

## COMMISSIONERS MEETING – MONDAY, SEPTEMBER 15, 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 September 2 and September 8 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 on the September 2 minutes and showed Ms. Ray and Mrs. Geissman voting AYE on the September 8 minutes, with Mr. Hambley abstaining.

Doug King, Administrative Assistant in the County Engineer's Office, presented 2 resolutions to close a section of Grafton Road this week for railroad repairs and to authorize the submission of applications and execution of contracts to the Ohio Public Works Commission for Issue 2 funding. Mrs. Geissman moved to approve the 2 resolutions; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Matthew Gallo, Hamilton Road, noted that Hamilton Road near Foskett Road is broken up, noting that it has become a major truck route. The bad pavement area is about 200 foot before Foskett Road. He asked that the Engineer's look into this.

Doug agreed that they would look at the road.

Mr. Gallo thanked Doug for having the weeds cut on South Weymouth Road.

Chris Jakab, Finance Director, presented resolutions amending the annual appropriations by transferring and increasing or decreasing appropriations, authorizing the purchase of a replacement cooling system for the County Administration Building and declaring an emergency, various fund transfers, purchasing fuel for the Engineering Center from Ports Petroleum, and the weekly bills in the amount of \$811,969.33. The cooling system replacement being replaced provides the ventilation on the first floor and was in excess of the \$15,000 bid limit. The cost was \$19,520. Chris noted that effective September 26 the bid limit increases to \$25,000. Mrs. Geissman moved to approve the 5 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.

Gary presented a resolution amending the termination of an employee in the Sanitary Engineer's Office. This modifies the termination to reflect a resignation date of March 23, 2003. Mrs. Geissman moved to approve the amendment; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, had no resolutions today.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the submission of an application and execution of a contract with the Ohio Public Works Commission for Issue 2 funding for the County Water Supply Loops 2004 projects. Mrs. Geissman moved to approve the application and contract; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution to release the escrow account of Fabrizi Trucking and Paving for the Columbia Road sanitary sewer extension. This is the extension for Buckeye High School. Mrs. Geissman moved to approve the release; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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Ken presented a resolution to obtain easements for the sanitary sewer and waterline relocations on S.R. 18. Mrs. Geissman moved to approve obtaining easements; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing the advertisement for bids for lawn maintenance and snow plowing. This bid is done every 2 years for the Sanitary Engineer facilities as well as county facilities. This year the bids are being accepted in one package and hopefully will result in lower bids. Mrs. Geissman moved to authorize the advertisement; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizing an agreement with the Ohio Water Development Authority for the S.R. 18 waterline relocation project and our portion of the Foote Road waterline. Mrs. Geissman moved to approve the agreement; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution authorizes accepting an easement for a waterline that will be installed in Hinckley. The County will own the line and the City of Cleveland will maintain the line. Mrs. Geissman moved to accept the easement; Seconded by Ms. Ray.

Mr. Hambley asked if this is the easement that was discussed several weeks ago.

Ken agreed it was the same easement, noting that Bill Thorne, Assistant Prosecutor, had made some changes in the language of the easement.

There was no further discussion.

Roll Call on the motion and second to accept the easement showed all Commissioners voting AYE.

Mr. Gallo asked if Ken can tell when the grading will be finished for the new waterline that was installed on Remsen and Foskett.

Ken stated that they have started. The weather has caused some problems with getting this done and there are several areas involved. There is so much that needs to be cleaned up and they are working on it. A letter is being sent to property owners asking them to let their department know if there are any serious problems so those can be addressed before bad weather comes in.

Mr. Hambley stated that if there are no objections he would like to move up the agenda item regarding the Akron University Technology Park. There were no objections. A press release was distributed. There has been work going on development of a University Center. The partnership has involved the Economic Development Corporation, the University Center Task Force and the Transportation Improvement District (TID). On behalf of the TID the Commissioners applied for a grant from the Ohio Department of Development for the installation of roads within that Center property as well as a Research & Development Park. Late last week news was received, and State Representative Chuck Calvert, who was very helpful in getting positive news on that grant application, is present today.

Representative Calvert stated that when he started at the State 4 years ago one of the things he pushed for was an increase in technology in the State. He didn't dream of that happening in our county at that time. This is a start to bring a university center, which has received state and federal funding as well as local support. It is wonderful that a technology park is part of that university center project. The County requested a grant for the development of the infrastructure (roads), and they will receive \$1 million for this. This is a beginning and there are more opportunities to obtain federal and state funding for this.

Mr. Hambley thanked Representative Calvert and State Senator Ron Amstutz for their support of this project. There is a distinct relationship between what is going on with the Center

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in terms of higher education opportunities and a technology park that is geared towards training and education for typical students but for those engaged and employed in those research and development firms. He introduced Will Koran, representing the University Task Force.

Mr. Koran noted that he is representing Jim Boyes, and stated that the Task Force, which has about 40 representatives, has been working for 3-4 years to bring the University Center to Medina County. This Center is not just a place for people to get their 4-year college degree. That is what a college campus is for. This is for continued education and for businesses that need specialized programs. This will provide for a center that will expand out and help our economic development across the county. The technology park portion will bring in more research, technology and capital into the county. He thanked Representative Calvert and the Commissioners for working diligently to make this happen.

Mr. Hambley introduced Conrad Sarnowski, Chairman of the TID.

Mr. Sarnowski stated that this is definitely a different type of project for the TID, noting that the TID normally recommends projects because at one time the State wanted a committee representing the villages, cities, townships and the county. Those projects recommended would then go through the County Engineer. This is actually a TID project that is being paid through the County Commissioners and the State. One of the biggest jams in this project was the money, which was estimated at \$1.2 million. Receiving this \$1 million will definitely make this project a reality and the entire Center project is very important to the county.

Mr. Hambley stated that we appreciate the opportunities that the TID has offered to make a major step with this project. Work is taking place now with the Township to develop PUD language in their zoning code to make sure the concept plan, which was adopted a month ago, is what the community wants. The intent is to make sure the technology park looks like a campus of the University of Akron. There will be public meetings in the coming weeks with the Township Trustees and Zoning Officials to develop the PUD regulations. The receipt of this grant is a first and major step in that direction. He thanked the State for the funding. This is what cooperation and coordination can do. This is part of the initiatives that Ohio needs to do to stimulate our economy and to make sure we don't become a second-rate state.

Rita Holt asked if the grant is exclusively for the campus roads or if it includes the roadway to access the campus area.

Mr. Hambley stated that originally the proposal was that there would be only access on Route 162. This grant builds the infrastructure within the parcel itself and also connects to Lake Road. In terms of ODOT and 162 benefits, it will make sure that the stop signs at 162 and Lake will stay functional. If everyone goes out through 162 another traffic study would be required and possibly a light at that intersection. A traffic study is being done now as part of the planning process, but all numbers indicate that dispersing traffic between 162 and Lake Road will keep the roadways functional. Every indication at this time is that there should not be any other major improvements required. If there is any improvement needed, it would be an acceleration and deceleration lane getting into the technology park, which would be at the cost of the county and property owners.

There was no further discussion relative to the grant for the University Center.

Mike Pataky, Child Support Enforcement Agency Director, stated that under state initiatives the state has had a program in place to try to go after those that don't pay their support on a timely basis. The process was re-bid and they have chosen one vendor, which is the one that our agency had selected in the past. In addition, the agency can take more advantage of what they are offering in the way of seeking bank accounts, etc. and take action. In the past, the Agency has taken care of that, but now the vendor will work in conjunction with the Agency. There have been some small releases as well as one major release coming from the State that will bring things into alignment with the Ohio Revised Code now that the system has been certified. There are some personnel issues involving people moving on and getting internal changes in

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place within the Agency. Through questioning, he stated that the new release should not cause any additional down time. They have down time during the first 2 days of each month and they are planning to use the normal down time for these updates.

Susan Hirsch, Planning Services Department, reported that the Zoning Workshops have started back up. Last week they had a tour of the Avon/Avon Lake area and they had such a good response that they had to turn people away. A repeat tour is being scheduled. The tour included conservation and cluster home developments, and adult communities. The next workshop will be October 16 regarding homeowners' associations. She presented information to the Commissioners that was presented on the tour.

Art Verdoorn, Building Official, presented and reviewed the August building report, which reflects that the trend for construction is staying the same. They issued 110 new permits for single family homes versus 92 that were issued in August 2002. The year-to-date figures show 698 permits were issued versus 622 for the same period last year. We were seeing an increase in the number of permits with lower costs per construction, which is based on the square footage. Commercial is down about half in August versus last August and is down 1/3 for the year-to-date. He feels this reflects the economy and that it will come back next year.

Mr. Hambley noted that Montville is still the highest construction area with Brunswick Hills right behind them.

Art agreed, noting that Lafayette and Hinckley have also increased. These are the areas where the major subdivisions are located.

Mrs. Geissman stated the average construction cost is up to \$196,000, which doesn't include the cost for the land.

Art stated that these are based on the size of the homes per the contractors. This comes out to a 6% increase over the average for last year. It doesn't take many custom homes to increase that average.

John Jones, Transportation Service Director, presented and reviewed the statistics for August. Ridership on the "L" was 1,143, the Homerville Circulator was 58, demand response was 8,062, and the Southwest Circulator was 149. Total ridership was down 7% over last August and is the first time there has been a turn down in a year. The "L" continues to go down although it has somewhat stabilized. Ridership on the "L" has decreased 16% for the year; however, there are some weeks that they exceed the previous year totals. They have traveled 496,544 miles for the year and used 56,309 gallons of fuel. Normally they use 64,000 gallons in a year. Cost per mile is still at \$1.42, which is in line with state average. On-time performance is at 95%. The passengers per service hours is 2.37 for the year and he would like to see that increase. There were 3 vehicle breakdowns that all involved wheelchair lifts. There were no accidents in August. The state grant was filed on time for their operating and capital for a total application of \$990,000. They will purchase 5 new vehicles and some new computer equipment. He is working on a 4-year capital plan now which will include an upgrade of the radio system for 2005. They have had problems communicating with their buses with low-band system being used, particularly in the Wadsworth area. The plan will also include plans for construction of a new building in 2007 at an estimate of \$1.8 million. He noted that Transit provided transportation on Labor Day on the Presidential visit with the Operating Engineer's and moved 5,000 individuals that day.

Mr. Hambley noted that the down turn on the "L" is shifting to the demand response, which increases the county's cost. Conversations with the City of Medina need to continue to work on reversing that.

John stated that he talked with the Engineer's Office about using their maps to overlay the routes for next year. The budget that was put together and submitted to the State does not

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allow for expansion and encouragement will be made for walk-on transportation where the buses are already scheduled.

Mr. Hambley presented a resolution proclaiming September 23 as Medina Metropolitan Housing Day. He noted that they will be holding an open house. Mrs. Geissman moved to approve the proclamation; 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.

Mr. Hambley noted that the next item is the review of the Expedited Type 2 petition for annexation. This is not a standard annexation public hearing, but there is an obligation to review the request. The review will be open for public comment. He noted that the resolution before the Commissioners for consideration is to reject the annexation based on a number of conditions, such as the objections that were filed by the City of Medina and the Medina Township Trustees.

Bill Ostmann, Medina Township Trustee, reiterated the Township's objection to the annexation.

Rita Holt, 4420 Nettleton Road, stated that as a former Trustee, former President of the Medina County Township Association, and as a resident, she objects to annexation of parcels of land that already have infrastructure. This is simply a density driven annexation and she doesn't believe the Ohio legislature made the Board of Commissioners a "rubber stamp" board on these. In view of the financial situation of the City, she understands why they are not interested in this residential piece of property. All parcels become contiguous with one annexation.

Gene Sulenski, 4710 Foote Road, stated that he has numerous signatures objecting to the annexation.

Mr. Hambley asked that those be submitted to the Clerk at the end of the review to make it part of the record.

Todd Ruppelli, Medina Township Trustee, stated that he would also like to confirm that the Township objects to the annexation.

Ed Hilkowski, 4932 Foote Road, asked if the vote has already been taken and if they can be told what the objections are.

Mr. Hambley stated that there is a resolution before the Board for consideration and there has been no vote; it is still open. He will go through that list before a vote is taken, but he wanted to open this up for public comment. The (Ohio Revised) Code is very specific for an Expedited Type 2 review and the Board has to consider the indications of the Township Trustees as well as the City in this matter. There are other issues as well that are outlined and it will be open for discussion among the Board. This is the first under the new annexation laws and this is a normal review process. Bill Thorne, Assistant Prosecutor, is trying to keep us in line with what the State legislature felt should be done. We have to give due consideration to the property owners, township, and city as well as adjoining residents.

Mary Dzekowski, 4700 Foote Road, stated that she just moved to Foote Road in August from Medina City. She didn't move there so that she could get surrounded by cluster homes or whatever the plans are for this property. She appreciates having her parcel of land and the freedom on the street to do that.

Richard Alspach, 4750 Foote Road, stated that he and his wife both object to any annexation because it would be the first step in annexing more property and the City has nothing to offer except higher taxes and poorer service. The county does a terrific job taking care of the

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street and there are no complaints. The Township used to take care of this and also did a good job. There is no need to annex just to pay higher taxes. If it is annexed and they build cluster homes there will be a few undesirables. His brother used to live next to undesirables and his property became everybody's. They request to have the area stay the way it is.

Jennifer Hensal, Attorney and Agent for the Petitioners, stated that she doesn't want to speak to the affect on the township residents or the city, but to speak regarding the petition and the new section of law in which it was filed under. It is their position that this annexation petition is approval under Section 709.023(D) because the City was to file objections within 25 days and that was not done. Failure to file objections by 25 days shall be deemed as consent under the statute. The Township was also to file objection within 25 days and they had done so by filing August 29. The statute requires that those objections be based solely on the terms of Sub-Section (D). Her review of their objection does not speak solely to those issues and does not address any of those issues. The strange part of this annexation petition is that within 20 days there was supposed to be a resolution from the City stating what services they would provide. That was not done. The statute does not speak about what happens when that is not done. They did note in their untimely objection that they would not provide any services. The residents are correct water and sewer are available on the road, but that it is a factual determination that doesn't enter into the Commissioners' review of the expedited petition. The petitioners would submit that the petition itself, which needs to be reviewed before the expiration of 45 days, has to be approved under Sub-Section (D) because it's the only place it fits within the perimeters of that statute. It was a strange sequence of events since the filing of the annexation petition and today that brought us there. They would submit that it has to be approved under those grounds.

Mr. Hambley asked Bill about the issue regarding the delay of the City providing their resolution objecting to the annexation.

Bill stated that he wasn't aware of that and he would have to look at the details that were raised.

Mr. Hambley stated that in conversations with the Clerk there are provisions regarding procedural defects and that the Commissioners could consider that a procedural defect, which would not hinder the Commissioners from considering the wishes of the City.

Bill stated that it is correct that the statutes provide that if there is no objection within the time frame that it is deemed they have approved it.

Mr. Hambley stated that is unless there is a procedural defect and then the Board could overlook that time frame knowing that they were going to object.

Bill stated he is not sure that is a procedural defect. It is clear that if they don't do it within the time frame it is deemed approved. They are supposed to also provide the documentation of the services they will provide and when they will be provided.

Mr. Ostmann stated that he has the notice of filing for annexation that was received August 19 by Medina Township and the letter objecting from the City was approved on September 9, which appears to be within the time frame.

The Clerk confirmed the City's objection was approved on September, which would have been within the 25 days, but it was not received in the Commissioners' Office until September 11.

Ms. Hensal stated that the statute specifically says it must be filed with the Board of County Commissioners within the 25 days. She would submit that the Commissioners have legal counsel with which to review this.

Mr. Hambley assured her that it will be reviewed with counsel.

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Carol Gerspacher, 4689 Foote Road, stated that their property adjoins the property proposed to be annexed. Foote Road is now a county road and has county water and county sewer. To have that parcel annexed there would be a hole in the middle of the road, which would be a pain in the neck with the county plowing to where their lots start, got a couple of hundred feet not plowing, and then plow again.

Mr. Hambley stated that there are many of those circumstances throughout the county where there is municipality, township, and then municipality as well as county, township, city, and township. There is an agreement worked out as to who takes care of the roads. With a county road, they will just plow on through regardless of whether that small section is city. He does understand her point regarding maintenance of the road.

Ms. Gerspacher stated that the other issue, which is the primary issue, is the traffic. Foote Road is already a bypass and with the new road it's going to be Foote Road freeway, regardless of the speed limit. If this is annexed and they put in 75 homes, that's a minimum of 150 cars every day in addition to the traffic that is already there. She questioned if there will need to be traffic lights every 50 feet so people can get out of their driveways. It will really turn into a nightmare and she asked Commissioners to vote this down. It will tear the road apart and it doesn't make any sense. The primary reason for annexation as far as she can see is financial gain to the landowners.

Linda Sekerak, 4755 Foote Road, seconded Ms. Gerspacher's comments.

Matthew Gallo, 3503 Hamilton Road, asked if this will create an island.

Mr. Hambley stated that it will basically create a peninsula if you consider the Lake Medina property. Technically an island cannot be created of city property within a township, but a peninsula or even small slivers of municipal land are allowable.

Mrs. Holt stated that she would hate to see the expedited annexation happen by default and she feels the Commissioners really need to look back at those dates, etc. She noted that the Lake Medina property was annexed by a 60 foot easement, which was questionable to begin with. There is not much logic in all of this. This is a density driven annexation. When we talk about some of the issues as far as the benefits to the land; is it benefit to the land or benefit to the landowner? That's a question that should be weighed very heavily.

Mr. Hilkowski stated that unless there are provisions for more exit routes off Foote Road or another way to get in and out, it would really tax Foote Road as a whole with more development on it.

Terry Sinclair, 4660 Foote Road, stated that the traffic is so bad residents are afraid to get their mail because it's a danger. They can't get in and out and if you're trying to get a trailer in your driveway people are yelling, honking and don't want to wait. More traffic on the road will cause danger to all the residents, kids and pets. This is a bad idea.

Mr. Hambley asked the Clerk how long the Commissioners have to make a decision. He noted that under the new annexation laws the Clerk becomes an advisor because of the complications of the different types of annexations and has the authority to accept petitions on behalf of the Commissioners and to help set up rules.

The Clerk stated that the decision has to be made at next Monday's meeting.

Mr. Hambley stated that there are some legal issues that need reviewed. The resolution rejecting the annexation petition is being considered, and it will be reviewed with legal counsel to get resolution to the issues that were raised. There will be action taken next week.

Delores Kungli, 4922 Foote Road, stated that she lives along the proposed road that goes back to the 40 new homes and she believes it is a mistake to build anything without having an

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exit road. There is a lot of traffic along the road and noted that each new home will generate 2-1/2 cars.

Mr. Hambley noted that the Planning Services Department generally views these as well with the preference for more than one access point.

Mr. Gallo asked where the advantage is as far as police and fire protection. The Township can provide what the City has and even better. He doesn't understand where the advantage is with annexation.

Ms. Holt stated that there are 3 roads, 1 county and 2 township, Foote, Nettleton and Windfall, that drain traffic from that section of the county down to Rt. 18/I-71. Dave Miller, County Engineer, told her that there are around 7,000 cars a day on Nettleton Road. This is the same thing on Windfall Road. There is a greater impact on Foote Road with the opening of Reagan Park. If you look at the map there is no other way for people to go; Nichols, Granger, Windfall, and Nettleton Roads come across Route 3 onto Foote Road.

There were no further comments received relative to the annexation petition.

The meeting was opened for public comment.

Steve Piscotch, Chippewa Lake Park, stated he heard the County is going to buy the park and pass it off to the Park District.

Mr. Hambley stated that is incorrect. The Commissioners are not engaged in any property acquisition in Chippewa Lake. The Park District has acquisitions they are doing around Chippewa. The Park District Commissioners are appointed by the Probate/Juvenile Judge and he would have to talk with them. Commissioners are not privy to their plans. The only thing the County Commissioners are doing in Lafayette Township involves the University Center at Route 162 and Lake Road.

Commissioners agreed to move the discussion session to the morning following a brief break. The meeting was recessed at 10:34 a.m.

Commissioners reconvened the meeting at 10:44 a.m. for the discussion session.

Ms. Ray noted that she is interested in attending some of the discussions scheduled at the CCAO Winter Conference on December 1-2. It was noted that Mrs. Geissman will be attending the conference. After a brief discussion Commissioners agreed to move their December 1 regular meeting to Thursday, December 4.

Ms. Ray stated that met with Jim Conrad, Medina County Convention & Visitor's Bureau, regarding the Community Center. He is interested in selling advertising space at the Community Center.

Through discussion, it was noted that after previous discussions on this a brochure rack was put on one of the Center walls. There had also been discussion about having advertising on the ceiling beams. For some reason the advertising was never followed through with. Ms. Ray will continue to work on this using the guidelines and agreements that were established for advertising on the Transit buses to set up policies for this advertising.

Mr. Hambley reported that he has talked with the Lafayette Township Trustees, their Zoning Chairman and the Planning Commission regarding establishment of Planned Unit Development (PUD) zoning for the University Center. A meeting is planned for September 24 at 7:00 p.m. in the Balcony Room with the Township officials and representatives from Akron University. This will be a Commissioner-lead public meeting to work on the required text for this type of zoning. It is not a decision-making meeting. A record of the meeting will be needed, and invitations will be sent out for the meeting.

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Mrs. Geissman noted that Medina and Montville Townships definitely want to go with Medina City for dispatching even though Medina City is still concerned because they have the equipment, but they aren't sure they have the towers, etc. This is still being investigated and the City has given the townships a "ball park" figure for dispatching service. Medina Township is paying around \$78,000/year and their new amount will be between \$48,000 and \$52,000. The new contracts for dispatching with the Sheriff are due October 1 and they want to know if they can have a monthly contract instead, noting that there is a 90-day out clause in the agreement. They asked if the Sheriff would cut them off January 1 and she felt he would not do that. She knows that we are trying to get some true figures on what we can do. She understands the City will not have to hire more dispatchers taking in these townships, but the County will be able to lay some off if they leave.

Chris Jakab stated that he talked with Mayor Jane Leaver and they are currently down 2 dispatchers currently and they will be filling those slots, and she felt that with the decrease in call activity due to layoffs in their police department that the additional call activity will offset each other. The 90-day clause in the current agreement is for this calendar year. October 1 was given to the townships as the deadline for new contracts, but realistically those contracts don't go out until February or March because we wait to adopt the budget. They won't get their new contracts until late February at the earliest. Through questioning, he feels they should give 60-days notice because the Sheriff will have to make staffing changing with decreased activity. He does not feel that contracting with Medina City is contingent upon the passage of their income tax measure. He noted that the townships haven't received all of the cost information from the City yet. They have only received information on police calls, but not fire and EMS.

Mrs. Geissman stated that the cost from \$78,000 to \$52,000 is a significant difference and she doesn't understand how the City can do that.

Chris stated that the true identification of the city's cost haven't been calculated yet. The Sheriff's dispatch does a lot of things that the others don't such as working with the courts and paperwork. He has talked with Tom Miller and they are working on identifying some of the costs that shouldn't be in the dispatch budget. Both Mayor Leaver and Trustee Chris Kalina said that the cost is their secondary consideration and that the thing driving this move is the formation of a fire district. His suggestion is to send a letter to the 2 townships requesting a 60-day notice with their new projected costs will be. Another important issue is that a couple of years ago the call activity was 50/50 between the Sheriff and non-Sheriff activity. Lately that has changed to 65/35 so the budget needs to be adjusted.

Ken Hotz noted that the estimate for generators for the pumping stations is \$180,000. Avon Lake and Lorain are adding generators to their facilities as well. Hopefully by the end of the year we'll all be completely self-sufficient.

Chris stated that he is meeting with the Athens County Public Defenders Office on October 2. Ms. Ray will be attending the meeting at least to accompany them to the Wadsworth Municipal Court.

Ms. Ray noted that she notified both judges relative to the termination of the pay-to-stay contract.

Chris noted that is another thing that occurred last week. In response to the Sheriff's request to terminate the contract he contacted IntelliTech and there are no problems with this. The Prosecutor's Office was preparing the document for termination.

Frank Gasper, Assistant Prosecutor, presented copies of the agreement to terminate the contract effective September 10, 2003. He understands the Sheriff has signed and the document is being delivered to their office. Mrs. Geissman moved to approve the agreement to terminate; Seconded by Ms. Ray. There was no further discussion. Roll Call showed all Commissioners voting AYE.

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The agreement to terminate the contract with IntelliTech, which was signed by the Sheriff, arrived during discussion for the Commissioners' signatures. Frank will have it overnighted to IntelliTech.

Bill Thorne, Assistant Prosecutor, stated that he needed an Executive Session to discuss a lawsuit the County is involved in. This is pending litigation.

Bill also noted that he received information from Akron University. There are some changes needed and he will bring that in next week to go over with the Commissioners at their discussion session.

Bill stated that he will work with the Clerk relative to preparation of a resolution on the decision for the annexation petition that was reviewed this morning.

There was no further business before the Board for discussion.

Mrs. Geissman moved to recess into Executive Session at 11:10 a.m. to discuss pending litigation; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

At 11:28 a.m. the Board adjourned the meeting.

At 1:30 p.m. the Clerk received bids for the River Styx Road culvert replacement package from ABC Piping Company and HSH Construction. The bids were turned over to the Highway Department for review and recommendation.

### RESOLUTIONS PASSED:

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|---------|--|
| 03-0740 | RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS  |
| 03-0741 | RESOLUTION PROCLAIMING SEPTEMBER 23, 2003 AS "MEDINA METROPOLITAN HOUSING AUTHORITY DAY"   |
| 03-0742 | RESOLUTION DETERMINING THE NECESSITY TO CLOSE GRAFTON ROAD (C.H. 42) BETWEEN COLUMBIA ROAD (S.R. 252) AND LIVERPOOL DRIVE (T.H. 232)   |
| 03-0743 | RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS TO SUBMIT APPLICATIONS AND EXECUTE CONTRACTS TO THE OHIO PUBLIC WORKS COMMISSION FOR ISSUE 2 FUNDING |
| 03-0744 | RESOLUTION AMENDING THE 2003 ANNUAL APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS   |
| 03-0745 | RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION  |
| 03-0746 | AUTHORIZING THE PURCHASE OF A REPLACEMENT COOLING SYSTEM FOR THE COUNTY ADMINISTRATION BUILDING AND DECLARING AN EMERGENCY   |

**COMMISSIONERS MEETING – MONDAY, SEPTEMBER 15, 2003**

- 03-0747 CASH TRANSFER FOR FELONY DELINQUENT CARE GRANT FUND
- 03-0748 RESOLUTION AUTHORIZING THE PURCHASE OF 3,700 GALLONS OF PREMIUM UNLEADED AND 4,000 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 03-0749 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 03-0750 AMENDING RESOLUTION NO. 02-813 TERMINATING STEVE SNYDER, LINE MAINTENANCE WORKER, SANITARY ENGINEERS
- 03-0751 RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS TO SUBMIT AN APPLICATION AND EXECUTE A CONTRACT WITH THE OHIO PUBLIC WORKS COMMISSION FOR ISSUE 2 FUNDING FOR THE MEDINA COUNTY WATER SUPPLY LOOPS 2004 PROJECTS
- 03-0752 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF FABRIZI TRUCKING & PAVING FOR THE COLUMBIA ROAD SANITARY SEWER EXTENSION MCSE#S-500/00-188.1
- 03-0753 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER AND WATER IMPROVEMENT PROJECTS
- 03-0754 RESOLUTION AUTHORIZING THE SANITARY ENGINEERING DEPARTMENT TO ADVERTISE FOR BIDS FOR LAWN MAINTENANCE AND SHOW PLOWING SERVICES FOR THE SANITARY ENGINEERING DEPARTMENT AND VARIOUS MEDINA COUNTY FACILITIES
- 03-0755 RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT FOR THE S.R. 18 WATERLINE RELOCATION PROJECT AND THE FOOTE ROAD WATERLINE PROJECT AND THE OHIO WATER DEVELOPMENT AUTHORITY
- 03-0756 AUTHORIZING THE ACCEPTANCE OF AN EASEMENT FOR A WATER IMPROVEMENT PROJECT
- 03-0757 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