

## COMMISSIONERS' MEETING – TUESDAY, NOVEMBER 12, 2002

Patricia G. Geissman called the meeting to order at 9:35 a.m. with Thomas R. Bahr and Stephen D. Hambley present.

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

There were no minutes for approval.

Doug King, Administrative Assistant in the County Engineer's Office, presented three (3) resolutions. The first one was accepting and awarding the bid for the furnishing and installation of two (2) dump trucks for the Highway Department. The best bid for the two (2) chassis was determined to be Mansfield Truck Sales for \$96,853. The best bid furnishing two (2) dump bodies was Newell Equipment, Inc. for \$41,112.

Doug presented a resolution allowing the interim use of stop signs at the intersection of Lester Road and the CSX Railroad crossing to provide increased public safety until active warning devices are installed.

The last resolution Doug presented was approving the use of the Subdivision Drainage Maintenance Fund for concrete channel cleaning in Grafton Hills Subdivision Phase I in Brunswick Hills Township. Mr. Bahr moved to approve the three (3) resolutions and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed two (2) weekly permits lists.

Chris Jakab, Finance Director, presented and reviewed twelve (12) Finance resolutions involving amending the annual appropriations resolution, revenue adjustments for the Workforce Development fund, expenditure adjustments for various funds, fund transfers, cash transfers, authorizing the purchase of fuel at the Highway Garage, authorizing an 18-month vehicle lease agreement for the Drug Task Force, and approving an agreement with the City of Parma Heights for inmate housing at the Jail. The final resolution Chris presented was to pay the weekly bills totaling \$612,261.10. Mr. Bahr moved to approve the twelve (12) Finance resolutions and pay the weekly bills. Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Pat Larsen from Human Resources presented and reviewed the personnel resolution for John Stricker, County Administrator. This week's resolution included new hires, promotions, rate changes, and resignations. Mr. Bahr moved to approve the personnel changes and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman introduced and welcomed aboard the new Human Resources Director, Gary Berkowitz, on his first day of work.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the release of the escrow account of Bay Mechanical & Electrical Corporation for the Liverpool Wastewater Treatment Plant Improvement Project. All the work has been completed and the final inspection has been approved. Mr. Bahr moved to approve the resolution. Seconded by Mr. Bahr. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution to release a portion of the escrow account of United Survey, Inc. for the Medina City Sewer Rehabilitation Project. They are holding back \$25,000 until United Survey fixes some ragged edges at some locations and completes the final television inspection. Mr. Bahr moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

The next resolution Ken presented was authorizing the Sanitary Engineer to invest the retainer of Thompson Electric, Inc. for the electrical improvements at the Central Processing Facility (CPF) Project. A motion was made by Mr. Bahr to approve the resolution, which was

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seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

His last resolution was awarding the bids for bulk chemicals to be used next year at the various facilities and also to table the award for powdered activated carbon. They are not sure the low bidder can meet the specifications for the carbon. They have asked the successful bidder from last year to extend their contract until the apparent low bidder can provide material that they can sample and make sure it does the job properly. If they do not provide the sample then they will reject the bid.

Mr. Bahr said that he read Bob Gumbita's memo saying that it is a bituminous coal based carbon that does not work and we agreed to perform another test on it early next year.

Ken said that they would give them the opportunity to test it without taking any risk. They have used Calgon's coal based products before and they received violations. There are very many kinds of carbons. Action was taken to make sure there is enough carbon to keep operating. Mr. Bahr moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Debra Radecky, Office for Older Adults Director, reported that the Fall Festival was a success with over 200 Senior Citizens attending it. She thanked her staff and everyone that made the event possible. They are serving 211 home delivered meals this week and there is no one on the waiting list. Some upcoming activities are a Red Ribbon Ceremony to promote drug free Seniors, a talk on defensive driving, a movie, Lifeline Workshops, and a pain management program put on by Medina General Hospital. The trip in December will be to see the Radio City Spectacular and Rockettes in Cleveland. Debra reported that the Seniors' Needs Assessment Survey had a very good return of 15% as compared to most blind studies that only get a 3 to 5% return. They are analyzing the data and should have a report by the first week of December.

Patrice Theken, the Department of Planning Services Director, reported the County Planning Commission adopted the Subdivision Regulations on November 6<sup>th</sup>. The document will come to the Commissioners and public hearings will be scheduled. It will go into effect after Commissioners' approval. The November 8<sup>th</sup> Community and Regional Planning Open House was well attended. The following agencies provided displays and she thanked them: Medina County Building Department, Emergency Management Agency, the Park District, Sanitary Engineers, the Medina County Land Conservancy, the Ohio Bicentennial Committee, The University of Akron, and Soil & Water Conservation. She also thanked the sponsors. They gave out five awards to the following: Michael Ruby received the Lifetime Achievement Award for his dedication as the Zoning Inspector for Brunswick Hills Township; Medina County Park District received the Public Agency Award; Westbury Master Plan received the Project and Developer Award; Roger Feese (former Granger Township Trustee who served on the Subdivision Review Committee for over three years) received the Citizen Plan Award; Montville Township received the Community Award for developing and implementing their Comprehensive Development Plan. Patrice commented that the recipients of the awards seemed really proud to receive them. Hopefully, they will have more time to consider the nominations next year. This event should encourage people to plan in a more organized way.

Commissioners complimented Patrice and her staff for their efforts in the coordination of the Regional Planning Open House and all of its fine displays, the great turnout, and good food.

Patrice told about the upcoming Comprehensive Planning Workshops. Part 2 of the series will be offered on December 2<sup>nd</sup> during the day, and Part 3 will be offered January 23, 2003 and again in February.

Mrs. Geissman read resolutions commending Diana Novotny and Barb Nixon for receiving the Meritorious Service to 4-H Award, and resolutions commending Don Brintnall and Ron Pfaff for receiving the Friends of 4-H Award. Mr. Bahr moved to approve the four resolutions and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

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The Assistant Clerk read the expenses of county officials. Mr. Bahr moved to approve the expenses. Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mrs. Geissman opened the floor to Public Comment and there was none.

At 9:55 a.m. Commissioners recessed and reconvened at 10:00 a.m. for the Public Hearing to discuss issuing an industrial revenue bond to assist Richard L. Immerman and Bleachtech, LLC with financing the acquisition, purchase, and installation of manufacturing equipment, and construction of a manufacturing facility to engage in the business of electrolytic production and manufacture of sodium hypo chlorite and related products.

Jim Doutt, Economic Development Director, commented that he has worked with the principals of the company since January 1, 2001. In his opinion the company would be very good for the Village of Seville, who has worked hard to help BleachTech locate there and have allowed some zoning changes. BleachTech is a new \$6.2 million company - \$5 million of machinery and equipment and \$1.2 million for the building. The company will take rock salt like they put on the highways and mix it with water, add electricity and make bleach. There will be multiple benefits to Seville and to the county. There will be twelve full-time employees with an annual payroll of \$500,000. Since one of the key components in the manufacture of bleach is electricity and Seville is a municipal electric system, Seville will also benefit in the sale of electricity and water to the company. The village will get a better rate from Amp Ohio for using more electricity as well. Jim said that he is going before Seville's Council tonight and the Cloverleaf School Board later this month to discuss a real property tax abatement application for the building portion for BleachTech.

Mrs. Geissman asked them to elaborate on the purpose of the bleach they will be manufacturing since it is not just household bleach.

Tim Maegly, 4231 Weymouth Rd., Medina, stated that they make an industrial-strength product, which is 12.5 to 12.7% active ingredient by weight as compared to home material, which is about 5.25% active ingredient. It is called sodium hydrochloride. Mrs. Geissman asked if it also a chemical used in swimming pools and he said yes.

Jim Doutt pointed out that Buck Adams, the Emergency Management Agency Director supports this project's safety aspects because this type of bleach does not require tanker cars of chlorine chemicals traveling across the county.

Mr. Bahr asked if they were going to be located on Ryan Road by the railroad spur and Tim said yes.

Mr. Hambley asked about the resolutions' heading language that declares it an emergency. There is no language in the body of the resolution that indicates the need for an emergency. He asked if they had any objections to their striking "and declaring an emergency" and they had no objection.

Nickolas Andreeff, Brennan, Manna & Diamond, LLC (Bond Council), stated since this would represent industrial bond financing, it would be backed by a bank letter of credit and there would be no liability on the part of the county and no commitment of tax funds. The letter of credit would be used to reimburse principle and interest payments to the bondholder, and the borrower would be obligated to reimburse the bank. It is a trustee transaction and the agreement itself, as well as state statute, provides no personal liability on the part of the county or legal liability for the issuers of the bonds.

Mrs. Geissman asked Chris Jakab, Finance Director, if he concurred with what Nickolas Andreeff said and Chris concurred.

Mr. Bahr made a motion to approve the resolution with the striking of declaring it an emergency. Mr. Hambley seconded it and asked if it was a motion for obtaining legal services

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as well, which was their other resolution. Mr. Bahr said it is a motion for both resolutions. Mrs. Geissman pointed out that they needed a motion to close the hearing first, so Mr. Bahr motioned to close the hearing, which was seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE. The hearing was closed at 10:07 a.m.

Then Mr. Bahr made the motion to approve the resolution pertaining to the conditional intent to issue industrial revenue bonds for Richard Immerman and BleachTech and the resolution to retain legal services of Brennan, Manna & Diamond, LLC relating to the financing of the project and striking the declaring it an emergency. Mr. Hambley seconded the motion for both resolutions. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 10:09 a.m. Commissioners recessed into to go into the Conference Room for Discussion Session.

Commissioners reconvened the meeting at 10:12 a.m. for the Discussion Session.

The first item discussed was the house on Smith Road by the fairgrounds that the county owns. Dave Ehrman from the Fair Board said they would like to rent it out as a residential property to generate more income. Chris Jakab, Finance Director, said that the county filed a tax exemption request, which they were granted based on the fact that it would be parking. If it was to become a rental property they would have to declare that and some taxable value would be restored and there would be a tax liability. Mr. Bahr said that it was not in good repair. Commissioners will look into it further after the issue of liability of a residential tenant occupying a county owned premises is determined. They also need to know how much money is involved with the fix up and the rental income it could generate before they can make a recommendation. If it cannot be used for a residence it will be torn down.

Mr. Hambley reported that the County Home Advisory Council approved the Mission Statement for the County Home at their October 30th meeting. He asked if the other Commissioners were agreeable having it put in resolution form for passage next week and they agreed.

Next Commissioner Hambley brought up for discussion Judge Kovack's memo requesting a third entrance with metal detectors to the Court Houses, keeping the Prosecutor's Office passage open. The Judges want in place by this Friday, November 15<sup>th</sup>.

Chris Jakab said that it would be a huge additional cost of about \$50,000 to the taxpayers. It would be impossible to implement by Friday because the Board still has to negotiate the contract with the Sheriff to determine the staffing levels, how they will be hired.

Mr. Bahr said that is the only way that they would let them use the other door that they paid a lot of money to put in place. It was agreeable to the last group of Judges but the new group wants something different.

Mrs. Geissman said that they needed to meet with the Sheriff to discuss staffing requirements and pass a resolution authorizing the personnel and equipment. She asked if there was any recourse.

Chris suggested and Commissioners agreed that he and Mrs. Geissman should sit down with Judge Kovack to work out a compromise. Some suggestions were made and they will see if they can eliminate one back entrance because of the cost involved.

Mr. Thorne brought up that if they cut off the Prosecutor's Office from the adjoining door, there is a computer arrangement with the Law Library based upon it being considered one building, which could be transversed without going outside. He suggested closing the front door.

John Stricker said that the Law Library determined that it was not one building and indicated that they have entered into a different contract so they may have modified the contract.

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Mr. Hambley said that security now is that all of the doors are open to public access. There is roving security in the hallways. They want to keep the roving security plus close the doors down and have metal detectors.

Mr. Bahr said that there would be three added personnel to do both strategies. He asked what how much additional costs were involved with the new request, which is a nightmare.

John said that in the grand scheme of things the equipment is inexpensive and they have the money for it. Chris said that four officers at \$40,000 each per year plus training would run about ½ million dollars.

Bill Thorne said that the demand is unreasonable and if a compromise cannot be reached they could go to a higher court.

Mrs. Geissman asked if anyone else had anything to discuss and she went around the table.

Mr. Bahr announced that there was no damage to any county buildings from the bad storm on November 10<sup>th</sup> that caused wind and tornado damage in the county.

Ken Hotz brought up that BleachTech, the new company that received the IRB inducement today, may be able to supply material more safely because they would be no terrorist attack risk.

Bill Thorne said that the Executive Session on the filing is necessary so it was put back on the schedule.

Mrs. Geissman said that Resource Conservation & Development (RC & D) is looking for a member at large by year-end so she asked the group to look for someone.

Mr. Hambley said that they are advertising for the new Medina County Drug Abuse Commission (MCDAC) Executive Director position and hope to have someone onboard by Kathy Yuzwa's last week.

Chris Jakab said that he would talk to Kathy regarding the grantees.

Commissioners went into Executive Session at 10:32 a.m. for the purpose of discussing a legal matter.

On a motion by Mr. Hambley and a second by Mr. Bahr, the meeting was adjourned at 10:50 a.m. There was no discussion. Roll Call showed all Commissioners voting AYE.

### RESOLUTIONS PASSED:

02-0961 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

02-0962 RESOLUTION COMMENDING DIANA NOVOTNY ON RECEIVING THE MERITORIOUS SERVICE TO 4-H AWARD

02-0963 RESOLUTION COMMENDING BARB NIXON ON RECEIVING THE MERITORIOUS SERVICE TO 4-H AWARD

02-0964 RESOLUTION COMMENDING DON BRINTNALL ON RECEIVING THE FRIENDS OF 4-H AWARD

02-0965 RESOLUTION COMMENDING RON PFAFF ON RECEIVING THE FRIENDS OF 4-H AWARD

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02-0966 RESOLUTION ACCEPTING AND AWARDING THE BID FOR THE FURNISHING AND INSTALLATION OF TWO DUMP TRUCKS FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

02-0967 RESOLUTION ALLOWING THE INTERIM USE OF STOP SIGNS AT THE INTERSECTION OF LESTER ROAD (C.H. 56) AND THE CSX RAILROAD GRADE CROSSING AARDOT #141905N, WHICH IS LOCATED .37 MILES NORTH OF S.R. 57

02-0968 RESOLUTION APPROVING THE USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN GRAFTON HILLS SUBDIVISION PHASE I IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO

02-0969 RESOLUTION AMENDING THE ANNUAL APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS

02-0970 REVENUE ADJUSTMENT FOR WORKFORCE DEVELOPMENT FUND

02-0971 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS

02-0972 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM

02-0973 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND

02-0974 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR INDIRECT COST ALLOCATION

02-0975 AUTHORIZING CASH TRANSFERS FOR THE GENERAL BOND RETIREMENT FUND AND THE CAPITAL IMPROVEMENT FUND

02-0976 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FORM THE PUBLIC ASSISTANCE FUND (0120) TO THE JFS BUILDING BOND REPAYMENT FUND (0300)

02-0977 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE COUNTY GENERAL FUND (0020) TO THE PUBLIC ASSISTANCE FUND (0210) FOR THE NON-ALLOCATED PORTION OF CHILD WELFARE EXPENDITURES

02-0978 RESOLUTION AUTHORIZING THE PURCHASE OF 3,000 GALLONS OF PREMIUM UNLEADED AND 4,500 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

02-0979 AUTHORIZING A VEHICLE LEASE AGREEMENT FOR THE DRUG TASK FORCE

02-0980 APPROVING AN AGREEMENT WITH THE CITY OF PARMA HEIGHTS FOR INMATE HOUSING AT THE MEDINA COUNTY JAIL FACILITY

02-0981 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

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02-0982 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF BAY MECHANICAL & ELECTRICAL CORPORATION FOR THE LIVERPOOL WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT MCSE #W-500/00-1.3

02-0983 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE A PORTION OF THE ESCROW ACCOUNT OF UNITED SURVEY, INC. FOR THE MEDINA CITY SEWER REHABILITATION PROJECT MCSE #S-500/00-3.0

02-0984 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO INVEST THE RETAINER OF THOMPSON ELECTRIC, INC. FOR THE MATERIAL RECOVERY FACILITY IN AN ESCROW ACCOUNT MCSE #700/00-28.3

02-0985 RESOLUTION AWARDDING BIDS FOR BULK CHEMICALS AND TABLING THE AWARD FOR POWDERED ACTIVATED CARBON TO BE UTILIZED AT THE MEDINA COUNTY TREATMENT FACILITIES

02-0986 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

02-0987 RESOLUTION PERTAINING TO THE CONDITIONAL INTENT TO ISSUE INDUSTRIAL DEVELOPMENT REVENUE BONDS TO ASSIST RICHARD L. IMMERMANN AND BLEACHTECH, LLC, AN OHIO LIMITED LIABILITY CO., THEIR SUCCESSORS AND ASSIGNS, WITH THE FINANCING WITHIN THE PROVISIONS OF CHAPT

02-0988 A RESOLUTION RETAINING LEGAL SERVICES OF BRENNAN, MANNA & DIAMOND, LLC, RELATING TO THE FINANCING OF A PROJECT WITHIN THE BOUNDARIES OF THE COUNTY PURSUANT TO THE PROVISIONS OF CHAPTER 165, OHIO REVISED CODE

MEDINA COUNTY COMMISSIONERS

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Patricia G. Geissman

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Thomas R. Bahr

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Stephen D. Hambley

Respectfully submitted,

Pamela M. Vereb, Asst. Clerk