

COMMISSIONERS MEETING, MONDAY, OCTOBER 30, 2006

Stephen D. Hambley called the meeting to order at 9:31 a.m. with Sharon A. Ray and Patricia G. Geissman present.

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

The oral reading of the minutes of October 23 was dispensed with as each Commissioner had read them personally. Ms. Ray moved to approve the October 23 minutes; the motion was seconded Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed the following resolutions: (1) determining the necessity to close South Weymouth Road (C.H. 32) between Church Road (T.H. 267) and Weymouth Road (S.R. 3); (2) approving the use of Subdivision Drainage Maintenance Funds for repair work in River's Edge Subdivision Phase 1 and 2 in Montville Township, Medina County, Ohio; and, (3) approving annual assessment on improvements constructed under the authority of Section 6131.63 Ohio Revised Code on 35.5274 acres of land in Lot 15, Tract 1 of Wadsworth Township known as Windy Hill Estates Subdivision Phase 3 and establishing thereby said improvements as a public watercourse. Ms. Ray moved to approve the three resolutions; the motion was seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Commissioners reviewed the weekly permits list for October 19 through October 25, 2006.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the 2006 Appropriations Resolution by transferring appropriations; (2) amending the Annual Appropriation Resolution; and (3) authorizing the purchase of 8,000 gallons of regular unleaded gasoline for the Engineering Center. Mr. Miller requested payment of the weekly bills in the amount of \$970,885.32. Ms. Ray moved to approve the three finance resolutions and payment of the weekly bills; the motion was seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed a resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners. Ms. Ray moved to approve the resolution; the motion was seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Chris Jakab, County Administrator, presented and reviewed a resolution for the approval of a proposal with Kohanski, Arnold & Chin Architects for strategic planning services for the Medina County Drug Abuse Commission. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no further discussion. Roll call showed all commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented and reviewed the resolutions authorizing the sanitary engineer to advertise for bids to repair the trommel screen drum at the Medina County Central Processing Facility. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Mr. Hotz presented and reviewed the resolution authorizing the sanitary engineer to obtain easements for various sanitary sewer and water improvement projects. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Mr. Hambley read a resolution commending Medina County Home employee Romona "Mona" Allison, RN, DON on receiving the National Nurse of the Year Award in the

COMMISSIONERS MEETING, MONDAY, OCTOBER 30, 2006

Midwest Region from Positive Promotions. Positive Promotions is donating \$500 to the Friends of the Medina County Home for this achievement and presenting Mona with a trophy and certificate of achievement. Ms. Ray moved to approve the resolution; seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

Mona Allison expressed her appreciation and said that it was a pleasure working at the Medina County Home and to be part of the county and everything that is offered to its residents.

Assistant Clerk Peggy Folk read the resolution to allow expenses of County officials. Ms. Ray moved to allow the expenses; seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

The meeting was opened for public comment. There was no one wishing to speak.

Mr. Hambley noted that the regular annexation hearing for 41.0702 acres from Brunswick Hills Township to Brunswick City was scheduled for 10:15 a.m. The meeting recessed at 9:43 a.m. for the commissioners to move to the Conference Room for the Discussion Session.

Discussion Session

The meeting began at 9:46 a.m.

Charles Huber, Building Official, asked for commissioners' approval to proceed with public hearings on November 6 and November 13 on proposed legislation to be adopted November 20 supporting application to the Ohio Board of Building Standards (BBS) certification of Medina County building Department to enforce Ohio's new Residential Code of Ohio (RCO) found in Ohio Administrative Code 4101:8 and was enabled by recent changes to Ohio Revised Code 307.37 and 3781. The legislation would state that the county will regulate one-, two-, and three-family residential construction using the state's Residential Code of Ohio. It also replaced existing county building regulations with regulations reflecting changes in state law.

Mr. Huber explained that by Resolution 94-576, Medina County had adopted the Ohio Building Officials' Association's Residential Code of Ohio 2004 edition and additional county regulations. HB175 stated, in part, that counties continue to have the authority to adopt additional regulations; however, the regulations must be reviewed by the State of Ohio Board of Building Standards to be sure that: (1) they don't conflict with the Residential Code of Ohio (RCO); (2) if they conflict with the RCO, it's necessary for health and safety; and, (3) if they conflict and it's not necessary for health and safety, then the additional regulation is invalid.

Mr. Huber reported that local jurisdictions must apply for State of Ohio certification that must include a local resolution requesting the certification. The existing building code/regulations have been reviewed in order to minimize potential for conflicts with the RCO. Additionally, a one percent permit fee is required to be collected and forwarded to the BBS. The Medina County Home Builders Association, Medina County Board of Building Appeals, Medina County Highway Engineering, Medina County Sanitary Engineering, and Medina County Health District had an opportunity to make comments.

Commissioners gave their approval for the public hearings and proposed legislation.

Charles Huber continued that he is requesting approval to proceed with revised position descriptions and organizational chart. Some position descriptions reflect certification requirements to enforce the RCO along with the Ohio Building Code (OBC) and Ohio Mechanical Code (OMC). The new positions of "Residential Building Official" and

COMMISSIONERS MEETING, MONDAY, OCTOBER 30, 2006

“Commercial Plans Manager” will be filled by current employees through job title changes. The new positions will report directly to the Chief Building Official.

Commissioners gave their approval for revised position descriptions and organizational chart.

Mr. Huber requested approval to proceed with revising intergovernmental agreements between Medina County and the villages of Chippewa Lake, Gloria Glens, Lodi, Seville, Spencer, and Westfield Center to obtain Board of Building Standards approval to enforce the Residential Code of Ohio through the Medina County Building Department. If these locations don't ratify their agreements by May 27, 2007, they won't have a building code. Commissioners gave their approval to proceed with these agreements.

Charles Huber asked that legislation supporting the request for the Ohio Board of Building Standards remove from Medina County's Ohio Building Code and Ohio Mechanical Code certification the exception for Use Group I-2. The group includes hospitals, nursing homes, mental hospitals, and detoxification facilities. Commissioners gave their approval for this and Mr. Huber will draft a resolution.

The discussion session was recessed at 10:20 a.m. so that the scheduled regular annexation hearing could be held.

Annexation Hearing

Stephen D. Hambley called the hearing to order at 10:20 a.m. with Sharon A. Ray and Patricia G. Geissman present. This was a scheduled annexation public hearing on 41.0702 acres of land on Carpenter Road from Brunswick Hills Township to the City of Brunswick.

A list of attendees is attached.

Mr. Hambley swore in those wishing to comment during the hearing and opened the hearing for opening statements.

Gregory Happ, Attorney, stated that he was agent for the petitioner. He stated that the 41.0702 acres of land is contiguous to the City of Brunswick on the north, south and east sides. Annexing to the City of Brunswick would provide for consistency of development. The plan is to build approximately 100 homes. He stated that the property would benefit from the annexation to the City of Brunswick as further testimony will demonstrate. He believes they will find all the statutory elements required for annexation have been met.

Ken Fisher, law director for the City of Brunswick, stated that he and City of Brunswick City Manager Robert Zienkowski were present to attest that Resolution 79-06 was passed by the City of Brunswick on September 11, 2006 to provide municipal services (police protection, fire prevention/suppression, EMS service, water service, and any and all other services rendered to residents) to the parcel of land.

There was no one present to make statements from Brunswick Hills Township.

There were no challenges to the validity of the petition's signatures and no challenges to the proof of authority of persons to sign the petition.

Mr. Hambley asked the Assistant Clerk if the following statements regarding the validity of the petition were true and she said they were true:

- a. Petition contains signatures of majority (51%) of owners

COMMISSIONERS MEETING, MONDAY, OCTOBER 30, 2006

- b. No signature was obtained more than 180 days before filing of petition with Clerk
- c. Accurate legal description of the perimeter and an accurate map/plat of the territory proposed for annexation was filed
- d. Agent was listed in the petition.
- e. List of adjacent property owners/land was attached

Mr. Hambley asked the Assistant Clerk if all the required procedures had been followed; she said they had. The hearing was opened for the presentation of the case.

Mr. Happ questioned Steve Sokol of Sokol Development, LLC. Mr. Sokol testified that he is the owner and petitioner, owning land to the south. He explained the surrounding area. To the south and north, there are 1/4-acre lots. To the west, there are 1/3-acre lots. To the east is Interstate 71. Mr. Sokol showed that there are two stub streets – White Willow Lane to the north and Sir John Drive to the south. Mr. Sokol stated that annexing the property to the City would mean better community services to maintain street and provide fire and safety services. Additionally, unless the property is annexed, there would be no water service.

Mr. Happ questioned Robert Schuler. Mr. Schuler testified that he is a managing member of the LLC and they are currently under contract to purchase all three parcels. It would be difficult to develop the land without water, making it a benefit for the land to be annexed.

Mr. Robert Sharick, an adjoining property owner living at 3367 Marpat Lane, Brunswick, Ohio, stated that he is in favor of the annexation, but pointed out that new construction should be happening at a slower pace. He expressed his concern that with so many large allotments being development, soon there will be no bare land for public use. Mr. Sharick stated that this development will only add to the already present traffic problems.

Mr. Zienkowski stated that the City of Brunswick is in the midst of obtaining traffic signals throughout the City. Traffic and thoroughfare studies have been made, with results forthcoming in July/August of 2007. Additionally, the City has examined stormwater management in order to help with flooding and water movement.

There being no further testimony, Mr. Hambley opened up the hearing for closing statements.

Mr. Happ thanked the Commissioners for their consideration. The materials presented before them have provided all of the elements of a regular annexation sufficient for approval from the Board. The property will not be isolated and no island will exist. It would be difficult to develop the land without water, making it a benefit for the land to be annexed.

There were no further statements. Mr. Hambley stated that the Commissioners have 30 days to make a decision.

Ms. Ray moved to close the public hearing on the annexation petition for 41.0702 acres from Brunswick Hills Township to the City of Brunswick at 10:41 a.m.; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Discussion Session (continued)

When the annexation hearing was adjourned, the discussion session reconvened at 10:47 a.m.

COMMISSIONERS MEETING, MONDAY, OCTOBER 30, 2006

Mrs. Geissman asked for consensus regarding supplying departments with a flyer about donating empty inkjet and laser cartridges to the Cloverleaf School District for their fundraising efforts. Mr. Hambley and Ms. Ray agreed.

Mr. Geissman noted that she met with Linda O'Toole of the Public Defenders Office last week and Linda will be meeting with Judge Lohn regarding necessary staffing to handle juvenile cases.

Mr. Hambley reported that there was a significant increase in membership dues for the Brunswick Chamber of Commerce. If Medina County joins as one organization, they are able to have up to five votes and the cost would be less than joining as individuals. Chris Jakab will investigate who are Medina County members at the present time.

Steve Hambley stated that one of the organizations had contested the scoring that was completed for the Clean Ohio Grant that is funded by the Ohio Public Works Commission. The Natural Resources Assistance Council (NRAC) will hold another meeting and the revised scoring may impact the grant for Chippewa Lake.

Chris Jakab reported that the Revolving Loan Committee will be meeting on Thursday to consider an application by Tire Source. It's possible that this may come before the commissioners next week. Mr. Jakab noted that new numbers are being received regarding the prescription benefit and will make a recommendation for 2007. Also, Tom Miller asked that Chris and Pat Geissman look at the dispatch center on Friday when the company representative will be there; the 911 Motorola equipment needs to be replaced because it is no longer supported.

Scott Miller noted that each commissioner should have received the annual report for the poison control center. The net revenue that the county received from the vehicle auction is \$31,550. Budget hearings will begin in December for 16 or 17 departments. He asked that commissioners supply him with two or three days that work well for them.

Bill Thorne asked if our local job and family services is being audited on a motion study. He noted that another county received an invoice for \$600,000 because there was extra audit work that needed to be done. Pat Geissman stated that this year's audit went well and took only a few days.

Mr. Hambley reported that Rob Mullins is coming Wednesday morning to meet with Scott Uhas, himself, and Rob Peters to talk about Wadsworth's desire to expand transit services within Wadsworth and to enlist the aid of Congressman Regular in acquiring attributable funds that go to Akron Metro.

At 11:05 a.m., the meeting was adjourned on a motion by Ms. Ray that was seconded by Mrs. Geissman. There was no discussion. Roll call showed all commissioners voting AYE.

RESOLUTIONS PASSED 10/30/06

<u>Number</u>	<u>Resolution Title</u>
06-1000	Resolution commending Romona Allison on receiving the National Nurse of the Year Award
06-1001	Resolution to allow claims and authorize issuance upon the treasurer in settlement of such list of claims
06-1002	Resolution determining the necessity to close S. Weymouth Road (C.H. 32) between Church Road (T.H. 267) and Weymouth Road (S.R. 3)
06-1003	Resolution approving the use of Subdivision Drainage Maintenance Funds for repair work in River's Edge Subdivision Phase 1 and 2 in Montville Township, Medina County, Ohio
06-1004	Resolution approving annual assessment on improvements constructed under authority of Section

COMMISSIONERS MEETING, MONDAY, OCTOBER 30, 2006

6131.63 Ohio Revised Code on 35.5274 acres of land in Lot 15 Tract 1 of Wadsworth Township known as Windy Hill Estates Subdivision Phase 3 and establishing thereby said improvements as a public watercourse

- 06-1005 Resolution amending the 2006 Appropriations Resolution by transferring appropriations
- 06-1006 Resolution amending the Annual Appropriation Resolution
- 06-1007 Authorizing the purchase of 8,000 gallons of regular unleaded gasoline for the Engineering Center
- 06-1008 Resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
- 06-1009 Approval of a proposal with Kohanski, Arnold & Chin Architects for strategic planning services for the Medina County Drug Abuse Commission
- 06-1010 Resolution authorizing the Sanitary Engineer to advertise for bids to repair the trommel screen drum at Medina County Central Processing Facility
- 06-1011 Authorizing the Sanitary Engineer to obtain easements for various sanitary sewer and water improvement projects
- 06-1012 Resolution to allow expenses of county officials

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this thirtieth day of October, 2006.

Respectfully submitted,

Peggy Folk, Assistant Clerk

COMMISSIONERS

Stephen D. Hambley

OF

Sharon A. Ray

MEDINA COUNTY

Patricia G. Geissman