

## COMMISSIONERS MEETING – MONDAY, OCTOBER 20, 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 minutes of September 22, September 29, October 6 and October 14 was dispensed with. Each Commissioner has read the minutes personally. Mrs. Geissman moved to approve the minutes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed 3 resolutions to close a section of Root Road from Tuesday through next Monday for culvert repairs, authorizing the advertisement for bids for aggregate material for the Highway Department, and extending the completion date of the contract for the replacement of Bridge No. 12 on Hartman Road with HSH Construction & Excavating. Mrs. Geissman 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 Jakob, Finance Director, presented and reviewed resolutions amending the annual appropriations by transferring and increase or decreasing appropriations, various fund transfers, revenue adjustments, expenditure adjustments, purchasing fuel for the Engineering Center from Petroleum Traders, accepting and awarding the bid for repairs and maintenance of county vehicles, approving an agreement with Medina General Hospital to provide a health & wellness program for employees and spouses under the Health Benefit Plan, and the weekly bills in the amount of \$746,160.09. Several bids were received for the motor vehicle repairs and maintenance and an analysis attached to the resolution. The award is to AutoMax for the light duty vehicles and to Total Performance for the medium and heavy duty vehicles, which are the current vendors of this service. The current contracts expire October 24. The agreement with Medina General Hospital is through On-The-Clock-Care and is a 2-year renewal. The last annual expense under this contract was \$7112. Mrs. Geissman moved to approve the 9 resolutions and payment of the bills; Seconded by Ms. Ray.

Mrs. Geissman noted that the approximate \$7000 spent under the contract with Medina General Hospital is money well spent for preventive tests and catching things early. This saves a lot of money in the long term.

Mr. Hambley agreed, and noted that the analysis done for the vehicle repair and maintenance contract bids was very good.

There was no further discussion.

Roll Call on the motion and second to approve the 9 Finance resolutions showed all Commissioners voting AYE.

Chris noted that the vehicle auction held last week earned \$48,000, which will be distributed to the various departments in the next week.

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 a brief discussion relative to a new employee and whether the organizational chart reflects the position being filled. Jim Troike, Assistant Sanitary Engineer, noted that the amendment had been taken care of last week.

There was no further discussion.

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Roll Call on the motion and second to approve the personnel changes showed all Commissioners voting AYE.

Gary presented and reviewed a resolution designating 11 legal holidays for 2004. Mrs. Geissman moved to approve the legal holidays; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution amending the Tables of Organization for the Child Support Enforcement Agency (CSEA) and Sanitary Engineering Department. The table for the Sanitary Engineer is being amended to reclassify a Design Engineer 2 to a Design Engineer 1, and the table for CSEA is deleting a Support Office 1 position. This position has been vacant and there is no employee affected by this change. Mrs. Geissman moved to approve the amendments; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Jim Troike, Assistant Sanitary Engineer, presented a resolution to obtain easements for various sanitary sewer and water improvement projects. Mrs. Geissman moved to approve obtaining the easements; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Jim presented a resolution declaring the necessity of a sewer line relocation in Pennys Drive and approving the plans and specification and authorizing the advertisement for construction bids. There have been difficulties experienced in maintaining this line and it is to be replaced with larger pipe. Mrs. Geissman moved to declare the necessity and approve the plans, specifications and advertisement for bids; Seconded by Ms. Ray.

Mr. Hambley noted that Pennys Drive is located in the City of Brunswick.

There was no further discussion.

Roll Call on the motion and second to declare the necessity and approve the plans, specifications and advertisement for bids showed all Commissioners voting AYE.

Jim presented a resolution authorizing a change order for Fechko Excavating Inc. for the Wilbur, Remsen Chase Subdivision, Baker, Watkins and Smith Roads waterline project. Mrs. Geissman moved to approve the change order; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mike Pataky, Child Support Enforcement Agency Director, noted that he has been reporting on changes being initiated by the State, and one of those changes involves what they are calling “super notices”. In the past defaults in payments were reported for specific periods of time and the Revised Code has changed to make those reports include all defaults within one notice. Those notices were sent out last week. The State was also in their office last week to upgrade some of their equipment. This same process is taking place in JFS.

Art Verdoorn, Building Official, presented and reviewed the September report. This September 83 new house permits were issued versus 66 last September. This was a 25% increase; however, the fees collected show a 53% increase that indicates the permits were for more custom built homes. In commercial they issued 28 this September versus 8 last September, but the percentage on the fees increased by 50%. The fees are collected based on the square footage in commercial construction. Revenues were up for the month, but are still down for the year. For year-to-date new dwellings, we’re at 781 through September, which is close to the 2000 year-end total of 801.

Mr. Hambley noted that there has been a boost in the average cost of a house and asked if there has been much of an affect with the increase of lumber cost.

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Art stated that they track the construction by what the contractor tells them and the department doesn't determine or analyze the costs.

Mrs. Geissman stated that her son is in construction and told her that the sheeting used for framing increased from \$10/sheet to \$16/sheet.

Art stated that they did have a meeting with a supplier for use of insulation board that was previously used instead of the OSB board or plywood. The insulation board is at \$11, which is about half the price of the other.

John Stricker stated that basically because of the increased cost of lumber alternate materials are being used.

Mrs. Geissman stated that she had been told that part of the problem with lumber costs is that the government has bought up lumber for rebuilding Iraq, which is a shame for Americans that are building homes.

Art stated that a lot of that came to light when people in Florida were buying up sheets to board up homes and businesses during their last hurricane. The lumber costs are associated with terrorists and there is a lot being imported from Canada.

John Jones, Transportation Services Director, presented and reviewed their September statistics. Ridership on the "L" is leveling off some as they had 1,233 riders in September; however, it is still down approximately 15%. Overall ridership for September was at 10,083, which is a 7.5% increase over last September. Ridership on the Homerville Circulator was down due to the harvest season. For the year they have traveled 561,338 vehicle miles and used 63,131.81 gallons of fuel. They are averaging 9 miles per gallons overall. The average mileage for diesel is 11 miles per gallon and for gasoline is 4.5 miles per gallon. They had 1 vehicle accident and 1 passenger accident and received 9 customer complaints. The billing accuracy was at 100% in September. The fare box recovery rate was about 79%. This was low due to late payments from some agencies.

Mr. Hambley presented and reviewed a resolution approving an agreement with Cornerstone Wellness Center for the Tobacco Use & Prevention Assessment project. He noted that Karl Cetina, MCDAC Director, is attending a seminar today. The Steering Committee has reviewed the proposals for services to the Tobacco Use & Prevention Coalition for evaluation of current programs. The agreement was negotiated for a lower price and originally was only going to review programs for school age people. The contract will not include seniors and pregnant women. Cornerstone has agreed not to provide services of an implementation grant for the next 2 years. Other agencies will set up programs and Cornerstone will be used to evaluate those programs. Mrs. Geissman moved to approve the agreement; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented and reviewed a resolution creating the Medina County Port Authority, providing for the organization thereof and appointing members to the Board of Directors. The following were appointed to the Board: William Frantz and James Gerspacher with their terms expiring December 31, 2004, Robert Kenderes and Dean Harris with their terms expiring December 31, 2005, Ronald Paydo and Robert Madden with their terms expiring December 31, 2006, and Tammy Antonille, Ralph Berry Jr, and Robert Trimble with their terms expiring December 31, 2007. Their organizational meeting is scheduled for Monday, November 3 at 8:00 a.m. Mrs. Geissman moved to approve the resolution; Seconded by Ms. Ray.

Mr. Hambley noted that there have been some concerns voiced regarding creation of a Port Authority and those areas have been addressed. The Port Authority will not be able to tax or use eminent domain, and the resolution clearly defines removal of members. The Commissioners have provided for control and accountability has been built into the creation.

There was no further discussion.

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Roll Call on the motion and second to create a Port Authority, organization, and appointment showed all Commissioners voting AYE.

The Clerk read the resolution to allow expenses of county officials. The cost was not listed for a seminar for Juvenile Court and upon review of the application the Clerk stated that the cost was \$175. 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.

John Wetzel, City of Medina, noted that Lake Road between the City of Medina limit and Chippewa Lake has been painted with a double-yellow line. This was not the way this road was paved in the past and he questioned the need for the double-yellow at this time.

Mr. Hambley stated that he would check with the County Engineer about this change.

John Metter, Litchfield Township, stated that the Commissioners are trying to attract business to Medina County, but Route 18 between Route 94 and Columbia Road make it difficult for traffic and asked if anything is being done about that. He feels it is time for a 4-lane road around the north side of Medina, noting that Governor Taft has raised the fuel tax and the county should get some of that money. He feels that Mr. Hambley, as representative to NOACA, should be promoting this county.

Mr. Hambley stated that ODOT is preparing for the widening of Route 18 between Nettleton and Windfall Roads, with the section between Windfall Road and the Summit County line being widened afterwards. There has also been a meeting between the TID, County Engineer and ODOT to determine the work needed from Nettleton to Guilford Road. These improvements were done by money that has come in and continues to come in from the state, and there is only so much available. The business community has also asked ODOT to look at expanding North Court. No one has proposed building a 4-lane around the northern part of Medina. Relative to NOACA, a project sponsor is needed, and the county has been promoted. Money received for these projects and others has been through lobbying by Medina County over the last 5 years.

Mr. Metter stated that the county has a reputation from the Mississippi to New Jersey regarding the harassment of trucks. Improving Route 18 isn't going to make much difference if the harassment continues. He also noted that the City has a truck harassment division.

Mr. Hambley stated that the Commissioners aren't involved in enforcement. Money goes to the Sheriff for law enforcement but Commissioners do not determine how the Sheriff enforces the law.

Mrs. Geissman noted that talks started 60 years ago about a bypass and the County has worked hard with the City for this. The last effort involved looking to the south of Medina and nothing was able to be worked out because there is no clear route left due to the growth experienced in the county. Complaints have been received about the traffic problems experienced by industries in the area.

Mr. Metter stated that the end of Fenn Road to Columbia Road is continually full of stopped traffic between 3-5 p.m. He gets stopped in that quarter-mile of road 6 times during those hours. This road needs to be widened with turn lanes.

Mr. Hambley added that the only solution is the expansion, improvement and widening of current roads as there is not enough money available to get a new road. Turning areas, widening and providing of expansion of some existing roads is being looked at.

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Mr. Metter stated that John Shelton applied to the Township Zoning for a small industrial park in Litchfield with his own money, but the County Planning Commission turned him down. He doesn't feel the County Planning Commission had any business turning this down. The people on the Commission are making one person's property more value and decreasing the value on others. He has suggested before and still feels the county should get rid of the Planning Commission and there would be a lot of money saved.

Mr. Hambley asked if the land was already zoned for industrial.

Mr. Metter stated that part of it was re-zoned industrial.

Mr. Hambley stated that the Planning Commission is only advisory to the Township and the Township Trustees and Zoning Commission can do anything they believe is in the best interest of their township. Basically, what you're saying is that the Planning Commission voted against re-zoning and the Township, likewise, voted against it.

Mr. Metter stated that the Zoning Commission zoned it industrial. The point is they are all trying to pull together to bring up the tax base in the county and the Planning Commission is "on the wrong page" and have been there ever since they started.

Mr. Hambley stated that he can look into it to see what the facts are on this.

Through questioning, Stan Scheetz stated that the gentleman involved was John Shelton. The frontage was zoned industrial as part of their plan and Mr. Shelton wanted to expand the industrial zoning to the back 30 acres of his property. That is what the Planning Commission recommended against and the Zoning Commission followed suit.

Stan Scheetz, Agent for the Petitioners for annexation of land from Guilford and Westfield Townships to the Village of Seville, stated that the Village passed 3 emergency resolutions. They were turned into the office for the Clerk and signed for by the County Administrator, John Stricker. He presented the 3 resolutions, which are to provide services, consenting to the annexation, and recognizing the possible need for a buffer zone. He wanted to be sure these came before the Commissioners and believes this completes the packet of information needed for the Expedited 2 annexation, which is to be reviewed next week.

There were no further comments from the public.

Mrs. Geissman moved to recess into Executive Session at 10:20 a.m. for the purpose of discussion personnel/compensation; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners recessed the morning session following the Executive Session.

Commissioners reconvened the meeting at 1:30 p.m. for the discussion session.

Ms. Ray presented a letter of support for the I-71 third lane striping to Mr. Hambley, who confirmed he is preparing a packet to present to NOACA.

Ms. Ray presented a draft letter prepared by Chris Jakab regarding the creation of a public defender's office. It is proposed to send this to the 2 municipal judges and Bar Association President. Commissioners all agreed with the context of the letter and recommendations were made to also send the letters to those who attended the public hearing earlier this year as well as a copy to the Law Library for posting.

Ms. Ray presented information from Judge John Lohn regarding charges being collected for programming since September 1. Out of the money collected, \$6250.70 was turned into the general fund and \$1300 went back to Reclaim fees. It is working surprisingly well.

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Mr. Hambley presented a letter from Jim Douth, Economic Development Corporation Director, regarding the Toledo-Lucas County Port Authority Bond Program fees. They would like to discuss entering an agreement to make sure the revenue stream continues to go to the Corporation.

There was a brief discussion and all Commissioners agreed that the Economic Development Corporation has done all of the ground work in connection to the agreement with this Port Authority and attracting businesses to our area, and once our Port Authority is created they will continue to do much of this work. All Commissioners agreed to have the fees go to the Corporation. Chris Jakab will prepare a resolution approving the agreement once the agreement is ready.

Mr. Hambley presented information regarding the make up of the County Planning Commission, noting that the membership was reorganized in 2000. The law allows for the Commission to be comprised of 8 residents of the county and the 3-mile jurisdiction by municipalities has been eliminated. The townships would like to see the municipal representatives removed from the membership, noting that they have no vote on municipal planning but the municipalities vote on township issues. The change in memberships cannot be done until the terms expire and the first municipality to have their term expire is Brunswick. He feels there is an advantage to having the municipalities on the Commission and proposed creation of a memorandum of understanding with each municipality as their representative's terms expire that would provide for the Planning Commission to review and comment on their planning and zoning issues and for the municipality to remain on the Commission. He has talked with Sid Welch, Brunswick City Planning Director, who has no problem with this and it appears the City's administration has no problem with this. The agreement would be set up with a time frame that will not impede the already existing municipality process. If a municipality does not want to continue on the Commission or enter the agreement, there are other suggestions for memberships and the Commissioners have the flexibility to appoint others in place of those representatives. If Brunswick approves of this change, a memorandum of understanding will be prepared. Each entity has the final decision whether to stay on the Planning Commission or not. There were no major concerns expressed, and it was agreed for Mr. Hambley will continue pursue this with the municipalities.

The Clerk noted that the amount read of \$175 for the Juvenile Court seminar this morning was incorrect. She had reviewed the wrong application for travel. The correct amount for the seminar is \$1080. Mrs. Geissman moved to amend the resolution to allow expenses to reflect the correct amount; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

There was no further business before the Board for discussion.

Mrs. Geissman moved to adjourn the meeting at 1:46 p.m.; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

### RESOLUTIONS PASSED:

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|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03-0845 | RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS                                                             |
| 03-0846 | RESOLUTION DETERMINING THE NECESSITY TO CLOSE ROOT ROAD (C.H. 58) BETWEEN SMITH ROAD (C.H. 4) AND GARVER ROAD (T.H. 177)                                              |
| 03-0847 | RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR VARIOUS SIZES AND QUANTITIES OF AGGREGATE FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT |

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- 03-0848 RESOLUTION TO EXTEND THE COMPLETION DATE OF THE CONTRACT FOR THE REPLACEMENT OF BRIDGE NO. 12 ON HARTMAN ROAD, T.H. 112) BY AND BETWEEN HSH CONSTRUCTION & EXCAVATING INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS
- 03-0849 RESOLUTION AMENDING THE 2003 ANNUAL APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 03-0850 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 03-0851 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 03-0852 TRANSFER OF COUNTY GENERAL FUNDS TO THE COUNTY DIVERSION PROGRAM
- 03-0853 REVENUE ADJUSTMENTS FOR VARIOUS FUNDS
- 03-0854 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS
- 03-0855 RESOLUTION AUTHORIZING THE PURCHASE OF 4,500 GALLONS OF PREMIUM UNLEADED AND 4,600 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 03-0856 RESOLUTION ACCEPTING AND AWADING BIDS FOR MOTOR VEHICLE REPAIRS AND MAINTENANCE FOR COUNTY VEHICLES
- 03-0857 APPROVING AN AGREEMENT WITH MEDINA GENERAL HOSPITAL TO PROVIDE A HEALTH & WELLNESS PROGRAM FOR EMPLOYEES AND SPOUSES COVERED UNDER THE MEDINA COUNTY HEALTH BENEFIT PLAN
- 03-0858 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 03-0859 RESOLUTION DESIGNATING LEGAL HOLIDAYS FOR 2004
- 03-0860 RESOLUTION AMENDING THE TABLES OF ORGANIZATION FOR THE CHILD SUPPORT ENFORCEMENT AGENCY & SANITARY ENGINEERING DEPARTMENTS
- 03-0861 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER AND WATER IMPROVEMENT PROJECTS

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- 03-0862            RESOLUTION DECLARING THE NECESSITY OF A SEWER LINE RELOCATION PENNYS DRIVE AND APPROVING DETAILED PLANS & SPECIFICATIONS...ADVERTISING FOR CONSTRUCTION BIDS MCSE #SR-500/100-1
- 03-0863            RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FECHKO EXCAVATING INC. WILBUR, REMSEN CHASE SUBDIVISION, BAKER, WATKINS & SMITH ROAD WATERLINE PROJECT MCSE #W-500/00-7.1.22
- 03-0864            APPROVING AN AGREEMENT WITH CORNERSTONE WELLNESS CENTER FOR THE MEDINA COUNTY TOBACCO USE & PREVENTION ASSESSMENT PROJECT
- 03-0865            RESOLUTION CREATING THE MEDINA COUNTY PORT AUTHORITY, PROVIDING FOR THE ORGANIZATION THEREOF AND APPOINTING MEMBERS TO THE BOARD OF DIRECTORS
- 03-0866            RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

**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