

## COMMISSIONERS MEETING – TUESDAY, MAY 31, 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.

There were no minutes for review and approval.

Gina Frimel, County Engineer's Office, presented resolutions finding the public convenience and welfare requires the vertical re-alignment of the approaches to the CSX Railroad Crossing on Westfield Road, advertising for bids for the vertical re-alignment of the CSX Railroad Crossing on Westfield Road, and closing a section of Marks Road for ditch cleaning and repairs. Mr. Hambley moved to approve the 3 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 2005 appropriations by transferring appropriations, various fund transfers, purchasing fuel for the Engineering Center from Ports Petroleum, approving an addendum to the administrative services and stop loss agreement with Medical Mutual of Ohio for the employee health plan services for CY 2005 that sets up a 3-tier plan option and the fees associated with the new tiers, approval of an agreement between the ADAMH Board and the County Home that begins July 1 and reflects the newly adopted rate structure for those clients, and the weekly bills in the amount of \$774,453.50. Mr. Hambley moved to approve the 10 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. 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, presented and reviewed a resolution authorizing a change order for Smith Paving for the Chatham Township Sidewalk Replacement in the amount of \$968. Mr. Hambley moved to approve the change order; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, had no report or resolutions today.

Sandy Downs, Transportation Service Director, stated that changes were made in the calculation of their monthly reports in an attempt to be more accurate in their figures. The on-time performance had been estimated at 90-95% in the past; however, the April report is showing 80%, which is not bad but gives them a better benchmark. Trip denials increased because they used to be based on calls coming in. ODOT now requires logging all calls and if the trip is not made within 2 hours it is considered as a denial. They will be continuing to work on these areas to improve their services.

Cheryl Scheck, Job & Family Services Department, presented and reviewed 9 resolutions. The first resolution is to advertisement for proposals relating to TANF services to inmates of the Jail. The inmates will get assistance in training, getting and retaining a job, housing and counseling. They are required to be a parent, but they do not have to have custody of their children. The second resolution is to accepting and awarding proposals for services relating to social service contracts for JFS. These are with Catholic Charities, Office for Older Adults, and Adult Protective Services for family stability, geriatric assessment, and family reunification. TANF funds will be used for the family stability and family reunification programs. The third resolution authorizes a contract with Windfall Industries for job training and work experience in the amount of \$24,000/year. The fourth resolution accepts and awards proposals for services relating to family literacy and basic education to the Literacy Council and the Career Center. This is mostly paid by TANF if there are children in the family. The fifth

## COMMISSIONERS MEETING – TUESDAY, MAY 31, 2005

resolution accepts and awards proposals for services relating to TANF work experience and job readiness through the Career Center and Goodwill. This is also paid by TANF for families with children. The sixth resolution authorizes an agreement relating to Help Me Grow with Family First Council. The seventh resolution authorizes an agreement for TANF-ESA supportive services with Family First Council for up to \$25,000 for different service for children to keep them in their homes. The eighth resolution accepts and awards proposals for OWF/TANF & FSET supportive services by coaching and helping GED clients retains jobs through Wayne Clutter and the Career Center. The ninth resolution authorizes an agreement for services relating to transportation of children in foster. A gentleman is currently under an agreement and this adds his wife to the agreement for the times he is not available. This is affective retroactive to May 1. The resolutions involving TANF are effective July 1. Mr. Hambley moved to approve the 9 resolutions; 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; Seconded by Ms. Ray.

Ms. Ray noted that Gary Berkowitz is taking training for certification for negotiations so he can take a more active roll in future labor negotiations. This will help offset negotiation costs in the future.

There was no further discussion.

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

The meeting was opened for public comment.

Glenn Sheller, Guilford Township Trustee, invited Commissioners to the open house at the new Guilford/Seville Fire Department on June 21<sup>st</sup>.

Ms. Ray introduced William Hanigan, the new Workforce Development Director and reviewed his background information. There were 97 resumes received for the position, that were narrowed down to 5 and then 3 recommendations were sent to the Commissioners for interviews.

Bill stated that he is pleased to have been selected and looks forward to working for Medina County and making sure Workforce Development is what it should be.

At 10:00 a.m. Commissioners convened the review of an annexation petition for land from Lafayette Township to the City of Medina.

Mrs. Geissman reviewed the requirements for filing an annexation with the Clerk who verified all procedures were followed.

The Clerk noted that Roxanna Rohrich, Tax Maps Supervisor, had raised questions last week about expedited petition and their legal descriptions. She has responded that the description of the perimeter of the proposed annex land is sufficient for recording.

James Fisher, Attorney and Agent for the Petitioners, stated that they are proceeding under the ORC for an Expedited Type 2 annexation. This type of annexation was proposed so that if 100% of the owners agreed they could be quickly approved. All requirements have been met and all required notices were sent out. The City has enacted their resolutions/ordinances as required. There is not street that will be divided to cause a maintenance problem. Relative to objections of an island being created, the law only prohibits islands being created if they are entirely surrounded by the annexing territory. There is an agreement that has been in place for 9 years between with the County for maintenance of boundary roads and the maintenance responsibility is clearly defined. The annexation will not hurt the township because they will

## COMMISSIONERS MEETING – TUESDAY, MAY 31, 2005

still get taxes from the territory if annexed, and if the land is developed the value and taxes will increase.

Barb Dzur, City of Medina, confirmed that the City Council agreed to provides services as well as requiring zoning buffers. On May 23<sup>rd</sup> City Council passed an ordinance to accept the territory. She is not familiar with the buffer description. Unlike the CEDA annexation, this was not initiated by the City.

Trina Devanney, Assistant Prosecutor representing Lafayette Township, noted that James Bennett has submitted their objections. She understands there is a road maintenance agreement with the County, but nothing is mentioned about the roads in the City's resolution of services. There could be a potential for road maintenance problems in the future if the existing agreement were ever terminated. The language of the law is ambiguous. In Type 2 annexations you cannot create islands through the annexation process.

Lynda Bowers, Lafayette Township Trustee, testified through questioning by Trina that the Trustees unanimously objected to the annexation. She contacted Senator Grendell's office to check on the intent of the language and they had wanted to prevent islands from being created. She suggested that our representative be asked to testify.

Mr. Fisher noted that a letter from the Prosecutor's Office was received in January as to the language of the law stating that islands are prohibited to be created by the annexing territory. He stated that his written response speaks for itself. You have to look at the plain language of the issue of islands and for the roads.

Trina disagreed, noting that 3 islands are clearly being created if the annexation is approved and it is illogical that the intent would not have been to prevent islands.

A gentleman noted that he is opposed to going into the City and noted that this does create an island because it completely surrounds his mother's property.

Theresa White stated that since the concrete road was poured and opened they have had flooding conditions and she gets the run around between the City and the County about this.

Trina stated that Senator Grendell's office would be willing to send someone to talk about the legislative intent if the Commissioners would like.

Bill Thorne, Assistant Prosecutor, stated that the language is very precise on the creation of islands by the annexing territory.

It was noted that the Commissioners will make a decision next week and will further discuss this issue prior to that.

There were no further comments and the review was concluded.

Commissioners convened the public hearing for the subdivision fee schedule changes for the Engineer's Office.

Mike Salay, County Engineer, stated that developers and engineers were sent notices of this meeting. They are proposing an adjustment to the per hour rate for plan reviews and inspections, noting that the reviews are down in-house. Currently they charge \$30/hour for the work being done by our engineers. The actual cost covers the hourly rate of the engineers, but not the benefits associated with the hourly rate. The proposal is to raise this to \$50/hour. This doesn't cover the copying costs, etc. and is a lot less than what consultants charge for this type of service. They plan to initiate a deposit for plan reviews and inspections as well as for erosion control. Having a deposit upfront would streamline things and a statement will be done monthly showing the use of that money. Chris Jakab will be working with them to set up the account for this. He introduced Andy Conrad of his office that set up this up.

## COMMISSIONERS MEETING – TUESDAY, MAY 31, 2005

There were no questions or comments.

Mr. Hambley moved to close the public hearing; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley moved to approve the fee schedule pending the Prosecutor's approval as to legal form and setting up the deposit accounts; Seconded by Ms. Ray.

There was a brief discussion about an effective date, which has not been determined.

Mr. Hambley withdrew his motion to approve the fee schedule and Ms. Ray withdrew her second. A resolution will be prepared and brought in by the Engineer's Office later.

Mr. Hambley moved to recess into Executive Session after the discussion session for the purpose of discussion personnel/labor negotiations and legal/pending litigation; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The discussion session was convened at 10:05 a.m.

Ms. Ray noted that a letter was received regarding the good maintenance work at the Community Center.

Ms. Ray stated that she received out-of-state policies from the CCAO and will be putting together a packet for review.

Mrs. Geissman noted that the services guide is ready for print.

Ms. Ray and Mr. Hambley stated they had not received copies for review. They will get copies and review them.

Mrs. Geissman stated that there were 2 ribbon cuttings last week for railroad crossings that now have lights and gates on Beach Road and Branch Road. A gentleman that had been hit on the Beach Road crossing was also in attendance.

Mr. Hambley stated that there is an issue going on between Planning, Soil & Water, JEPC and the Rocky River Watershed Council to apply for a \$200,000 grant with the Lake Erie Commission for balanced growth. The proposal fits with what has been done at JEPC with land use ability, GIS, etc. The intent is to develop a partnership and moving forward to put the proposal together. It will come before this Board for our part of it. The grant is over a 3-year period and can be used to improve out GIS system and other initiatives within the townships. The Medina-Summit Land Conservancy is also involved in this.

There was a discussion about the need for a resolution proclaiming Special Olympics Day. Mr. Hambley moved to approve having the annual proclamation prepared as approved today; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

There was a discussion about scheduling a special meeting to hold a final discussion on the Lafayette Township to Medina City Expedited Type 2 annexation petition. Commissioners agreed to hold this meeting on Thursday, June 2 at 12:30 p.m.

John Burke, Treasurer, reviewed the background of his request for additional office space. Cost has been a factor on his proposals and he has started looking at splitting some of his office. He presented a new proposal for dividing the Auditor's computer room with a chain link fence and creating a small area across to the main Data Processing area for his office as well as use of the room being used by the State Auditor's for his records retention and as a conference room. Having the office all contiguous will eliminate moving cash through the halls, which is a

## COMMISSIONERS MEETING – TUESDAY, MAY 31, 2005

security issue. Delinquent tax collections would be taken care of in the old Data Processing area with a conference area to meet with the public and have the delinquent tax collections separate from the other tax collections. Keeping the staff contiguous would eliminate the concern about having the office and staff split in 2-3 areas, which would require additional staff. They send out 70,000 to 80,000 bills and the room (State Auditor's area) would be for their records retention that increases about 20% every 4-5 years. He is planning to replace their 22-year-old software and will need a server, which can be accommodated along with their encoders, bursters and printers in the old Data Processing area. Through questioning, he stated that using a chain link fence was recommended in order to keep the climate control in the computer area. He suggested moving the Mediation Department to the Professional Building in order for the State Auditor's or the Auditor's to use that space.

It was noted that moving Mediation has not been discussed in the past. There was a brief discussion about using part or all of the lunchroom on the first floor.

Through questioning, Joan Heller, Auditor's Office, noted they have 15 servers as well as employees that work in the Data Processing area and questioned where they would go. She agreed she would discuss this with Larry Jackson and Annette Ehrlich from their Data Processing Department.

Chris Jakab agreed to review the office space at the Professional Building and invited John Stricker to go with him for this review.

John Burke agreed to revise his sketch and get some cost estimates.

At 11:35 a.m. Commissioners recessed into Executive Session, which was voted on earlier in the meeting.

A resolution was presented authorizing the Medina County Prosecutor to file any legal action deemed necessary to annul Am. Sub. Senate Bill 18. Mr. Hambley moved to approve the authorization; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 2:10 p.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:

- |         |  |
|---------|--|
| 05-0493 | RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS  |
| 05-0494 | RESOLUTION PROCLAIMING JUNE 4, 2005 AS "SPECIAL OLYMPICS DAY"  |
| 05-0495 | RESOLUTION FINDING THAT PUBLIC CONVENIENCE AND WELFARE REQUIRES THE VERTICAL RE-ALIGNMENT OF THE APPROACHES TO THE CSX RAILROAD CROSSING ON WESTFIELD ROAD (C.H. 15) JUST NORTH OF GARMAN ROAD, IN WESTFIELD TOWNSHIP, MEDINA COUNTY, OHIO |
| 05-0496 | RESOLUTION AUTHORIZING THE ENGINEER TO ADVERTISE FOR BIDS FOR THE VERTICAL RE-ALIGNMENT OF THE APPROACHES TO THE CSX RAILROAD CROSSING ON WESTFIELD RD. (C.H. 15) JUST NORTH OF GARMAN ROAD, IN WESTFIELD TOWNSHIP, MEDINA COUNTY, OHIO    |
| 05-0497 | RESOLUTION DETERMINING THE NECESSITY TO CLOSE MARKS ROAD (C.H. 22) BETWEEN SPIETH ROAD (T.H. 65) AND FENN ROAD (C.H. 70)   |

**COMMISSIONERS MEETING – TUESDAY, MAY 31, 2005**

- 05-0498            RESOLUTION AMENDING THE 2005 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
  
- 05-0499            AUTHORZING THE TRANSFER OF FUNDS BETWEEN VARIOUS SANITARY ENGINEER FUNDS AND COUNTY FUNDS
  
- 05-0500            RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY GENERAL FUND FOR THE COSTS OF THE COUNTY INSURANCE POLICIES
  
- 05-0501            RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE GENERAL FUND AND CHILD SUPPORT ENFORCEMENT AGENCY FUND TO THE TITLE IV-D JUVENILE FUND FOR JUVENILE COURT SERVICES
  
- 05-0502            RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILDREN SERVICES SCPA FUND (0050) TO THE PUBLIC ASSISTANCE FUND (0120) FOR SCPA ADMINISTRATION EXPENDITURES
  
- 05-0503            RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM COUNTY GENERAL FUND (0010) TO THE PUBLIC ASSISTANCE (0120) FOR THE NON-ALLOCATED PORTION OF CHILD WELFARE EXPENDITURES
  
- 05-0504            RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILDREN SERVICES IV-E FUND (0050) TO THE PUBLIC ASSISTANCE FUND (0120) FOR CHILDREN SERVICES (IVE) ADMINISTRATIVE EXPENDITURES
  
- 05-0505            RESOLUTION AUTHORIZING THE PURCHASE OF 3,700 GALLONS OF PREMIUM UNLEADED AND 3,900 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
  
- 05-0506            APPROVING AN ADDENDUM TO THE ADMINISTRATIVE SERVICES & STOP LOSS AGREEMENTS WITH MEDICAL MUTUAL OF OHIO FOR THE PROVISION OF EMPLOYEE HEALTH PLAN SERVICES FOR CY2005
  
- 05-0507            APPROVAL OF AN AGREEMENT BETWEEN THE MEDINA COUNTY ADAMH BOARD AND THE MEDINA COUNTY HOME
  
- 05-0508            RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
  
- 05-0509            RESOLUTION AUTHORIZING A CHANGE ORDER FOR SMITH PAVING FOR CHATHAM TOWNSHIP SIDEWALK REPLACEMENT
  
- 05-0510            RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR PROPOSALS RELATING TO TANF SERVICES TO INMATES OF MEDINA COUNTY JAIL
  
- 05-0511            ACCEPTING AND AWARDDING PROPOSALS FOR PROFESSIONAL SERVICES RELATING TO SOCIAL SERVICE CONTRACTS FOR MEDINA COUNTY JOB & FAMILY SERVICES

**COMMISSIONERS MEETING – TUESDAY, MAY 31, 2005**

- 05-0512 RESOLUTION AUTHORIZING A CONTRACT WITH WINDFALL INDUSTRIES FOR MEDINA COUNTY JOB & FAMILY SERVICES
- 05-0513 ACCEPTING AND AWARDED PROPOSALS FOR PROFESSIONAL SERVICES RELATING TO FAMILY LITERACY AND BASIC EDUCATION FOR MEDINA COUNTY JOB & FAMILY SERVICES
- 05-0514 ACCEPTING AND AWARDED PROPOSALS FOR PROFESSIONAL SERVICES RELATING TO TANF WORK EXPERIENCE AND JOB READINESS FOR MEDINA COUNTY JOB & FAMILY SERVICES
- 05-0515 RESOLUTION AUTHORIZING AN AGREEMENT RELATING TO HELP ME GROW BETWEEN MEDINA COUNTY FAMILY FIRST COUNCIL AND MEDINA COUNTY JOB AND FAMILY SERVICES
- 05-0516 RESOLUTION AUTHORIZING AN AGREEMENT FOR TANF-ESA SERVICES WITH MEDINA COUNTY FAMILY FIRST COUNCIL FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 05-0517 ACCEPTING AND AWARDED PROPOSALS FOR OWF/TANF & FSET SUPPORTIVE SERVICES FOR MEDINA COUNTY JOB & FAMILY SERVICES
- 05-0518 RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES RELATING TO TRANSPORTION OF CHILDREN FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 05-0519 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 05-0520 RESOLUTION AUTHORIZING THE MEDINA COUNTY PROSECUTOR TO FILE ANY LEGAL ACTION DEEMED NECESSARY TO ANNUL AM. SUB. SENATE BILL 18

**MEDINA COUNTY COMMISSIONERS:**

\_\_\_\_\_  
Patricia G. Geissman

\_\_\_\_\_  
Stephen D. Hambley

\_\_\_\_\_  
Sharon A. Ray

Respectfully submitted,

Pamela J. Terrill, Clerk