

COMMISSIONERS MEETING – MONDAY, SEPTEMBER 27, 2004

Sharon A. Ray called the meeting to order at 9:30 a.m. with Patricia G. Geissman and Stephen D. Hambley present.

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

At the beginning of the meeting the oral reading of the September 13 and September 20 minutes was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented resolutions for the President of the Board to submit application & execute contracts to the Ohio Public Works Commission for Issue 2 funding, authorizing change order to the contract for Item 448 resurfacing, approving the use of Subdivision Drainage Maintenance Funds for repair work in Grafton Hills Subdivision Phase I, Boston Commons Subdivision Phase IV, & Lockwood Subdivision Phase 2, approving the final plat for the Trophy Club Subdivision Phase IV, and granting a variance to the Engineering Code for Subdivision Development for the installation of a boulevard island in the Cobblestone Park Subdivision. Mrs. Geissman moved to approve the 7 resolutions; Seconded by Mr. Hambley.

Ms. Ray asked if Montville Township had agreed to the boulevard island design for the Cobblestone Park Subdivision, and Doug replied that they have.

There was no further discussion.

Roll Call to approve the Engineer's 7 resolutions showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed resolution amending the appropriations resolution by transferring and increasing appropriations, expenditure adjustments, a fund transfer, approving an agreement with Summit County for inmate housing at the Jail, accepting a lease agreement with Community Legal Aid Services, designating the Battered Women's Shelter of Summit & Medina Counties to receive proceeds from marriage license and divorce fees for CY 2005, declaring county property as excess property, and the weekly bills in the amount of \$594,307.28. The agreement with Summit County includes a maximum of \$125,000 for inmate housing. The lease with Community Legal Aid is for continued use of office space. The Battered Women's Shelter will receive up to \$40,000 in 2005. The first resolution for excess property is to post the items on-line and the second resolution includes a list of items that are unfit for use or sale and a second list of items that were previously on-line for auction and did not sell. Mrs. Geissman moved to approve the 9 resolutions and payment of the bills; Seconded by Mr. Hambley. 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 Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary presented a resolution authorizing the termination of an employee of the Sanitary Engineer. Mrs. Geissman moved to approve the termination; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Dianne Ranftl, Administrative Assistant, presented a resolution amending the Table of Organization for the Department of Job & Family Services by adding a temporary full-time telephone operator that will work from September 27 through December 24. A second resolution authorizes a change order for Advance Roofing Systems Inc. for the roofing replacement at the Prosecutor's Office for an additional \$4,300. Mrs. Geissman moved to

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approve the 2 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented resolutions to accept easements for various sanitary sewer improvement projects and various waterline improvement projects, and also to authorize the bidding for bulk chemicals for water and wastewater treatment facilities. Mrs. Geissman moved to approve the 3 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Art Verdoorn, Building Official, responded that there is a Board of Appeals hearing tomorrow evening regarding an apartment building in Spencer on safety issues. He reviewed their report for August. Single family home permits were at 102 versus 110 last August and the total for the year on single family homes was 680 this year to 698 last year. Overall the month was busy and they are still in the middle of the construction season. The commercial level is slowing down from the first of the year but is still higher than last year's construction. The new residential code started August 1, but most homes under construction are still under the old code. The main changes to the code involve structural support.

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

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

Commissioners recessed the meeting at 9:46 a.m.

The meeting was reconvened at 9:56 a.m. for the discussion session.

Mr. Hambley noted that the comprehensive planning grant account has \$2900 left and there is a proposal to hold a countywide workshop.

Patrice Theken, Department of Planning Services Director, presented a handout and information on a workshop she attended at a conference in Washington. She asked for proposals from HNTB, the company that handled that workshop, as well as others. The HNTB proposal is for a half day workshop at \$1900 or a full day workshop at \$2400. She would like to hold a full day workshop and charge Medina County residents and officials only for lunch, with those from outside of Medina County paying an additional small fee. She is proposing to hold this on Friday, December 10 or the first part of 2005.

There was a discussion about whether a Saturday all day workshop would be better for people to attend without using a whole day off of work. Patrice stated that they have held Saturday meetings before and they are not well attended. This workshop will be open to all communities and officials as well as outside of Medina County. Advertising will be done online through the Ohio Planning Conference site as well as using their normal means of advertising. They will need a larger conference room to hold the workshop; however, the auditorium (Administration Building) is not adequate because they break down into groups. There were suggestions to hold this at the Medina Rec Center, the Galaxy Restaurant, or the Best Western. Patrice was given the ok to proceed with planning the workshop.

Mike Pataky, Child Support Enforcement Agency Director, presented information on the State's re-examination of the 1987 ruling on federal money being reimbursed to the State. Their proposed change is that things that are currently being reimbursed for court action on a routine basis by contract will only be reimbursed if it is initiated by CSEA. The way this has always been handled is that if anyone signs up for IV-D and the court takes any action on that case it is considered a IV-D case and the court is reimbursed under their contract. Now the State is saying this doesn't work and that CSEA has to have direct involvement. One suggested change by JCARR is that Commissioners can authorize a CSEA Director to sign IV-D contracts.

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Another proposed change is that if the court just joins CSEA to every action, they won't be reimbursed. There is a potential of losing \$302,000 in financial participation that the county will have to make up through the general fund. This is being reintroduced October 12. Mike presented an update that essentially states that there is a fundamental difference in what counties feel should be reimbursed and what the State is now saying should be reimbursed. These changes are being proposed as a result of a federal audit that hasn't been finalized yet. Apparently during the audit there were some questions about contracts and the State is jumping ahead to make these changes without knowing what those questions are or what the federal audit findings are.

After discussion on this, it was agreed that the sample letter from the CCAO to JCARR members will be prepared and sent to the JCARR committee as well as our representatives at the State level.

Sheriff Neil Hassinger stated that he has an officer that has been put on notice that he is being sent to Iraq. There is concern that the employee's family will lose their medical coverage from the county and will have to change doctors and use the military coverage. He asked if it is possible to continue the medical insurance benefit for employees in military service.

There was a discussion about this, noting that the issue had been brought up by the County Engineer. At that time this was looked into and determined that the families do not have to change doctors and that the military coverage is very good. There is also a state law that pertains to coverage and that immediately upon the return of the employee the benefits are reinstated. Commissioners agreed to get a copy of the state law for Sheriff Hassinger and that they will re-examine this issue.

Bill Thorne, Assistant Prosecutor, stated that the Commissioners do have the authority to provide this coverage.

Mr. Hambley presented information on a proposed resolution to appoint a Transit Advisory Board. The proposed representation would be for 2 members from Brunswick City, 1 from Medina City and 1 from the Transit Consortium based on their financial commitment. The Commissioners would then appoint 3 members from Wadsworth City, the Villages and the Townships. A Commissioner, the County Administrator and Finance Director would then be non-voting members. Their purpose would be to develop a proposal for establishing a permanent Transit Board and to submit proposed memorandums of understanding with principal funding agencies with commitments for future funding. If this Advisory Board can be appointed soon they can be involved with the interviews for a new Transit Director. This proposal was approved and Mr. Hambley agreed to prepare the necessary resolution.

Mrs. Geissman had to leave the discussion session for a prior commitment with the Economic Development Corporation. It was agreed to reconvene the discussion session at 11:00 to review the annexation of 87.5498 acres from Brunswick Hills Township to the City of Brunswick.

Ms. Ray reviewed a letter from the Western Reserve Area Agency on Aging (WRAAA) recommending the reappointment of Don Simpson to their Board. Ms. Ray agreed to call Mr. Simpson to be sure he is willing to continue serving on this Board.

Ms. Ray noted that a letter was received from the MCDAC Board commending the service of Pam Vereb to their Board. This will be placed in her personnel file.

Ms. Ray presented a sample letter for each employee of CSEA for the awards they recently ran. She will have each Commissioner review them before preparing the final copies for the employees.

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There was a brief discussion about having LNE Group attend the department heads meeting on September 30. This would not be for a presentation, but to introduce them to the offices that may be able to use their services.

The meeting was recessed at 10:30 a.m.

The meeting was reconvened at 11:00 a.m. with Ms. Ray and Mr. Hambley present to discuss the annexation petition for land from Brunswick Hills Township to the City of Brunswick.

The Clerk noted that John Oberholtzer’s office hand delivered the recent court ruling on the water issues in Brunswick Hills Township on Friday afternoon. This was received past the deadline of 7 days from the date of the hearing.

It was agreed to accept the information, but that it will not be considered for the decision on this annexation petition as it was not received within the allowed time frame.

The Clerk noted that the requirements of ORC 709.02, 709.03 and 709.031 have been met. This review is for the requirements of ORC 709.033, the question of unreasonably large and the “on balance” test.

Mr. Hambley feels that the territory is not unreasonably large. Relative to the balance test, the general good and the benefits to the territory to be annexed do outweigh the detriments to the territory and surrounding territory. For the record, it seems the state legislature’s attempt was to prevent service islands so it would seem the preference would be to eliminate islands, which this annexation will do. There is no highway being divided that would create a road maintenance problem. Also, the county or township would have to have easements through the city. The 1977 agreement for water service is still in affect, and it has never been the intent of the county to service this area.

Ms. Ray agreed.

The Clerk was instructed to prepare a resolution approving the Brunswick annexation for next week.

Chris Jakab stated that he will hold the material for next week regarding the mileage rate. If the rate is increased it should go into affect November 1. He also noted that he will be meeting with Mike Pataky about the proposed State funding changes and what options are available.

At 11:15 a.m. Mr. Hambley moved to adjourn the meeting; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

At 1:30 p.m. the Clerk received bids for the County Engineer for their culvert replacement package from Marks Construction Inc. and HSH Construction & Excavating Inc. The bids were turned over to the Engineer’s for review and recommendation.

RESOLUTIONS PASSED:

04-0867 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER
IN SETTLEMENT OF SUCH LIST OF CLAIMS

04-0868 RESOLUTION AUTHORIZING THE TERMINATION OF AN EMPLOYEE OF THE MEDINA
COUTNY SANITARY ENGINEER

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- 04-0869 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

- 04-0870 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE 2004 MEDINA COUNTY HIGHWAY DEPARTMENT ITEM 448 RESURFACING BETWEEN KOKOSING CONSTRUCTION COMPANY, INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS

- 04-0871 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN GRAFTON HILLS SUBDIVISION PHASE 1 IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO

- 04-0872 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR WORK IN BOSTON COMMONS SUBDIVISION PHASE IV IN HINCKLEY TOWNSHIP, MEDINA COUNTY, OHIO

- 04-0873 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN LOCKWOOD SUBDIVISION PHASE 2 IN BRUNSWICK HILLS TOWNSHIP, MEDINA COUNTY, OHIO

- 04-0874 RESOLUTION APPROVING FINAL PLAT FOR THE TROPHY CLUB SUBDIVISION PHASE II LOCAED IN LOT 2 OF MEDINA TOWNSHIP

- 04-0875 RESOLUTION GRANTING A VARIANCE TO THE MEDINA COUNTY ENGINEERING CODE FOR SUBDIVISION DEVELOPMENT FOR THE INSTALLATION OF A BOULEVARD ISLAND IN THE COBBLESTONE PARK SUBDIVISION

- 04-0876 RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS

- 04-0877 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION

- 04-0878 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS

- 04-0879 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND

- 04-0880 APPROVING AN AGREEMENT WITH SUMMIT COUNTY, OHIO, FOR INMATE HOUSING AT THE MEDINA COUNTY JAIL FACILITY

- 04-0881 RESOLUTION ACCEPTING A LEASE AGREEMENT WITH COMMUNITY LEGAL AID SERVICES

- 04-0882 DESIGNATING THE BATTERED WOMEN'S SHELTER OF SUMMIT AND MEDINA COUNTIES TO RECEIVE PROCEEDS FROM MARRIAGE LICENSE AND DIVORCE FEES FOR CALENDAR YEAR 2005

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- 04-0883 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY

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- 04-0885 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

- 04-0886 RESOLUTION AMENDING THE TABLE OF ORGANIZATION FOR THE DEPARTMENT OF JOB & FAMILY SERVICES

- 04-0887 RESOLUTION AUTHORIZING CHANGE ORDER FOR ADVANCED ROOFING SYSTEMS INC. FOR MEDINA COUNTY ROOFING REPLACEMENT AT THE PROSECUTOR'S OFFICE

- 04-0888 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS SANITARY SEWER IMPROVEMENT PROJECTS

- 04-0889 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS WATER LINE IMPROVEMENT PROJECTS

- 04-0890 RESOLUTION AUTHORIZING THE SANITARY ENGINEERING DEPARTMENT TO BID BULK CHEMICALS FOR THEIR WATER AND WASTEWATER TREATMENT FACILITIES

- 04-0891 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Sharon A. Ray

Respectfully submitted,

Patricia G. Geissman

Pamela J. Terrill, Clerk

Stephen D. Hambley