCTURE FOR NEW ADMISSIONS TO THE MEDINA COUNTY HOME

02-0412 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

02-0413 AUTHORIZING CONTINUED PARTICIPATION IN THE CCAO WORKERS' COMPENSATION GROUP RATING PLAN AND EXECUTION AND DELIVERY OF A RENEWAL AGREEMENT

02-0414 RESOLUTION ACCEPTING THE FACT FINDER'S RECOMMENDATION IN THE NEGOTIATIONS BETWEEN THE MEDINA COUNTY JOB AND FAMILY SERVICES (JFS) AND TEAMSTERS LOCAL 293

02-0415 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

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02-0416 RESOLUTION ADJOURNING THE PUBLIC HEARING ON THE PETITION FOR ANNEXATION OF 12.00 ACRES OF LAND KNOWN AS BEING PART OF TRACT 5, LOTS 1 & 2 OF WADSWORTH TOWNSHIP TO THE CITY OF WADSWORTH, MEDINA COUNTY, OHIO

MEDINA COUNTY COMMISSIONERS:

Patricia G. Geissman

Respectfully submitted,

Thomas R. Bahr

Pamela J. Terrill, Clerk

Stephen D. Hambley