

COMMISSIONERS MEETING – TUESDAY, SEPTEMBER 2, 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 August 25 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.

Doug King, Administrative Assistant in the County Engineer's Office, presented 4 resolutions to accept and award the bid for the replacement of Bridge No. 12 on Hartman Road to HSH Construction & Excavating, approving the use of Subdivision Drainage Maintenance Fund for repair work in Fox Meadow Subdivision Phase 2, approving the annual assessment on improvements & creating a public watercourse and approving the final plat for the Signature of Sharon Subdivision. Mrs. Geissman moved to approve the 4 resolutions; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Doug reported that a section of Seville Road has been closed due to damage on a bridge from an auto accident over the weekend. Ohio Bridge is coming out to survey the bridge for any structural damage.

Chris Jakab, Finance Director, presented and reviewed resolutions amending the annual appropriations by increasing or decreasing and transferring appropriations, transfer of funds, revenue adjustment for Workforce Development Fund, purchasing fuel for the Engineering Center from Ports Petroleum, approval of an Internship Agreement between the Planning Services Department and the University of Akron, approving submission of a proposal for Home Energy Assistance Program (HEAP) for the Office for Older Adults, and the weekly bills in the amount of \$649,255.01. The Internship Agreement runs from August 25 through December 13, 2003 and will be paid from the Tax Map Fund. The HEAP agreement is a renewal for the period of October 1, 2003 through March 31, 2004. Mrs. Geissman moved to approve the 7 resolutions and payment of the bills; Seconded by Ms. Ray.

Mr. Hambley noted that Juvenile Court has signed a contract for services for their drug court instead of creating new positions/salaries.

Chris added that the contract is with ADDS and they are still waiting to receive information on the federal grant that was applied for.

There was no further discussion.

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

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve the personnel changes; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution adopting admission policies and procedures for the Medina County Home. The County Home Advisory Council and County Prosecutor's Office spent a lot of time preparing and reviewing this document. Last week the Advisory Council made some minor modifications and now recommends approval by the Board. This will be used as a basis for a lot of the policies to be established for the County Home. Mrs. Geissman moved to approve the admission policies and procedures; Seconded by Ms. Ray.

Mrs. Geissman stated that it has taken a lot of time to get this and it is good to see this document that will help facilitate taking in residents at the Home.

John noted that is the hope and that is part of the reason so much time was spent on it.

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Mr. Hambley added that the Advisory Council had put a document last April and it has been reviewed and refined by attorneys. A separate consultant was used to check the document relative to ADA and fair housing issues. This has taken a lot of time and effort, and he thanked all of those involved.

There was no further discussion.

Roll Call on the motion and second to approve the admission policies and procedures for the County Home showed all Commissioners voting AYE.

Jim Troike, Assistant Sanitary Engineer, presented a resolution certifying the delinquent sewer accounts to the County Auditor, noting that Commissioners received the summary of accounts last week. Mrs. Geissman moved to approve the certification; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Jim presented a resolution authorizing the release of the escrow account for Siegfert Inc., the mechanical contractor, for the Central Processing Facility (CPF) addition. Mrs. Geissman moved to approve the release; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Jim presented a resolution to obtain an easement for a private entity that needed access to the sanitary sewer. A parallel line had to be run for this connection. Mrs. Geissman moved to approve obtaining the easement; Seconded by Ms. Ray.

Mr. Hambley asked if this is by Topps on Center Road, and asked if this is going to be the case for access to all of those developing there, noting that there are lots there that will eventually develop.

Jim agreed to the location, and stated that this one was difficult because the sewer is under the street and the City didn't want them to open-cut the street. Most of those connections are already there.

There was no further discussion.

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

Jim presented a resolution accepting and awarding the bid for the S.R. 18 waterline relocation project that will occur between Windfall Road and I-71. Mrs. Geissman moved to accept and award the bid; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Dr. Ross Santamaria, Diversion & Forensic Services Director, reported that their fees are up, noting that they are seeing a lot of people. Their caseload is currently at 200. They are receiving more cases through Medina Municipal Court for underage drinking. He noted that Medina Municipal Court has started taking the same action of Wadsworth Municipal Court in these cases. For underage drinking the offender is put on house arrest for 15 days, given community service, and given the chance to go through the First Offender Program. He noted that the malpractice insurance has been taken care of and will probably have to be reviewed annually.

Jim Doutt, Economic Development Corporation Director, presented a resolution approving the Enterprise Zone Compensation Agreement for 3M Company. 3M is a Fortune 500 company that has purchased the old Emtech property in Medina. There were several locations in the Midwest that were competing for this operation. Their proposal is for a \$2.2 million real property investment with a \$6.3 million personal property investment that will create 34 new jobs. The City of Medina will benefit as they will still collect income tax from the jobs that are created. Currently there are 91 employees at the company. 3M also received job creation tax credits through the State in the spring. They have applied for creative abatement which will allow for 50% abatement on real and personal investments over a 10 year period. With this they have agreed to pay the City School District \$141,291 over that period. 3M will save \$204,000 over 10 years on the real property taxes and \$468,000 on personal property taxes. The School

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Board and City Council have approved the agreement. Mrs. Geissman moved to approve the agreement with 3M; Seconded by Ms. Ray.

Mr. Hambley noted that 20 of the new jobs are planned for by the end of this year.

Jim stated that they could have stretched the job creations over 3 years, but they have determined a need for them sooner and will have them all filled in 2 years. The job creations are audited locally and by the State.

Mrs. Geissman asked about the average salary for the jobs.

Jim stated that they will be starting between \$11 and \$12 an hour plus benefits.

Mr. Hambley stated that it is good to see manufacturing increasing activity and hopes that is a good sign.

Jim agreed, noting that it has been through a slow period for several years.

There was no further discussion.

Roll Call on the motion and second to approve the agreement with 3M showed all Commissioners voting AYE.

Mr. Hambley presented resolutions commending Jack Mansor and Willard Ralph Moore III on earning the Eagle Scout Award. Mrs. Geissman moved to approve the commendations; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Mr. Hambley presented a notice of a new liquor permit for BHMG LLC in Montville Township. There have been no comments or concerns received.

The Clerk read the resolution to allow expenses of county officials. Mrs. Geissman moved to allow the expenses; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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

Commissioners recessed the meeting at 9:48 a.m.

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

Gary Berkowitz presented a resolution authorizing the probationary removal of an employee in the Sanitary Engineer's Office. The employee's probationary period was extended to give him more time to adapt, and the recommendation is now for removal. Mrs. Geissman move to approve the probationary removal; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray asked if the others and Prosecutor had received the latest filing by Steve Boziak.

Bill Thorne, Assistant Prosecutor, stated that there is a hearing today, noting that the last 2 filings were dismissed as frivolous and meritless. Hopefully there will be a requirement for review before he files anything further so the hearing process doesn't have to be undertaken on each filing. Hopefully this third hearing will be dismissed as well.

Ms. Ray noted a letter was received from Montgomery County with a request to send a letter to Ken Blackwell asking him to request a waiver for the replacement of election equipment.

Through discussion on this, it was noted that originally the equipment was to be in place and tested in the 2004 general election. There have been problems with the equipment and there are some security issues that need to be resolved. Mr. Blackwell has been extremely strong on

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the position of not requesting an extension to 2005 and it was noted that there were incentives from the feds to get this taken care of by 2004. However, if a waiver is granted, the loss of the incentives is not an issue. It is felt that use of new equipment by 2005, which is a non-Presidential election year, would give entities more time to make sure the equipment works properly, and if there are problems with any equipment, it would not be in such a large election. Commissioners agreed to have a letter sent to Mr. Blackwell.

Ms. Ray noted that she has reviewed the changes to the Application for Committee Appointment and has no problem with the changes.

Ms. Ray presented a letter to Ken relative to a flood problem. In review of the letter, Ken noted that this is a storm water culvert that falls under the County Engineer's jurisdiction.

Mr. Hambley stated that he talked with Dan Willhoite of the Engineer's Office on Friday. A field engineer had explained to the gentleman that their office had been inundated with calls, there were more pressing flood issues, and he would be put on the list. Apparently the gentleman was not satisfied with the answer he received. Dan was going to call the gentleman on Friday to set up a specific date to go out and talk with him.

Mrs. Geissman asked if the letter regarding the lack of speed limit signs on State Road was brought to the Engineer's attention, noting that without signs the speed limit is 55 MPH. The letter is asking that the County stay on top of this issue.

Mr. Hambley stated that he will talk with Dave Miller, County Engineer, about this.

Mrs. Geissman asked if Ms. Ray has decided on a charity in regards to the Charity Ball.

Ms. Ray stated that she will have a decision by the end of this week.

Mrs. Geissman stated that she received a call regarding the Buffham Road waterline and a ditch that is still messed up.

Ken stated that the problem is that the township is enclosing the ditch on the other side of the road and the gentleman wants that done on the side he is on. The township is getting a price together on the cost to do the other side of the road.

Mr. Hambley noted that relative to the annexation request for land along Foote Road to the City of Medina, the Medina Township Trustees have filed a letter of objection, noting some major concerns. He talked with various city council members last week and they are not interested in this annexation, which is residential property. Without either party being in support it will not go through.

Mr. Hambley asked Ms. Ray about the Workforce Policy Board meeting and whether they have decided what direction they will take.

Ms. Ray stated that they have sent a letter asking for a waiver to stand alone rather than partnering with another county. There are still negotiations taking place with Summit County, and the issues from the past have been brought up for discussion. Some feel that a partnership would work better than in the past because Tim Davis is no longer there. At this time they are waiting for a response from the State relative to a waiver. At this time our county is not the only one that hasn't entered a partnership.

Mr. Hambley reported that the preliminary drawings for the University Center project goes before the Planning Commission on Wednesday evening. The staff report indicates that communication with ODOT is that they are denying access off Route 162 because there is access on Lake Road. This will require a more in-depth traffic study on the traffic that will be generated.

There was a discussion that Route 162 is a major road by the site. On access management ODOT's rule book states that if a developing parcel has access to a lower grade street that is where they prefer to have the access. Until the County purchased the additional property on Lake Road this was not an issue. The traffic study needs to be done sooner than

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originally anticipated and will need to be more detailed in projections. There is a possibility that the property cannot transfer in October if the traffic study isn't done and turned into ODOT. In terms of transferring the property to the University, they aren't happy they had to wait until October. Mike Salay, Assistant County Engineer, and he will be working with ODOT to expedite the study once it is complete.

There was a brief discussion relative to the property transfer agreement, with Bill Thorne noting that he has not received or heard anything from their attorneys.

John presented a letter from the ADAMH Board regarding their application for a \$19,000 grant from the Housing Trust Fund. The Housing Trust Fund was set up to receive the fees now being collected through the Recorder's Office. The application is for \$4,000 for case management with Metropolitan Housing and the rest will be used to assist in housing needs for families in Medina County. The ADAMH Board is asking for a letter of support. The Commissioners agreed to a letter of support, which was presented for signatures.

There was a discussion relative to the County preparing for more applications for the Housing Trust Fund. There is a substantial amount going to the State for this fund just from Medina County and we should be working to bring some of that money back into our county. It was noted that there is a lot of confusion on this new Recorder's fee and how it will be assessed and various county prosecutor offices are awaiting the Attorney General's interpretation on the fees. At this time the State is not organized on how they will disperse the funds.

Ken noted that Terry Development wants to extend the waterline back to their industrial development in Hinckley and has given an easement to the City of Cleveland and Medina County for a waterline to run approximately 379 feet off Route 303. The line would be owned by the County but Cleveland would have use of the line. There was a brief discussion with Bill relative to concerns with the way the easement is written and the possibility the County will be taking over the line and Cleveland having the right to use it. Ken and Mr. Hambley felt that if the County took over the line Cleveland wouldn't have any way to supply that small line. After further discussion, it was agreed to have a resolution prepared for next week.

Ken reported that LMRE has given a quote of \$180,000 for 4 diesel fuel generators. Buck Adams, Emergency Management Agency Director, stated that there is a chance Homeland Security will provide for fund the purchase and installation of the generators. His office will start preparing the bid specifications.

Chris Jakab stated that he and Gary Berkowitz are waiting for information from the Prosecutor's Office relative to the HIPPA compliance matter. There is a contract on this that ends at the end of September. There are forms, contracts, business associate agreements and a general overview of procedures, etc. that need to be received from the Prosecutor's Office.

Chris noted that Legal Aid has expressed interest in leasing space on the second floor of the Professional Building. This will allow them to continue their operations in Medina County. The Board agreed for Chris to proceed with a lease.

Chris stated that he sent a letter in response to the Lodi Family Resource Center lease.

Through discussion, it was noted that the owner is having a problem with ending the lease; however, the lease contract states that if there is no funding for rent that the Center can get out of the lease. The fact that there is no funding for this has been discussed for several months. The owner does not want to lose that lease money. It was agreed to forward the correspondence to Bill for review.

There was no further business before the Board for discussion.

Mrs. Geissman moved to adjourn the meeting at 2:00 p.m.; Seconded by Ms. Ray. There was no discussion. Roll Call showed all Commissioners voting AYE.

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RESOLUTIONS PASSED:

- 03-0699 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 03-0700 RESOLUTION COMMENDING JACK MANSOR ON EARNING THE EAGLE SCOUT AWARD

- 03-0701 RESOLUTION COMMENDING WILLARD RALPH MOORE III ON EARNING THE EAGLE SCOUT AWARD

- 03-0702 RESOLUTION ACCEPTING AND AWARDED THE BID FOR THE REPLACEMENT OF BRIDGE NO. 12 ON HARTMAN ROAD (T.H. 127) IN SHARON TOWNSHIP, MEDINA COUNTY, FOR THE MEDINA COUNTY ENGINEER

- 03-0703 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOWS SUBDIVISION PHASE 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

- 03-0704 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED...81.0657 ACRES OF LAND KN LOTS 38 & 39 OF SHARON TOWNSHIP...SIGNATURE OF SHARON SUBDIVISION & ESTABLISHING THEREBY SAID IMPROVEMENTS AS A PUBLIC WATERCOURSE

- 03-0705 RESOLUTION APPROVING THE FINAL PLAT FOR THE SIGNATURE OF SHARON SUBDIVISION LOCATED IN LOTS 38 AND 39 OF SHARON TOWNSHIP, MEDINA COUNTY, OHIO

- 03-0706 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

- 03-0707 RESOLUTION AMENDING THE 2003 ANNUAL APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS

- 03-0708 CASH TRANSFERS FOR FAMILY FIRST COUNCIL FUNDS

- 03-0709 REVENUE ADJUSTMENT FOR WORKFORCE DEVELOPMENT FUND

- 03-0710 RESOLUTION AUTHORIZING THE PURCHASE OF 3,700 GALLONS OF PREMIUM UNLEADED AND 4,100 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER

- 03-0711 APPROVAL OF AN INTERNSHIP AGREEMENT BETWEEN MEDINA COUNTY PLANNING SERVICES DEPARTMENT AND THE UNIVERSITY OF AKRON

- 03-0712 APPROVING THE SUBMISSION OF A PROPOSAL FOR HOME ENERGY ASSISTANCE PROGRAM GRANT FUNDING FOR THE OFFICE FOR OLDER ADULTS

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- 03-0713 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 03-0714 RESOLUTION ADOPTING ADMISSION POLICIES AND PROCEDURES FOR THE MEDINA COUNTY HOME

- 03-0715 RESOLUTION APPROVING THE AMOUNT OF UNPAID UTILITY BILLS FOR THE MEDINA COUNTY SANITARY ENGINEER AND PROVIDING FOR THEIR CERTIFICATION IN ACCORDANCE WITH SECTION 6117.02 OF THE OHIO REVISED CODE

- 03-0716 RESOLUTION AUTHORIZING THE SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF SIEGFERTH INC. FOR THE MEDINA COUNTY MATERIALS RECOVERY FACILITY 2001 IMPROVEMENTS MCSE#700/00-28.3

- 03-0717 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS

- 03-0718 RESOLUTION ACCEPTING AND AWARDDING BID FOR S.R. 18 WATERLINE RELOCATION PROJECT WR-500/00-7.1.2

- 03-0719 RESOLUTION APPROVING THE ENTERPRISE ZONE COMPENSATION AGREEMENT FOR 3M COMPANY

- 03-0720 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

- 03-0721 RESOLUTION APPROVING AND AUTHORIZING THE PROBATIONARY RELEASE OF GARY NEFFENGER, DESIGN ENGINEER 2, SANITARY ENGINEERS

MEDINA COUNTY COMMISSIONERS:

Stephen D. Hambley

Respectfully submitted,

Sharon A. Ray

Pamela J. Terrill, Clerk

Patricia G. Geissman