

## COMMISSIONERS MEETING – MONDAY, NOVEMBER 10, 2003

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

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

At the beginning of the meeting the oral reading of the November 3 minutes was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gina Frimel, County Engineer's Office, presented and reviewed resolutions to close a section of Firestone Road for railroad crossing repairs and Grafton Road for bridge repairs, approving the final plat for the Pebble Creek Preserve North Cluster Home Subdivision Phase III, and approving the use of Subdivision Drainage Maintenance Fund for repair work in Estates of Sleepy Hollow Subdivision. Mrs. Geissman moved to approve the 4 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 appropriations by transferring and increasing appropriations, various transfers, purchasing fuel for the Engineering Center from Ports Petroleum, revenue adjustment for Workforce Development Fund, approving an agreement for Information & Referral Services between the Family First Council and Catholic Charities Services, and the weekly bills in the amount of \$546,477.89. The Information & Referral Services agreement is a renewal for staffing at the Lodi Research Center. Mrs. Geissman moved to approve the 9 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. Mrs. Geissman 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 accepting and awarding proposals for Courthouse gutter repairs. The low bidder is Steeplejacks in the amount of \$18,815. The repairs include replacing all membranes and sleeving the gutters and downspouts. Mrs. Geissman moved to accept and award the proposals; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution authorizing an agreement with Kohanski, Arnold & Chin for a PUD landscape buffering plan for the Medina County University Technology Park. This plan will establish the plan for how the entrance ways will look and the buffering for the outside neighbors. Mrs. Geissman moved to approve the agreement; Seconded by Ms. Ray.

Mr. Hambley noted that this is per the PUD zoning text amendments that will be presented to Lafayette Township. Part of the agreement of the zoning text is to have an outside landscaping plan where this property faces residential properties.

Mrs. Geissman added that the expenses for this will be recouped as the park is developed.

There was no further discussion.

Roll Call on the motion and second to approve the agreement with Kohanski, Arnold & Chin showed all Commissioners voting AYE.

John presented a resolution entering an agreement with the Ohio Historic Preservation Office as part of the CDBG program. For each program under CDBG, an environmental review is required. This agreement allows the county to do the review as long as all requirements are

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met. Mrs. Geissman moved to approve the agreement; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution accepting and awarding bids for bulk chemicals for use at the County Treatment Facilities. Bids were received a week ago for liquid chlorine, sodium hypochlorite, liquid aluminum sulphate, and quicklime. All bids are being awarded to the lowest bidders. Mrs. Geissman moved to accept and award the bids; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing finalization of a contract for the purchase of land on Subdivision Road in Brunswick Hills Township for a water storage tank. This is a 3-acre parcel for a second elevated storage tank to be constructed on. Mrs. Geissman moved to approve finalizing the contract; Seconded by Ms. Ray.

Mr. Hambley noted that this new tank is needed due to all of the growth and development in Brunswick Hills Township. There was an increase in tap-in fees earlier in anticipation of the costs for this.

There was no further discussion.

Roll Call showed on the motion and second to approve finalizing the contract showed all Commissioners voting AYE.

Ken presented a resolution authorizing the release of the escrow account of Northern Valley Contractors Inc. for the Spieth Road Storage Pump Station Project "B". Mrs. Geissman moved to approve the release; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution to obtain 2 easements on Route 18 for relocation of the sanitary sewer and water line. Mrs. Geissman moved to approve obtaining the easements; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Debra Radecky, Office for Older Adults Director, stated that the programs with OSU Extension are going very well and they will have a new list of programs by January. The office will be closed tomorrow for Veteran's Day. Upcoming events at the Center include flu shots on the 13<sup>th</sup>, a speaker on the 14<sup>th</sup> to discuss shopping safely during the holidays, a trip to the Ken State Fashion Museum on the 20<sup>th</sup>, and a program on staying healthy during the holidays on the 21<sup>st</sup>. The movie for this month is "The In-Laws". The Center will be closed the day after Thanksgiving for cleaning. They are providing 225-230 home-delivered meals per week.

Mr. Hambley presented resolutions commending Paul and Nyla Kovalik & Family of Kovalik Sawdust and Jim Bratz of the Blue Ribbon Restaurant on receiving the Friend of 4-H Award, and also to Jan Valach, Ken & Loretta Englehaupt, and Barb Potts on receiving the Meritorious Service to 4-H Award. Mrs. Geissman moved to approve the 5 commendations; 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. Mrs. Geissman moved to allow the expenses; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

Mr. Hambley asked for a motion to go into Executive Session for the purpose of personnel/interviews/appointments, noting that the first interview is at 11:00 a.m.

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Mrs. Geissman moved to recess into Executive Session; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners recessed the Executive Session immediately following this set of interviews.

At 1:20 p.m. Commissioners met in Executive Session to interview one applicant for appointment and recessed the Executive Session immediately following.

At 1:30 p.m. the Assistant Clerk received bids for aggregates for the Highway Department from Lafarge North America, Medina Supply, Seville Sand & Gravel, Baker Sand & Gravel, and C&S. The bids were turned over to the Engineer's Office for review and recommendation.

At 1:35 p.m. Commissioners reconvened for the discussion session.

Mr. Hambley presented a resolution appointing a member to the Port Authority Board of Directors. Before the first meeting a member resigned due to a personal conflict, and Commissioners have conducted additional interviews. Robert Krisowaty of Westfield Center is being appointed to fill this vacancy. Mrs. Geissman moved to approve the appointment; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

The next item for business is a letter that was received from Treasurer John Burke stating that the Auditor has given refunds to residents rather than applying the amounts to outstanding taxes. This is causing confusion with the residents and they feel their taxes have been paid in full and that they don't owe any.

Tina Banks, Treasurer's Office, stated that she asked Joan Heller, Auditor's Office, if they could put a policy in place to check tax records before sending out refunds. Ms. Heller stated that she checked with the Auditor, Mike Kovack, Kim Estes of their office, and their legal counsel and was advised that it would not be legal to give credits. However, she checked with Ed Sampsel and was told the State had experienced this problem in the past and the law was changed. According to the Auditor's Office, their practice is not going to change, but according to Mr. Sampsel it is the law not to issue refunds to residents with delinquent taxes due.

It was noted that the Auditor has a contract with Dale Teeters, but it is unknown whether that is a legal counsel contract. Bill Thorne, Assistant Prosecutor, agreed to look into this and advise the Commissioners.

There was a discussion regarding a letter requesting funds from the Poison Control Center in Cleveland. John Stricker noted that he talked with them a month ago and told them he didn't believe Commissioners were in a position to change the budgetary process at this time. He suggested that they send a request to the Finance Director for consideration in next year's budget process, noting that there is no guarantee for funding. Chris agreed to talk with them and Commissioners agreed to review this in the next budget process.

Ms. Ray asked about the status of a resolution and agreement allowing the Convention & Visitor's Bureau (CVB) to handle advertising at the Community Center. The agreement is set up for a 75/25 split of any income. The CVB will be in charge of renting and maintaining this.

Through discussion, it was noted that the CVB feels they should get all of the money from this as they feel the advertising will create sales from which the county receives sales tax. It was noted that the Transit advertising agreement calls for a 50/50 split after expenses. The proposed 75/25 split is before expenses. It was agreed to have this policy presented at next week's meeting.

Ms. Ray asked about a letter received from Jane Campbell, City of Cleveland.

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Mr. Hambley stated that NOACA and ODOT have seen this and asked for recommendations for responding. The gentleman listed as Ms. Campbell's designated representative is not the person that is on record as being designated. The Transportation Improvement Plan of 1998 was for \$20 million and that included north bound ramps, bridges, and sound walls and had nothing to do with the widening. Ms. Campbell is saying that ODOT misspent those funds. Howard Maier of NOACA, the federal Highway Administrator, and ODOT District 12 will be working through this. Graydon Road and I-480 were brought up as something they want, but there are other ways to deal with those roads, which originally was estimated in billions for cost. They are trying to stall the vote another month and he has heard they are threatening to use a weighted vote. He talked with Tom O'Leary, ODOT District 3, and they want the vote this Friday so they can get the striping done before winter hits.

Ms. Ray presented 2 summons' to Bill Thorne, which he stated he had already received.

Chris Jakab presented information on the Community Center rates. Projections for the current operating year show a \$9,500 deficient. A good job was done in reducing personnel costs, but the utilities have increased. The proposal is to raise the rates 10% effective for 2004-2005. Through questioning, he stated that the jump in gas costs in one month was due to billing problems through the CCAO joint gas program. The gas costs have doubled from the previous year. Commissioners agreed to have this prepared for next Monday's meeting.

Through questioning, Chris stated that the letters were already sent out requesting budget requests, and they are due in by the Wednesday before Thanksgiving. The budget hearings will be set up for the first part of January.

Ken Hotz noted that they have been getting hit hard with the gas bill at the Liverpool plant also. He noted that a proposal has been made by the Fair Board to allow an easement to Williams on the Lake (Williams) to connect to the fairgrounds water and sewer lines. Williams is remodeling a building in the back of their lot that they will be leasing out. During the fair Williams allows the fairgrounds to use this area for additional parking. Through questioning, Ken stated that it would be closer than connecting the back building to the street. Williams would tie into the lines that were put in 6-7 years ago. Williams would be responsible for the tap-in fees. He has no problem with allowing this connection. Commissioners agreed to have Ken bring this is for action next week.

The Clerk noted that a notice will be going out this week to change the Monday, December 1 meeting to Thursday, December 4.

There was a short review of the advertisement for applicants for the Public Defenders Commission. The ad was corrected to show that there are 3 positions open and to extend the application deadline to November 21.

Commissioners recessed into Executive Session, which was continued from earlier, to complete interviews at 2:09 p.m.

At 2:30 p.m. Mrs. Geissman moved to adjourn the meeting; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

### RESOLUTIONS PASSED:

03-0922 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

03-0923 RESOLUTION COMMENDING PAUL AND NYLA KOVALIK & FAMILY OF KOVALIK SAWDUST ON RECEIVING THE FRIEND OF 4-H AWARD

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- 03-0924 RESOLUTION COMMENDING JIM BRATZ OF THE BLUE RIBBON RESTAURANT ON RECEIVING THE FRIEND OF 4-H AWARD
- 03-0925 RESOLUTION COMMENDING JAN VALACH ON RECEIVING THE MERITORIOUS SERVICE TO 4-H AWARD
- 03-0926 RESOLUTION COMMENDING KEN & LORETTA ENGLEHAUPT ON RECEIVING THE MERITORIOUS SERVICE TO 4-H AWARD
- 03-0927 RESOLUTION COMMENDING BARB POTTS ON RECEIVING THE MERITORIOUS SERVICE TO 4-H AWARD
- 03-0928 RESOLUTION DETERMINING THE NECESSITY TO CLOSE FIRESTONE ROAD (C.H. 26) BETWEEN WANDEL ROAD (C.H. 81) AND BLACK RIVER SCHOOL ROAD (C.H. 83)
- 03-0929 RESOLUTION DETERMINING THE NECESSITY TO CLOSE GRAFTON ROAD (C.H. 42) BETWEEN COLUMBIA ROAD (S.R. 252) AND MARKS ROAD (C.H. 22)
- 03-0930 RESOLUTION APPROVING THE FINAL PLAT FOR THE PEBBLE CREEK PRESERVE NORTH CLUSTER HOME SUBDIVISION PHSAE III LOCATED IN TRACT 1, LOT 3 OF BRUNSWICK HILLS TOWNSHIP
- 03-0931 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN ESTATES OF SLEEPY HOLLOW SUBDIVISION IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO
- 03-0932 RESOLUTION AMENDING THE 2003 ANNUAL APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 03-0933 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 03-0934 AUTHORIZING CASH TRANSFER FOR THE GENERAL BOND RETIREMENT FUND
- 03-0935 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE PUBLIC ASSISTANCE FUND (0120) TO THE JFS BUILDING DEBT PAYMENT FUND (0300)
- 03-0936 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM
- 03-0937 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND

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- 03-0938 RESOLUTION AUTHORIZING THE PURCHASE OF 3,600 GALLONS OF PREMIUM UNLEADED AND 4,200 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 03-0939 REVENUE ADJUSTMENT FOR WORKFORCE DEVELOPMENT FUND
- 03-0940 APPROVAL OF AN AGREEMENT FOR INFORMATION & REFERRAL SERVICES BETWEEN MEDINA COUNTY FAMILY FIRST COUNCIL AND CATHOLIC CHARITIES SERVICES
- 03-0941 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 03-0942 RESOLUTION ACCEPTING AND AWARING PROPOSALS FOR MEDINA COUNTY COURTHOUSE GUTTER REPAIRS
- 03-0943 RESOLUTION AUTHORIZING AN AGREEMENT WITH KOHANSKI, ARNOLD & CHIN FOR A PUD LANDSCAPE BUFFERING PLAN FOR THE MEDINA COUNTY UNIVERSITY TECHNOLOGY PARK
- 03-0944 RESOLUTION ENTERING INTO AN AGREEMENT WITH THE OHIO HISTORIC PRESERVATION OFFICE
- 03-0945 RESOLUTION ACCEPTING AND AWARING BIDS FOR BULK CHEMICALS TO BE UTILIZED AT THE MEDINA COUNTY TREATMENT FACILITIES
- 03-0946 RESOLUTION AUTHORIZING THE SANITARY ENGINEERING DEPARTMENT TO FINALIZE A CONTRACT FOR THE PURCHASE OF LAND ON SUBSTATION ROAD IN BRUNSWICK HILLS TOWNSHIP FOR A WATER STORAGE TANK
- 03-0947 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF NORTHERN VALLEY CONTRACTORS INC. FOR THE SPETH ROAD STORAGE PUMP STATION PROJECT "B" MCSE #500/00-5.1.53A
- 03-0948 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER AND WATER IMPROVEMENT PROJECTS
- 03-0949 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 03-0950 RESOLUTION APPOINTING A MEMBER TO THE MEDINA COUNTY PORT AUTHORITY BOARD OF DIRECTORS

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MEDINA COUNTY COMMISSIONERS:

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Stephen D. Hambley

Respectfully submitted,

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Sharon A. Ray

Pamela J. Terrill, Clerk

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Patricia G. Geissman