

## COMMISSIONERS MEETING, MONDAY, NOVEMBER 19, 2007

Sharon A. Ray called the meeting to order at 9:32 a.m. with Patricia G. Geissman and Stephen D. Hambley present.

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

The oral reading of the minutes of November 8 and 13 were dispensed with as each Commissioner had read them personally. Mrs. Geissman moved to approve both meeting minutes; the motion was 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 and reviewed a resolution approving the use of the Subdivision Drainage Maintenance Fund for inspections of drainage systems in various subdivisions and various townships in 2007. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Commissioners reviewed the November 8 - 11, 2007 weekly permits list.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the 2007 Appropriations Resolution by transferring appropriations; (2) amending the Annual Appropriation Resolution; (3) expenditure adjustments for various funds; (4) transferring funds from various county department accounts to the County General Fund for the costs of the countywide audit; (5) transferring funds from various Sanitary Engineering funds to the General Fund; (6) authorizing a cash transfer for the Capital Improvement Fund; (7) cash transfer to the Crippled Children's Health Fund; (8) authorizing a cash transfer for the County Home Levy Fund; (9) authorizing the transfer of funds from the Public Assistance Fund (0120) to the Job & Family Services Building Debt Payment Fund (0300); (10) creation of the Community Housing Improvement Program Ohio Housing Trust Fund Grant; (11) creation of the Community Housing Improvement Program Community Development Block Grant Fund for an overall amount not to exceed \$46,000 for the period of September 1, 2007, through October 31, 2009; (12) creation of the School Sales Tax Fund and authorizing appropriations; (13) approving a contractual engagement with the Auditor of State, Local Government Services Division, for assistance in the preparation of the Comprehensive Annual Financial Report for Medina County; (14) authorizing a contract for the professional beautician services with Sharon Shadi for the Medina County Home at the rate of \$330 per month for the period of January 1, 2008, through June 30, 2008; and, (15) declaring Medina County property as excess property to be sold by internet auction or discarded. Mr. Miller requested payment of the weekly bills in the amount of \$904,223.15. Mrs. Geissman moved to approve the fifteen finance resolutions and payment of the weekly bills; the motion was seconded by Mr. Hambley. There was no discussion. Roll call showed all Commissioners voting AYE.

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

Jim Troike, Sanitary Engineer, presented a resolution to release the remaining escrow of Underground Utilities, Inc. for the Hinckley Waterline Phase II Project. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Charles Huber, Chief Building Official, reported on the monthly permit activity for October 2007. Estimated construction costs of construction permitted was down 12% from the same period last year. Continuing the downward trend over the past five years, there were 49 new housing starts for the month compared to 52 in 2006, 69 in 2005, 97 in 2004, and 112 in 2003. For both residential and non-residential permits, revenues were up 9.6%; however, this is partially driven by a change in the permit fee schedule. The actual permit counts are down in 2007 (328) compared to 2006 (503). The same trend applies for year-to-date. Montville

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Township is “leading the pack” for the month of October and year-to-date for new dwelling permits, followed by Brunswick Hills Township. Montville Township had the most commercial permits in October (6) and the City of Wadsworth issued the most year-to-date (62).

Mr. Huber said that there were draft changes made to the Medina County Building Regulations and the state statute requires two public hearings. The hearings will be held on Monday, November 26, and Monday, December 23, both at 10:30 a.m. in the Commissioners Hearing Room.

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

The Clerk read the resolution to allow the expenses of county officials. Mrs. Geissman moved to approve the resolution and Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Ms. Ray said there would be a Discussion Session at 9:50 a.m. and an Executive Session to discuss personnel/employment was requested for 10:30 a.m. Mrs. Geissman moved to allow the Executive Session and Mr. Hambley seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

The meeting recessed at 9:46 a.m. for the Commissioners to move to the Conference Room for the Discussion Session at 9:48 a.m.

### Discussion Session

Brian Laubaugh (chartered financial consultant and owner of a financial planning company), Norbert “Nobby” Lewandowski, (Certified Public Accountant with 28 years in public accounting) who was appointed by Treasurer John Burke, and William Walker (Chief Financial Officer of the National Inventors Hall of Fame with an MBA in finance) presented a report to the Commissioners on behalf of the Medina County Audit Review Committee. Scott Miller, Medina County Finance Director, is also on the committee. Members unable to attend were Cynthia Dennison (Controller at Lodi Community Hospital) and David Fowler (Westfield Companies supervisor of financial IT department) who was appointed by Auditor Michael Kovack. Mr. Laubaugh commented that Ms. Dennison and Mr. Fowler have added much to the overall process. When they first started, Jonathan Ciccoteli was a member and was very instrumental in helping them obtain information about different communities that had similar types of Audit Committees. Although some communities had Audit Committees in place, many did not work because they had a lack of independence. Mr. Laubaugh said the Medina County group feels they are “fiercely” independent.

Mr. Laubaugh said the Audit Committee has made some important strides: they created a Mission Statement, outlined a workable structure, and established a good relationship with the State Auditors. They have been meeting for about a year to provide counsel to the County Commissioners, Auditor, and Treasurer to assist them in fulfilling their governance and oversight responsibilities related to governmental and reporting practices. The three purposes of the Audit Committee were determined to be: (1) to increase public confidence and trust in the operations of county government; (2) to instill accountability, integrity, and efficiency in the financial operations of the county; and (3) to support the county government efforts to comply with those laws and regulations by which the county is governed. Their purpose this year was to focus on the FY 2006 State Audit’s findings and recommendations. Their goal was to raise questions on those findings, seek answers to those questions, and make recommendations to their sponsors. They also evaluated and considered the merits of the State’s recommendations.

Mr. Laubaugh stated that they forwarded the recommendations and comments regarding the audit to the Commissioners. Some of the Auditors’ recommendations have already been corrected such as the federal community block grants, the employee travel reimbursements policy as it relates to the MRDD and ADAMH Board, and the Juvenile/Probate Courts’ bank

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reconciliation of open items. The committee felt they should draw their attention to the following three most important recommendations as follows:

- (1) the segregation of duties in the Sanitary Engineer's Office and the software for utility billing should not be developed and maintained by one person; they recommended the replacement of that software;
- (2) the improvement of account and password administration in the Auditor's, Treasurer's, and Sanitary Engineer's administrative systems to prevent security breaches; and,
- (3) not using social security numbers as employee identification numbers so that they are not on as many documents.

Mr. Lewandowski said they would like to see a greater harmonious relationship between departments and elected officials and working hand-in-hand for the benefit of Medina County as a whole (versus a fiefdom). As a resident, he thanked the Commissioners, County Administrator, and Finance Department for all their effort, hard work, and commitment in helping the Audit Committee. The committee is eager to help, and if the items are rectified, it would make the county a better organization. Ms. Ray said the Commissioners are extremely thankful and appreciative of all the time that the Audit Committee has put in to review the State Auditors' reports. She said she attends every exit interview because she has an interest in auditing, but there is no way they could review every policy and procedure to determine if it is correct. The professionals on the committee being able to do that and offer suggestions for corrections makes Medina County a stronger organization as a whole, which is the goal of the Audit Committee. They are pleased with the recommendations and some of the actions that have transpired since the recommendations.

Mr. Lewandowski said he is an action-oriented person and has spent his life performing audits and looking for deficiencies. He said he will be very interested to see where they will be in November 2008 and if progress has been made. Mr. Laubaugh said that in the private sector when an audit is conducted and deficiencies are discovered, it is easy for the boss to say he wants it fixed by the end of the week. They realize the Commissioners do not have that capacity, but if they all work together, they can get these issues taken care of.

Mr. Walker commented that he asked the State Auditors how Medina County ranked overall. They said the overall review of Medina County is very favorable and the control systems are quite good. On a comparative basis with the other municipalities that this particular audit group oversees, Medina County was said to be in the best shape.

Ms. Ray said Medina County is somewhat unique in creating this Audit Committee and all three Commissioners have been involved. They determined that they wanted no elected officials on the committee and no one with a political agenda. They wanted truthful, good comments that would put this county on the track to continuous improvement. When they did exit interviews in the past, they had the same comments repetitively. It is sometimes difficult for the Commissioners to be in a position to judge which comments should be initiated first, which ones were cause for major concern, and which were minor concerns. She said she would be following up on the three areas of concern and they should all be changed by the time they look at the situation next year. There will probably be new situations, but they are continually improving this process and becoming stronger and stronger because of it.

Mr. Laubaugh said they would continue to follow up on the open items. They will also be preparing for the committee to be involved in the upcoming audit that starts in December and continuing to seek input from the sponsors. They welcome feedback from any county department and their meetings are open meetings. For example, if someone wants to offer some background on what they are doing and how they are doing it, the committee could offer recommendations from the private sector. They are open to helping people to perhaps see a

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better way of doing things and bringing more accountability and stewardship to some of the processes.

Mr. Walker asked the Commissioners if they wanted quarterly, one-on-one meetings with the committee. They provide all meeting minutes to the Commissioners. Ms. Ray asked if the committee needed anything to make their job easier. Mr. Lewandowski commented on the helpfulness of Scott Miller. Ms. Ray said she applauds their efforts and she would like the committee to make a presentation at least mid-year. Some of their recommendations were for Commissioners' departments so they should receive no resistance in making those changes. They will make sure the departments follow course. Mr. Lewandowski said the committee would help anyone who does not understand the recommendations as written.

Jim Troike, Sanitary Engineer, gave an update on the agreement for the Harrisville Township service area. On Friday, he met with Harrisville Township Trustee Dick Indoe, a representative from the Medina County Planning Department, and Dan Willhoite from the County Engineer's Office, regarding the 100-year floodplain and to provide Harrisville Township some guidance. In the interim, they sent the temporary memorandum of understanding to Lodi's Law Director Ted Lesiak to attempt to get service to BP and other existing commercial entities south of I-71.

Ms. Ray said the Commissioners need a legal opinion from the Prosecutor's Office about a possible conflict of interest because Lodi Mayor-elect Dan Goodrow is negotiating on behalf of the proposed water park project in Harrisville Township. Mr. Troike said that lately, they have mostly been dealing with Ted Lesiak, Lodi's Law Director, who also has some issues; he represents the developer. Mr. Hambley added that he read in the newspaper that Mr. Lesiak is not only on the Board of Public Affairs that deals with water matters, he is also representing Mr. Goodrow as his private attorney. Mrs. Geissman said both gentlemen have told people they are representing the Village of Lodi, and the village Council and other Board members have not given them the authority to do so. This gives the county a "black eye". Mr. Troike said he has been working with the Village of Lodi to develop service areas, but the water park is not his issue or in the county's service area under that agreement. Mr. Jakab said the Prosecutor's Office may offer to sit in subsequent meetings and they should accept the offer, but the Prosecutor's Office will probably not comment on the ethics issue; it comes down to being a village problem. Mrs. Geissman said it is clear that Mr. Goodrow and Mr. Lesiak are interested in service Area C and getting that resolved for the water park, which is not the interest of the Board of Public Affairs or the Lodi Council. It has become personal to the benefit of individuals. There was a short discussion about the Harrisville Township public meeting this evening to obtain the public's input on zoning changes for the water park area. Mr. Jakab and Mr. Troike offered to meet with Assistant Prosecutor Bill Thorne to discuss the matter this week and the Commissioners agreed.

As a follow up to last week's discussion about a budget shortfall, Debra Radecky, Office for Older Adults (OOA) Director, presented a report listing the number of Medina City residents served, units, and federal dollars and local dollars for each of the Title III programming services (social service outreach, transportation, home delivered meals, and congregate meals) at the Medina City OOA from November 1, 2006, through October 31, 2007. It listed the Brunswick funding provided to the Brunswick senior citizen programs as \$188,020; Wadsworth funding to the Wadsworth Senior Center as \$229,391; and Medina funding to the Medina Senior Center as \$2,000. The report also showed the activity attendance breakdown for July through October 2007. Ms. Radecky said that thanks to the Department of Planning Services, they prepared a map that plots where the clients live that are served by these numbers and that was presented to Mayor Leaver. Mrs. Geissman commented on the big differences in funding from the three cities and said that this should help in the discussion to request more funds. Mr. Hambley asked Ms. Radecky to set up an appointment with officials from the City of Medina and she said she would. Mr. Jakab said they still needed to formulate a consensus on the 2008 programming at a later date.

Mr. Jakab said that he and the architects met with Juvenile Court Judge Lohn and his Detention Center administrator and court administrator last week for further planning of the

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Courthouse expansion planning process. It was very helpful for the architects to gain knowledge of the courts' wishes for future space facility planning. There were minutes drafted of the meetings with the Domestic Relations Court, Adult Probation, and Juvenile/Probate Courts and he will provide copies for the Commissioners to review. This should be helpful to remind them of the key issues that they are facing in trying to meet everyone's needs and ascertain the best location to do that.

Mr. Hambley said Francis Strickland (Governor Ted Strickland's wife) will be at the Medina County Achievement Center tomorrow at 2:30 p.m.

After a short discussion, the Commissioners moved the Thursday, December 6, Commissioners meeting back to Monday, December 3. Mr. Hambley pointed out that there was a public hearing on December 3 that had already been advertised and could not be changed.

Charles Huber, Chief Building Official, said that earlier this year, they received approval from the Ohio Manufactured Homes Commission to inspect the installation of manufactured homes on private property outside of manufactured home parks. The same bill modified existing statute that gave the Ohio Department of Health the authority to inspect the installation of manufactured homes inside manufactured home parks and modified that language to allow the Ohio Department of Health to enter into arrangements with entities such as Medina County Health Department. Mr. Huber said he received the Board of Commissioners' contract with the Ohio Department of Health that would allow the inspections and he requested permission to have the Prosecutor's Office review it before he presented it for signatures; the Commissioners granted permission. Mr. Jakab asked if this would apply to all political subdivisions and Mr. Huber said some are not participating such as the City of Brunswick (outside their manufactured home parks), but there is one park inside the city (Wagon Wheel) that the Medina County Building Department would inspect installations. The Ohio Board of Building Standards held a public hearing on November 2, 2007, and the Medina County Building Department received approval to serve Medina County's unincorporated areas and the five villages (excluding Westfield Center) but not including the City of Wadsworth. The paperwork was sent regarding Westfield Center and that request will be heard in 2008. The City of Wadsworth passed legislation authorizing the Mayor to sign the application and paperwork needed and this will be sent to the Ohio Board of Building Standards to go through the rest of the approval process.

Mr. Jakab asked Mr. Huber to explain the purpose of the upcoming public hearings. Mr. Huber said it is to modify the Medina County Building Regulations to remove some existing text called the "Tri-County Residential Rewire Code". That text requires that when someone has an existing house and they upgrade something such as an electrical service panel or a room addition, the Building Department requires the electrical system in the old part of the house be upgraded. Since May 2006, a statewide building code and state statute took affect regulating one-, two-, and three-family residential and state law prohibited that requirement. They will also add to the regulations the fact that they are now in the manufactured home installation inspection business.

Commissioners recessed the meeting at 10:40 a.m. to go into the Executive Session that was voted on earlier.

At 10:58 a.m., Mrs. Geissman moved to adjourn the meeting, seconded by Mr. Hambley. There was no discussion. Roll call showed all Commissioners voting AYE.

### RESOLUTIONS PASSED 11/19/07

<u>NUMBER</u>	<u>RESOLUTION TITLE</u>
07-1112	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
07-1113	RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUNDS FOR INSPECTION OF DRAINAGE SYSTEMS IN 2007 IN VARIOUS SUBDIVISIONS AND VARIOUS TOWNSHIPS

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- 07-1114 RESOLUTION AMENDING THE 2007 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 07-1115 RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
- 07-1116 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS
- 07-1117 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY GENERAL FUND FOR THE COSTS OF THE COUNTY-WIDE AUDIT
- 07-1118 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS SANITARY ENGINEERING FUNDS TO THE COUNTY GENERAL FUND
- 07-1119 AUTHORIZING A CASH TRANSFER FOR THE CAPITAL IMPROVEMENT FUND
- 07-1120 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 07-1121 AUTHORIZING CASH TRANSFER FOR THE COUNTY HOME LEVY FUND
- 07-1122 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE PUBLIC ASSISTANCE FUND (0120) TO THE JFS BUILDING DEBT PAYMENT FUND (0300)
- 07-1123 CREATION OF THE COMMUNITY HOUSING IMPROVEMENT PROGRAM OHIO HOUSING TRUST FUND GRANT
- 07-1124 CREATION OF THE HOUSING IMPROVEMENT PROGRAM COMMUNITY DEVELOPMENT BLOCK GRANT FUND
- 07-1125 CREATION OF THE SCHOOL SALES TAX FUND AND AUTHORIZING APPROPRIATIONS
- 07-1126 APPROVING A CONTRACTUAL ENGAGEMENT WITH THE AUDITOR OF STATE LOCAL GOVERNMENT SERVICES DIVISION FOR ASSISTANCE IN THE PREPARATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR MEDINA COUNTY
- 07-1127 AUTHORIZING A CONTRACT FOR THE PROFESSIONAL SERVICES OF A BEAUTICIAN FOR THE MEDINA COUNTY HOME
- 07-1128 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
- 07-1129 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER

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THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS

07-1130 RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE REMAINING ESCROW ACCOUNT OF UNDERGROUND UTILITIES INC FOR THE HINCKLEY WATERLINE PHASE II PROJECT MCSE#W-300/00-1.1.2

07-1131 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this nineteenth day of November, 2007.

Respectfully submitted,

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Pam Vereb, Clerk

COMMISSIONERS \_\_\_\_\_  
Sharon A. Ray

OF \_\_\_\_\_  
Patricia G. Geissman

MEDINA COUNTY \_\_\_\_\_  
Stephen D. Hambley