

COMMISSIONERS' MEETING – MONDAY, NOVEMBER 15, 2004

Sharon A. Ray called the meeting to order at 9:30 a.m. with Patricia G. Geissman 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 November 8th minutes was dispensed with. Each Commissioner has read the minutes personally. Mr. Hambley moved to approve the minutes; Seconded by Ms. Ray. Mrs. Geissman abstained. There was no discussion. Roll Call showed both Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented resolutions approving the final plat for the Lexington Ridge Subdivision Phase VI, extending the completion date of the 2004 centerline striping and pavement marking contract with Aero-Mark, Inc., approving the use of the subdivision drainage maintenance fund for repair work in Fox Meadow Subdivision Phase 2 and Montville Lakes Subdivision Phase 2, requesting the Ohio Department of Transportation determine and declare a reasonable and safe prima facie speed limit on County Highway No. 38, Substation Road, between State Route 303, Center Road and County Highway 42, Grafton Road, on County Highway No. 60, Ridgewood Road, between Township Highway No. 53, Boneta Road and County Highway No. 2, Medina Line Road, on County Highway No. 75, Fixler Road, between County Highway No. 49, River Styx Road and State Route 94, Ridge Road, and on County Highway No. 23, Station Road, between State Route 303, Center Road and the Medina/Lorain County Line. Mrs. Geissman moved to approve the eight resolutions. Mr. Hambley seconded the motion. 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 involving amending the appropriations resolution by transferring appropriations, expenditure adjustments for various funds, various fund transfers, the purchase of fuel for the Engineering Center, authorizing the advertisement for bids for supplemental transportation services for Job & Family Services program participants, and payment of the weekly bills totaling \$1,142,902.33. Chris added that the total of the weekly bills was larger than usual due to the payment of about \$400,000 for a road-resurfacing invoice for the County Engineer's Office.

Mrs. Geissman moved to approve the seven Finance resolutions and payment of the bills; seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray commented that she noticed that some of the transfers were for the Public Defenders Office. She asked Chris if that office is up and running and he said that it was.

Gary Berkowitz, Human Resource Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve the personnel changes and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution authorizing the transfer of 4.1967 acres of land to the Medina County Park District. This land has a pond and it is located directly across from the County Home. The Park District has been maintaining the property, which requires extensive treatment. The agreement is that they would transfer the property to the Park District who will continue to maintain it in perpetuity. It will stay as a park and there is language in the deed that would restrict its use to recreational only. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded. Mrs. Geissman commented that the pond was scummy looking for some time. John said the Park District did a tremendous job of bringing it back, which took quite a bit of work and money. There was no further discussion. All voted AYE and the motion was approved.

The second resolution John presented was to submit an application for funding under the Small Cities Community Development Block Grant Program. This is a New Horizon's Fair

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Housing Grant in the amount of \$25,000. A countywide consortium has been formed between Medina County, and the cities of Brunswick, Medina, and Wadsworth. It positions them very well to apply for this kind of grant to support the program so they have high hopes it will continue to be funded. Mrs. Geissman moved to approve the resolution. Mr. Hambley seconded the motion. Mrs. Geissman asked if it was for fiscal year 2004 and Mr. Stricker said that was correct. Ms. Ray said there was a public hearing Friday afternoon at 2:30, but nobody attended it. There was no further discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution to accept and award the policy and procedures manual for the Medina County Housing Improvement Program (CHIP) for fiscal year 2005 through 2010. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

The final resolution John presented was supporting Medina County Community Housing Improvement Strategy (CHIS) for fiscal years 2004 through 2009. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Patrice Theken, Director of the Department of Planning Services, reported on their eventful month. They had an Open House on Friday, November 5th and there was a very good turnout. They featured about a dozen different exhibits from agencies throughout the county plus the University of Akron and Envirosience. They recognized the Planning Commission members for all of the extra activities that they have participated in this year. Nine people attended all five workshops in the winter and spring so they passed out certificates to them. They gave the Public Agency Planning Award to the Tax Map Department; the Project Developer Planning Award went to Arbors of Bridgewater Crossing in Brunswick Hills Township; the Community Commitment to Planning Award went to Brunswick City; and the Community Servant Service Award went to Nancy Leonard from the Village of Seville. Last Friday they had a bus tour for Planning Commission members, some zoning officials, and developers. The route took about three hours and they toured some subdivisions to show them various things that were the results of their decisions. They got to see some of the housing types going up around the county and the interconnectivity between different subdivisions. They met with the Zoning Commission, Board of Zoning Appeals members, some township trustees, and other people from Brunswick Hills Township. They provided them with some education on planning and development as it is written in the Ohio Revised Code. The Prosecutor's Office helped explain some of the issues. They have a public participation workshop coming up on December 10th. She encouraged any public officials that have anything to do with planning to attend because there will be a dynamic consulting group there.

Art Verdoorn, Chief Building Inspector, gave his monthly Building Department report through the end of October. He explained that the month of October 2004 was slightly less than October 2003, but the year is tracking about the same across the board. The revenues have increased because they had a fee adjustment. He said it is predicted that 2005 would run close to the same or somewhat lower on a national basis in their projections and that will probably be the case in Medina County as well. Instead of every year being a record from the year before, it seems to have peaked. There was a personnel change in the chief electrical supervisor who moved out of state. The two part time electrical inspectors will fill in the gap and there will be no change in how inspections are conducted.

Mr. Hambley pointed out the huge jump in reinspection fees year to date from last year.

Art explained that it was mainly due to electrical inspectors having to go out and do reinspections and not charging reinspection fees very often last year. The department's workload kept increasing because contractors were having the residential inspections before they were ready. Art started enforcing the charging of fees again. They found that the more lax they became in charging reinspection fees – the more work they ended up doing. He does not want this to be a revenue income or construed as any kind of punishment to contractors so he looks at it often and makes adjustments. At the same token, the contractor is supposed to be 100% complete when they call and there should not be any reinspections.

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Ms. Ray presented the resolution to appoint members to the newly formed Medina County Transit Advisory Board. Representing the City of Brunswick will be Pat Beyer and Cindy Kintop; representing the City of Medina will be Pam Miller; representing the Transportation Consortium will be Pat Keel; and representing the remaining areas of the county will be Jane Weiland, Nancy Likens, and David Civittolo. Mrs. Geissman moved to approve the appointments and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented the resolution reappointing a representative and alternate to the Western Reserve Resource, Conservation and Development (R C & D) Council. Stephen Hambley will be the representative and David Civittolo will be his alternate. Their terms will expire on December 31, 2008. Mrs. Geissman moved to approve the appointments and Mr. Hambley seconded. There was no discussion. Roll Call showed all Commissioners voting AYE.

The last resolution Ms. Ray presented was appointing an alternate for the City of Brunswick's representative to the Medina County Planning Commission. Pat Beyer will be Sidney Welch's alternate. Mrs. Geissman moved to approve the appointment and Mr. Hambley seconded. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray opened the floor to public comment.

Patrice Theken said that a consultant from Maryland is coming to Medina as a result of winning a contest. When she and Susan Hirsch went to a conference last April, Susan put her card in a fish bowl and it was pulled out as the winner. They won \$5,000 worth of consulting from the consulting firm. Her department, the Planning Commission and the Commissioners determined that they would like the consultant to look at some of the downtowns in the area and give them some feedback and recommendations on revitalization of them. Since Planning has worked with Liverpool Township and the Village of Seville and the committees and residents have expressed interest in revitalization, they have chosen them. The consultant is meeting with both of them soon. The consultants will do the study and bring back recommendations for revitalizations within the next few months. There were no other comments.

The Assistant Clerk read the expenses of county officials. Mrs. Geissman moved to approve the expenses and Mr. Hambley seconded. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray announced the viewing of Technology Drive and University Boulevard is at 10:30 and the public hearing for same is at 11:00. They will go into discussion session after that. Commissioners recessed the meeting at 10:00 a.m.

At 10:30 a.m. the Commissioners went to view the proposed vacation of Technology Drive and University Boulevard in Lafayette Township. The vacation was started by the Board of Medina County Commissioners, the owner of the property, so that a replat of the subdivision can be made due to wetland problems on the site.

Ms. Ray opened the hearing to discuss the vacation of Technology Drive and University Boulevard at 11:00 a.m. needed for the replat of the Medina County University Technology Park Subdivision. She said all three Commissioners went with Mike Salay, Assistant County Engineer, and John Stricker to view the proposed new roadways as well as existing roadways.

Upon questioning, John Stricker, County Administrator, said that he is totally in favor of the vacation and to relocate the road in the proper spot.

Mike Salay stated that the County Engineer's Office recommends that the roads be vacated and relocated in accordance with the plat. It is the opinion of the Medina County Engineer that the vacation of said roads would not adversely affect the general public's convenience because the roads have not been constructed as of this date.

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Mr. Hambley made a motion to close the public hearing and Mrs. Geissman seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley made a motion that they prepare a resolution vacating the Technology Drive and University Blvd. and relocate them in conformance with the recently submitted plat. This motion was seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE. The hearing adjourned at 11:05 a.m.

Commissioners moved to the Conference Room at 11:17 a.m. and reconvened for the Discussion Session.

Ms. Ray asked Mrs. Geissman if the CCAO was going to be working on the one-page flyers to be handed out to all of the political entities regarding possible loss of local government funds.

Mrs. Geissman said the Commissioners will need to put it together with the background information they already have, after the first of the year. They are going to do a program with "Your Medina County" cable television and other publicity.

John Stricker, County Administrator, updated the Commissioners that there was a power outage this morning at the Engineering Center. A ceramic insulator out by the street caused the outage that lasted from 5:00 a.m. to 9:30 a.m. There was no damage, but it disrupted services for a while, including the county's computer backbone. A generator is on order to service the computers, but it has not been installed yet.

Mr. Hambley made the other Commissioners aware that the Rustic Hills Homeowners Association sent another letter regarding their lake and dam by the golf course. They are contending that the county, through its storm water and sediment methods, are compounding their lake's sediment and flooding problems. He said Dave Miller, County Engineer, met with the association last year and Mr. Hambley met with them again last Thursday. They have presented another proposal in order to comply with the state's forcing them to upgrade their dam or let the water flow through. This could cause problems for public infrastructure so he feels it would make more sense to help them to rebuild the dam that requires \$150,000 worth of upgrading. The County Engineers are exploring grant opportunities and support for some retention areas on the east side of I-71 as new construction comes in. He added that there really is no legal liability, but they hope to resolve their differences.

Ms. Ray asked Chris Jakab, Finance Director, to update the Commissioners on the General Fund budgetary summary. She pointed out his notation that he was going to talk to the Clerk of Courts regarding why their receipts were down.

Chris said he met with Kathy Fortney, Clerk of Courts, and it appears that most of the revenue decrease of 25% is due to increased waiving of court costs by the judges. When a case is resolved, the judge assigns probation and fines, but throughout many of the journal entries at the very end it says the court costs are waived. Upon questioning, Chris said they have been tracked and this started about a year ago. The affect of the 25% decrease that amounts to about \$100,000 was not felt until this year.

Bill Thorne said they are trying to work out a collection program for the Clerk's Office going through all of the back court costs. He said Kathy was getting pressure from the State Auditor's Office about the uncollected court costs. They discovered that some of the court costs that are being assessed are so small that there is no viable way to collect them.

Chris said that would help but that these are thousands of dollars. He said he would do an analysis and research and talk to the judges. He needs to find out the philosophy behind it and it might have something to do with indigency.

Mrs. Geissman praised Linda O'Toole, the new Public Defender, for scrutinizing the indigency applications for assistance.

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Ms. Ray volunteered to go with Chris to speak with the Judges and said perhaps they could address the issue as a group.

Chris said there is obviously work being done in the Clerk of Courts Office that is not being compensated for, and he is not sure that there is a clear understanding of the impact. In another matter Chris said he met with some Sheriff's Office employees to discuss some budget issues. He wanted to make sure they left enough in the budget at the end of the year to cover salaries. He announced that the budget requests for next year have gone out to all of the departments and they are due back in a couple of weeks. He will put them together for the Commissioners' review. They are also working on jury selection for next year.

Ms. Ray said that Gary Hallman, Director of the Medina General Hospital, would be at the next discussion session to discuss the morgue. She asked John if the Coroner would be available to attend.

John said the Dr. Grabenstetter is not available on Mondays, and suggested they meet with him separately. John said the Coroner said the way the morgue is set up now is not appropriate for people who want to view their lost loved ones. He recommends that something be done. John explained the set up that they would like. They have four compartments now and would like to move a wall and put the bodies on carts instead of drawers. They would also like a viewing port.

There was a short discussion about how to fund the renovations, and John Stricker said one of the methods of using Homeland Security money is being looked into by Buck Adams, Emergency Management Agency Director. He has sent a letter to the controlling entity to see if that would be an appropriate use of those funds.

Sharon said the Monday, November 29th; two of the Commissioners will be attending the County Commissioners Association of Ohio (CCAO) Conference in Columbus. Therefore, the Commissioners meeting has been moved to Thursday, December 2nd. Chris Bunch from the Land Conservancy will do a presentation on the Land Use Compatibility Study. Sharon mentioned the copy of the letter about the appointments that will be expiring at the end of the year. She said she spoke with John Gotheridge from the EMA Executive Board, and he is interested in serving another term. She also said John Stricker might be interested in serving another term on the Airport Zoning Board of Appeals and John agreed. She asked the other Commissioners to look at the names and let her know individually if they are amenable to the reappointments. Both Mrs. Geissman and Mr. Hambley said they were in agreement with the reappointments.

Mrs. Geissman discussed the recent train/car crash at the Beach Road railroad crossing. She commented that it is interesting that the Railroad Safety Task Force picked out three of the most dangerous crossings in the county. Since they sent the request for gates and lights at these crossings to Columbus, there have been two accidents at two of those three crossings. Obviously the Task Force did a good job of evaluating Medina County's dangerous crossings.

Bill Thorne discussed the class action lawsuits pending against several Coroners' Offices regarding the manner of operation of the disposal of body parts after an operation. Some Coroners threw body parts away after autopsies. If they lose the cases it could affect all of the Coroners' Offices throughout the state.

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

RESOLUTIONS PASSED:

04-1029 RESOLUTION TO ALLOW CLAIMS AND UTHORIZE ISSUANCE UPON
THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

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- 04-1030 RESOLUTION APPROVING THE FINAL PLAT FOR THE LEXINGTON RIDGE SUBDIVISION PHASE IV LOCATED IN MONTVILLE TOWNSHIP LOTS 29, 30, 43 & 44
- 04-1031 RESOLUTION TO EXTEND THE COMPLETION DATE OF THE 2004 CENTERLINE STRIPING AND PAVEMENT MARKING BY AND BETWEEN AERO-MARK, INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS
- 04-1032 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOW SUBDIVISION PHASE 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO
- 04-1033 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN MONTVILLE LAKES SUBDIVISION PHASE 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO
- 04-1034 RESOLUTION REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A REASONABLE AND SAFE PRIMA FACIE SPEED LIMIT ON COUNTY HIGHWAY NO. 38, SUBSTATION ROAD, BETWEEN STATE ROUTE 303, CENTER ROAD AND COUNTY HIGHWAY NO. 42, GRAFTON ROAD IN M
- 04-1035 RESOLUTION REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A REASONABLE AND SAFE PRIMA FACIE SPEED LIMIT ON COUNTY HIGHWAY NO. 60, RIDGEWOOD ROAD, BETWEEN TOWNSHIP HIGHWAY NO. 53, BONETA ROAD AND COUNTY HIGHWAY NO. 2, MEDINA LINE
- 04-1036 RESOLUTION REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A REASONABLE AND SAFE PRIMA FACIE SPEED LIMIT ON COUNTY HIGHWAY NO. 75, FIXLER ROAD, BETWEEN COUNTY HIGHWAY NO. 49, RIVER STYX ROAD AND STATE ROUTE NO. 94, RIDGE ROAD IN
- 04-1037 RESOLUTION REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A REASONABLE AND SAFE PRIMA FACIE SPEED LIMIT ON COUNTY HIGHWAY NO. 23. STATION ROAD, BETWEEN STATE ROUTE NO. 303, CENTER ROAD AND THE MEDINA/LORAIN COUNTY LINE
- 04-1038 RESOLUTION DETERMINING THE EMERGENCY CLOSING OF SPENCER LAKE ROAD (C.H. 45) BETWEEN ROOT ROAD (C.H. 58) AND RICHMAN ROAD (T.H. 69)
- 04-1039 RESOLUTION DETERMINING THE NECESSITY TO CLOSE REMSEN ROAD (C.H. 37) BETWEEN S. WEYMOUTH ROAD (C.H. 32) AND STONY HILL ROAD (T.H. 48)
- 04-1040 RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 04-1041 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS
- 04-1042 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE

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MEDINA COUNTY GENERAL FUND FOR THE COSTS OF THE COUNTY-WIDE AUDIT

- 04-1043 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS SANITARY ENGINEERING FUNDS TO THE COUNTY GENERAL FUND
- 04-1044 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE PUBLIC ASSISTANCE FUND (0120) TO THE JFS BUILDING DEBT PAYMENT FUND (0300)
- 04-1045 RESOLUTION AUTHORIZING THE PURCHASE OF 3,300 GALLONS OF PREMIUM UNLEADED AND 3,900 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 04-1046 AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR SUPPLEMENTAL TRANSPORTATION SERVICES FOR MEDINA COUNTY JOB & FAMILY SERVICES PROGRAM PARTICIPANTS
- 04-1047 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 04-1048 RESOLUTION AUTHORIZING THE TRANSFER OF 4.1967 ACRES OF LAND TO THE MEDINA COUNTY PARK DISTRICT
- 04-1049 RESOLUTION TO SUBIT AN APPLICATION FOR FUNDING UNDER THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT NEW HORIZON FAIR HOUSING PROGRAM FOR FISCAL YEAR 2004
- 04-1050 RESOLUTION SUPPORTING THE MEDINA COUNTY COMMUNITY IMPROVEMENT STRATEGY (CHIS) FOR FISCAL YEAR 2004 THROUGH 2009
- 04-1051 RESOLUTION ACCEPTING AND APPROVING THE POLICY AND PROCEDURE MANUAL FOR THE MEDINA COUNTY HOUSING IMPROVEMENT PROGRAM (CHIP) FOR FISCAL YEARS 2005 THROUGH 2010
- 04-1052 RESOLUTION APPOINTING MEMBERS TO THE MEDINA COUNTY TRANSIT ADVISORY BOARD
- 04-1053 RESOLUTION REAPPOINTING A REPRESENTATIVE AND ALTERNATE TO THE WESTERN RESERVE RESOURCE, CONSERVATION AND DEVELOPMENT (R C & D) COUNCIL
- 04-1054 RESOLUTION APPOINTING AN ALTERNATE FOR THE CITY OF BRUNSWICK'S REPRESENTATIVE TO THE MEDINA COUNTY PLANNING COMMISSION
- 04-1055 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 04-1056 RESOLUTION APPROVING THE VACATION OF HIGHWAY AND UTILITY EASEMENTS ASSOCIATED WITH TECHNOLOGY LANE AND UNIVERSITY BOULEVARD WITHIN THE MEDINA COUNTY UNIVERSITY TECHNOLOGY PARK SUBDIVISION LOCATED IN LAFAYETTE TOWNSHIP

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MEDINA COUNTY COMMISSIONERS:

Sharon A. Ray

Patricia G. Geissman

Stephen D. Hambley

Respectfully submitted,

Pamela Vereb, Asst. Clerk

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