

COMMISSIONERS MEETING, MONDAY, JULY 14, 2008

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

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

The oral reading of the minutes of the Commissioners' meeting on July 7, 2008, was dispensed with as each Commissioner had read them personally. Mr. Hambley moved to approve the Commissioners' meeting minutes; the motion was seconded Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed the following resolutions: (1) closing Spieth Road (C.H. 65) between Beat Road (T.H. 106) and Erhart Road (C.H. 3) for culvert replacement; (2) closing Chippewa Road (C.H. 50) between Vandemark Road (C.H. 31) and Lafayette Road (U.S. 42) for culvert repair; (3) closing Wandel Road (C.H. 81) in Homer Township between Firestone Road (C.H. 26) and Camp Road (T.H. 36) for culvert replacement; (4) closing Remsen Road (C.H. 37) between Woodling Way (T.H. 460) and State Road (C.H. 44) for culvert replacement; (5) approving the final plat for the Cove at Sleepy Hollow Subdivision located in Brunswick Hills Township; (6) approving the annual assessment on improvements on 32.5621 acres of land in Tract 1, Lot 24 of Sleepy Hollow Subdivision and establishing a public watercourse; (7) authorizing the County Engineer to advertise for bids for the replacement of Bridge No. 4 on Westfield Road (C.H. 15) in Westfield Township; and, (8) accepting and awarding the bid for seal grade liquid asphalt for use by the Medina County Highway Department. The bid was awarded to Asphalt Materials, Inc. Marietta, Ohio. Mr. Hambley moved to approve the eight resolutions and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list for permits issued July 3-9, 2008.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the annual appropriation resolution; (2) transferring funds from various County department accounts to the Gasoline Rotary Fund; (3) revenue adjustment for the General Bond Retirement Fund and the General Fund; (4) cash transfer of interest income for various Sanitary Engineer funds; (5) cash transfer of interest income for various funds; (6) transferring funds from the Child Support Enforcement Agency Fund to the General Fund for Domestic Relations Court services; (7) creating a Workforce Congressional Earmark Program Regional Healthcare Grant and authorizing appropriations; (8) authorizing the purchase of 7,600 gallons of regular unleaded gasoline for the Engineering Center; (9) accepting and awarding the bids for Jail and Detention Center inmate food services; and, (10) accepting, rejecting, and awarding bids for parking lot repairs at various County buildings. Mr. Miller requested payment of the weekly bills in the amount of \$827,560.30. Mr. Hambley moved to approve the ten Finance resolutions and payment of the weekly bills; the motion was seconded by Ms. Ray. There was no discussion. Roll call showed all commissioners voting AYE.

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

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Jim Troike, Sanitary Engineer, had nothing to present.

Debra Radecky, Office for Older Adults Director, presented the upcoming events that will take place at the Senior Center during the end of July and the beginning of August as follows:

- July 16 - Free craft project
- July 18 - Hawaiian Luau; Jolly Jammers Entertainment
- July 22 - Day trip
- July 22 - Sheila Klimas, Extension Service program on nutrition
- July 23 - Bingo
- July 25 - Bingo
- July 25 - Trip info for the Yucatan Peninsula
- July 30 - Bingo
- July 30 - Movie, "License to Wed"
- July 31 - Legal advice with attorney Harvey Goldsmith
- August 1 - Lifeline screening and Bingo
- August 4 - Book Club
- August 7 - Game day
- August 8 - Prosecutor Dean Holman to discuss identity theft

Last month they had 72 supportive units, 32 Alzheimer visits, 1,002 congregate meals, 4,302 home delivered meals, and 1,714 transit trips.

The Clerk read the resolution to allow the expenses of County officials and another resolution to allow the expenses of the County Engineer. Mr. Hambley moved to approve both expense resolutions and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

The meeting was opened for public comment.

Lance Traves, 4096 Sacramento Boulevard, Medina, Ohio, said he owns a business on the Medina Square called Labyrinth Management Group, 239 South Court Street. He wanted to give the Commissioners an individual business owner's perspective relating to the courthouse renovations. A number of his clients from large metropolitan areas around New York, Chicago, and Atlanta met in Medina recently. They had the opportunity to walk around the Square and they all commented on the value of it and said that it was a unique type of environment.

Mr. Traves said that he is a strategic environmental, safety and health consultant for large businesses. The world has changed regarding energy and the environment during the planning for the County Courthouse Renovation/Expansion Project. He did not have the opportunity to participate in the informational meetings, but he read the newspaper accounts of it. He wanted to make the Commissioners aware of some of the changing perspectives in Northeast Ohio. First, there is a need to support individual communities and he believes that relocating courthouse activities to a different location would have an adverse affect on the core city businesses. Secondly, he believes that the project is counterintuitive to the change that is occurring internationally on how people plan and design new facilities. There is the need for higher concentrations of individuals to be able to provide the opportunity for public transport, etc.

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County Administration Building employees' perspectives are going to have to change regarding wanting to park near the door. People in Europe consider having to walk within 7/10 of a mile as being "pedestrian-friendly", and in Washington, D.C., people walk quite a distance to work from the subways. He commented on the Medina Library's building improvements and said they missed an opportunity. The Library and Medina's school system will have to pay for their designs in the near future with the high natural gas prices. The citizens are not going to be friendly to that type of behavior that should have been foreseen. For the County to not consider a wide range of green or cost-efficient design parameters regarding the building would be a big oversight.

Mr. Traves asked the Commissioners to revisit the parking issue because the world has changed in the past year. There is going to be upcoming carbon legislation that will be increasing pressure for energy costs. If Medina County is embarking on this huge project, they need to recognize that change and also that the resource-constraining environment is going to continue to occur. He offered to be a resource to answer "big picture" questions and would welcome providing information. He said he feels sure that the County has a good architectural firm to provide those perspectives; if not, there are many sources for green information.

Mrs. Geissman thanked Mr. Traves for his comments. She said this Board of Commissioners had not made a decision on the architect yet and they have been asking those interviewed questions about green building. They are glad that others come to Medina and see a beautiful square and the Commissioners feel that it is something that needs to be saved and maintained for people to enjoy. There are many things they are looking into regarding the renovation and expansion of the Courthouse and they appreciate his comments.

Ms. Ray said at this point in time, the City, the Library Board, and the County are planning to work together to build a parking deck to enable all the courts to stay on the Square because they anticipate that there will be other parking needs in the future and the City of Medina had not done anything to solve the parking problems for many years. The architects that they are interviewing now both have LEEDS certified architects on staff. The Commissioners believe that to be important in the construction of this facility.

Mr. Hambley said he echoes Mr. Trave's concerns about focusing on energy efficiency and his colleagues have also indicated that with their conversations with the architects; it will be a large focus in the renovations. He suggested that Mr. Traves get on the mailing list for the Commissioners newsletter to obtain up-to-date information on the process of the project's design and for public meetings pertaining to it.

Mr. Traves said the United States, particularly the Midwest, is spoiled and the County needs to revisit the parking study before they spend millions of dollars on a double-decker parking deck. There will be significant economic issues that they will potentially be facing due to changes in the property valuations that could cause budget issues. Growth has also changed; they are a bedroom community that will not be growing. Ms. Ray said this project is based on long-range planning and they are anticipating this facility to be sufficient for at least 20 years. They have had a recent parking study done and she said she would provide a copy for him. Mrs. Geissman said they realize that there are parking lots that are not full and that has been discussed, but the problem with residents across America is that they don't want to walk the 7/10

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of a mile that is considered “walkable” in other countries. Also, the City of Medina is addressing signage to let people know where public parking is available for those that don’t mind walking.

Mr. Traves said it is a question of education and priorities. The school has a new perspective on their financing with the resounding defeat on their millage increase. Their huge facility is going to cost huge amounts of money to operate because when they did their planning they did not include the high cost of natural gas. From a parking standpoint, if the County wants to get the “best bang for their buck”, they should take half of that money and add it to improvements associated with opportunities to enhance the energy efficiency of the building. Spending \$5-6 million dollars for a structure that does nothing except contribute to stormwater runoff and provides a heat sink to increase the temperature of the City is not a well thought-out perspective. He sees it as people complaining about parking periodically, but given the growth trend, it was perceived as a potential huge problem in the future. When in fact, there is not the perspective to have an educational process that there is parking out there, but they need to have good signs or to have a dedicated employee parking lot at an off-site lot that is already owned by the City, like they do out West. The Commissioners should evaluate what customer service is and whether employees could be directed to other lots to provide additional taxpayer parking close to the building. Ms. Ray said that would require taking down buildings and that has been a point of contention with the City of Medina and their Historic Preservation Committee. She offered to provide background information on the three-year process.

Mr. Hambley added that the City officials attended a recent informational meeting and some of the discussion was about the overall parking in downtown Medina. There are some modest things that could be done, but there would still be a shortage of parking for retail and commercial activity. There really is no place to move the County employees to the other side of the Square without creating additional space. The County and City have done study after study and they have to take into consideration the multitude of individuals and uses. They are not going to be able to require some of the personnel, such as judges or jurors, to have their cars a long distance away because of safety issues. Others need to have parking, and even increased parking, in close proximity to the building because of the inclement weather, ADA population, the growing senior population, etc. They cannot tell everyone that can walk that they need to walk 7/10 of a mile. Culturally, they cannot move in that direction with that immediate of a jump. He suggested to the Library that they tell their employees to consider carpooling; that could be part of a long-term solution. Those are things that will take a long time to do, but unfortunately, they have a more immediate need in meeting the demands of public officials and public offices for space. The courts, Clerk of Courts, and Adult Probation have an immediate need for space. Mrs. Geissman told Mr. Traves that his arguments were very logical and make sense, but as a Board of Commissioners they have had a lot of studies done and they have to depend on the experts and those studies to help them make those decisions because they are not experts in that area. Green building especially makes sense and even though it may cost more up front, she believes that all three of the Commissioners feel that they need to consider it seriously because in the future it could save the County a lot of money. She thanked him for his comments.

There was no one else wishing to speak.

Mrs. Geissman said a Discussion Session would be held immediately following this portion of the meeting and public hearing was scheduled for 10:30 a.m. for the purpose of

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discussing the proposed amendments to the Special Purpose Flood Damage Reduction Regulations.

The meeting recessed at 10:02 a.m.

Discussion Session

The meeting reconvened at 10:05 a.m. for the Discussion Session.

Dan Willhoite, Floodplain Administrator in the Highway Engineer's Office, said that the County Engineer's Office is in the process of revising the Flood Damage Reduction Regulations and there would be a public hearing that morning. One part of the regulations is about a Variance Board and an appeals process. Last October, they established a fee of \$100 for the appeals process that was intended to cover two hours of Floodplain Administrator time for preparing information for the Appeals Board, preparing the required public hearing notice, attending the public hearings, and any other activities necessary for processing the application. There was additional language that said any time beyond that would be billed to the applicant. The Appeals Board has met several times with Assistant Prosecuting Attorney Bill Thorne and they determined that there were more requirements for appeals such as a court reporter and additional preparation time by the Highway Engineer's Office. He said Mr. Thorne recommended that they revise the fee schedule to be more realistic to cover their time and costs, and to compose alternative language for when costs go higher. He presented a list of the items in the fee schedule that totaled \$405, and they recommended an application fee of \$400.

Mrs. Geissman asked when the fee was last increased. Mr. Willhoite said that prior to October 2007 there had not been a fee schedule. Mr. Hambley said they had no variance process before that time. Mr. Willhoite said they established a fee schedule in October 2007 and it was just to get something on the books. They never had an Appeals Board before October 2007 either. Mr. Hambley said the Flood Damage Reductions Regulations have become more restrictive; therefore the likelihood of having variances has increased. Mr. Willhoite said there have been many inquiries and even though the appeals process has been in the regulations since the early 1980's, in all those years, no one had ever sued for a variance. Mrs. Geissman asked if they have had any applications since last October. Mr. Willhoite said they have not received any applications, but they have had some inquiries and one person picked up an application. Mrs. Geissman commented that going from \$100 to \$400 is a huge increase, but they had never broken down the costs before. Mr. Hambley said they formalized the process more than they ever anticipated with the creation of the Board and the County Prosecutor deciding what is required in order to meet the adjudication process. Mr. Willhoite said there had not been a variance application made in the last 25 years but they anticipate them because of the higher standards that were incorporated last year, especially with the compensatory standard. There are existing properties where the majority or all of the property is in the flood plain and the only avenue the property owner has to deal with doing anything on that property is to pursue a variance. They have had about six inquiries along that line and one party picked up an application. Upon review, the Appeals Board and Mr. Thorne determined that \$100 would not cover the costs to process three-page application and he reviewed the costs in detail. Mr. Hambley asked how the costs compared to other counties. Mr. Willhoite said they checked several counties around the state and they range from \$100 to \$300. Some communities have it tied in with their normal zoning appeals process for building variances. The Appeals Board met

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three times to go through the process to become familiar with the regulations and decided how they would process the variance applications.

Mr. Willhoite said that the wording that Mr. Thorne wants to use to cover the situation where there were extraordinary costs was, "Extraordinary costs necessitated by a particular applicant will be billed to the applicant or be required to be paid by the applicant at the time of the request". Mr. Hambley said if the \$400 fee is not adopted, the \$100 fee is still in effect and any work relative to variance requests would be taken from the normal budget, which is actually a portion of the General Fund. In other words, they either subsidize the costs of doing the variance or they charge off the costs to those that are asking for the variance. Mrs. Geissman said the fee could be a deterrent for someone wanting a variance. Mr. Willhoite said the standards for the conditions that have to be met for a variance to be granted are minimum standards that FEMA requires. They are fairly rigorous conditions that the Appeals Board has to check to make sure they meet all those conditions; it is an involved process. The Highway Engineer's Office will prepare a draft resolution for the Commissioners' consideration next Monday.

Mr. Hambley said they received a memo from Transit Director Scott Uhas regarding transit services. Mr. Uhas will be attending next Monday's meeting to discuss the change in services for riders before and after their regular business hours of 6:00 a.m.-6:00 p.m. Apparently it is a cost the County cannot afford.

Ms. Ray said Dan Hostetler, Medina County Convention and Visitors Bureau Director, advised her that David Jilbert will be resigning from their Board and will need a replacement. Mr. Hambley said the requirement to be a Board member is to be a current member of the Convention and Visitors Bureau and reside or operate their business within the townships or villages. Ms. Ray said that Mr. Hostetler requested that the term be extended to include the next term as well because there are only a few months left in this term.

Mrs. Geissman said the County Commissioners Association of Ohio (CCAO) is purchasing a 22,000 square feet, three-story, brick building in Columbus at 209 East State Street at a cost of \$1,980,000. The association has 30 employees and they will be moving in this fall. This should save the CCAO money in the long run.

Scott Miller, Finance Director, said that last week they discussed the Sheriff's Office request to replace a full-time Licensed Practical Nurse (LPN) position with a Registered Nurse (RN). They need to know soon if that is going to be approved so they can begin the background checks. The difference between a LPN and a RN salary is \$14,700 per year or \$16,500 per year with a college benefit. He asked the Commissioners their preference for this position. The budget would need to be increased to accommodate the RN position. Mr. Hambley pointed out that the Sheriff has the authority to make that employment decision. It comes down to the additional funds needed for the difference in salary. The Commissioners agreed to fund the RN position because the Sheriff has justified the need for it and his office has done considerable cost containment measures. Ms. Ray thanked Mr. Miller for helping to keep the overtime costs in line.

The meeting recessed at 10:30 a.m. for the Commissioners to hold a public hearing to discuss the proposed amendments to the Special Purpose Flood Damage Reduction Regulations in the Commissioners' Hearing Room.

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After the public hearing, Mr. Hambley moved to adjourn the meeting at 10:45 a.m. and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

RESOLUTIONS PASSED 7/14//08

<u>Number</u>	<u>Resolution Title</u>
08-0682	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
08-0683	RESOLUTION DETERMINING THE NECESSITY TO CLOSE SPIETH ROAD (C.H.65) BETWEEN BEAT ROAD (T.H.106) AND ERHART ROAD (C.H.3)
08-0684	RESOLUTION DETERMINING THE NECESSITY TO CLOSE CHIPPEWA ROAD (C.H.50) BETWEEN CANDEMARK ROAD (C.H.31) AND LAFAYETTE ROAD (U.S.42)
08-0685	RESOLUTION DETERMINING THE NECESSITY TO CLOSE WANDEL ROAD (C.H. 81) BETWEEN FIRESTONE ROAD (C.H. 26) AND CAMP ROAD (T.H.36)
08-0686	RESOLUTION DETERMINING THE NECESSITY TO CLOSE REMSEN ROAD (C.H. 37) BETWEEN WOODLING WAY (T.H.460) AND STATE ROAD (C.H.44)
08-0687	RESOLUTION APPROVING THE FINAL PLAT FOR THE COVE AT SLEEPY HOLLOW SUBDIVISION LOCATED IN BRUNSWICK HILLS TOWNSHIP, LOT 34, TRACT 1
08-0688	RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF SECTION 6131.63 ORC ON 32.5621 ACRES OF LAND IN TRACT 1, LOT 24 OF BRUNSWICK HILLS TOWNSHIP AND KNOWN AS THE COVE AT SLEEPY HOLLOW SUBDIVISION ESTABLISHING THEREBY A PUBLIC WATERCOURSE
08-0689	RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE REPLACEMENT OF BRIDGE NO.4 ON WESTFIELD RD (C.H. 15) IN WESTFIELD TOWNSHIP
08-0690	RESOLUTION ACCEPTING AND AWARDDING THE BID FOR SEAL GRADE LIQUID ASPHALT FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT
08-0691	RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
08-0692	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE GASOLINE ROTARY FUND
08-0693	REVENUE ADJUSTMENT FOR THE GENERAL BOND RETIREMENT FUND AND THE GENERAL FUND
08-0694	CASH TRANSFER OF INTEREST INCOME FOR VARIOUS SANITARY ENGINEER FUNDS
08-0695	CASH TRANSFER OF INTEREST INCOME FOR VARIOUS FUNDS
08-0696	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND TO THE GENERAL FUND FOR DOMESTIC RELATIONS COURT SERVICES
08-0697	CREATION OF WORKFORCE CONGRESSIONAL EARMARK PROGRAM REGIONAL HEALTHCARE GRANT AND AUTHORIZING APPROPRIATIONS
08-0698	AUTHORIZING THE PURCHASE OF 7,600 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
08-0699	RESOLUTION ACCEPTING AND AWARDDING THE BIDS FOR JAIL AND DETENTION CENTER

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INMATE FOOD SERVICES

- 08-0700 ACCEPTING AND AWARDING BIDS FOR PARKING LOT REPAIRS AT VARIOUS COUNTY BUILDINGS
- 08-0701 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 08-0702 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
- 08-0703 RESOLUTION TO ALLOW EXPENSE OF THE COUNTY ENGINEER

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this fourteenth day of July, 2008.

Respectfully submitted,

COMMISSIONERS _____
Patricia G. Geissman

OF _____
Stephen D. Hambley

Pam Vereb, Clerk

MEDINA COUNTY _____
Sharon A. Ray