

COMMISSIONERS MEETING, MONDAY, OCTOBER 20, 2008

Patricia G. Geissman called the meeting to order at 9:32 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 of October 14, 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 Black River School Road (C.H. 83) between Spencer Road (S.R. 301) and Rivers Corners Road (T.H. 27) for culvert replacement; (2) closing Remsen Road (C.H. 37) between South Weymouth Road (C.H. 33) and Stony Hill Road (T.H. 48) for bridge repair; and, (3) closing Smith Road (C.H. 4) between Champion Creek Boulevard (T.H. 438) and Brook Run Drive (T.H. 746) for roadside tree clearing. Mr. Hambley moved to approve the three 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 October 9-15, 2008.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the 2008 Appropriations Resolution by transferring appropriations; (2) amending the Annual Appropriation Resolution; (3) appointing CompManagement as a third party administrator and selecting Safety National Casualty as the excess insurance carrier for Medina County's Workers' Compensation Self-insurance Program; (4) expenditure adjustments for the Sheriff's Department; (5) cash transfers for various funds; (6) authorizing the purchase of 5,000 gallons of diesel and 1,500 gallons of regular unleaded gasoline from Petroleum Traders for the lowest average combined bid price of \$2.5979 for the Medina County Highway Garage; (7) authorizing the purchase of 6,800 gallons of regular unleaded gasoline from Ports Petroleum at \$2.3250 per gallon for the Engineering Center; and, (8) approving the third quarter 2008 sales tax distribution in the total amount of \$2,542,314.21 to the various districts located in Medina County for permanent improvements. Mr. Miller requested payment of the weekly bills in the amount of \$1,295,558.63. Mr. Hambley moved to approve the eight 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.

Jim Troike, Sanitary Engineer, presented and reviewed the following resolutions: (1) intending to designate one or more solid waste facilities for the receipt of solid waste generated within the Medina County Solid Waste Management District and, (2) adopting rules regarding the generation, collection, and transportation of solid waste within the Medina County Solid Waste Management District. Mr. Troike explained that these resolutions were necessitated by the five-year update of the Solid Waste Management Plan that is required by the Environmental

COMMISSIONERS MEETING, MONDAY, OCTOBER 20, 2008

Protection Agency (EPA). A notice will be posted for the public hearing for the draft plan and the 30-day comment period begins on October 24. The first resolution clarifies that solid waste must go to the Central Processing Facility. The second resolution adopts new rules and regulations for the Solid Waste Management Plan. Mr. Hambley moved to approve both resolutions and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Mr. Troike announced that the County’s share of the revenues from the recyclables from the operation of the Central Processing Facility through July was \$91,000 compared to \$43,000 for all of last year. Most of the increase was due to the increased value of recycled metal. Those prices are going down and they won’t see ongoing profits like that, but there should be at least a couple good month yet.

Patrice Theken, Department of Planning Services Director, presented the 2008 Income Report as follows comparing it to the full years of 2007, 2006, and 2005:

	<u>2008</u>	<u>2007</u>	<u>2006</u>	<u>2005</u>
January through March	\$11,231.65	\$ 3,289.00	\$19,490.40	\$16,790.50
April through June	7,024.00	17,147.00	14,023.05	24,086.08
July through September	4,434.00	15,283.00	11,135.00	19,399.35
October through December	<u> -</u>	<u> 9,771.55</u>	<u> 6,022.60</u>	<u> 9,310.00</u>
	\$22,689.65	\$46,030.55	\$50,671.05	\$69,585.93

Ms. Theken said that the Planning Day Open House will be held on Friday, October 31, 2:00-4:00 p.m., at the Buffalo Creek Retreat on Hubbard Valley Road in Guilford Township. This location will allow them to show displays indoors and outdoors. This year’s theme is “Made in Medina County” and fifteen businesses will display what they make in Medina County. There will be food items and baked goods from various local vendors, farmers, and bakers. Sixteen agencies and several consultants will provide information. Goats, bunnies, calves, and alpacas will also be there for people to enjoy.

Charles Huber, Chief Building Official, presented and reviewed the “Medina County Building Department September 2008 Monthly Report”. There were 29 one-, two-, and three-family residential housing starts in September 2008; the numbers are continuing to decline. Estimated construction costs were down 47.66% comparing September 2008 to September 2007 and comparing 2008 to 2007 year-to-date, they were down 33.08%. Permits and building permit revenues collected in September 2008 compared to September 2007 were down 25.88%, and year-to-date permit revenue was down 17.87% comparing 2008 to 2007. The breakout of one-, two-, and three-family residential permits by political jurisdiction showed the most activity in Brunswick Hills Township and York Township for the month of September and year-to-date it was Brunswick Hills Township and Montville Township. The most commercial permits were obtained by Montville Township (3), followed by Liverpool Township and the City of Wadsworth (both with 2). The City of Wadsworth obtained the most commercial permits year-to-date (25) followed by Montville Township (15).

Mr. Huber said that Medina County finally received the contract signed by the Ohio Department of Health (ODH) for the Medina County Building Department to be able to inspect manufactured home installations within manufactured home parks. The contract was authorized

COMMISSIONERS MEETING, MONDAY, OCTOBER 20, 2008

by the Commissioners on January 7, 2008, and it took the ODH 10-1/2 to return it. The contract will expire on June 30, 2009.

Mrs. Geissman presented a resolution supporting the preservation of Ohio's Payday Lending Reform Law that will be placed on the November 4, 2008 ballot as Issue #5. On May 1, 2008, the Ohio House passed House Bill 545 to reduce the interest charged by payday loan organizations. This Bill caps annual percentage rates on payday loans at 28%, extends the repayment period to 31 days from 14 days, and cuts the maximum loan amount to \$500 from \$800. Previously, these companies could charge \$15.00 per \$100.00 loaned over a 14-day period, which calculates to a 391% interest rate. Opponents of the new restrictions (mostly the payday lending industry) are trying to overturn it using Ohio's veto referendum process. Studies show that Ohio payday customers pay more than \$318 million annually in loan fees, giving customers less money to spend on basic necessities and increasing their use of food pantries and other social services. Commissioners support the preservation of Ohio's Payday Lending Reform Law to prevent reckless lending that hurts more than those who borrow money. Mr. Hambley moved to approve the resolution and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

For the record, Mrs. Geissman read the notice from the Ohio Division of Liquor Control regarding a liquor license application requesting approval from the Division of Liquor Control for a change of corporate stock ownership for Lafayette Market, Inc., 6392 Lafayette Road, 1st floor and basement, Lafayette Township, Medina, Ohio. The license is a C1 permit class, which is "Beer only in original sealed container for carry out only", a C2 permit class, which is "Wine and certain prepackaged mixed drinks in sealed containers for carry out", and a D6 permit class, which is "Sale of intoxicating liquor on Sunday between the hours of 1:00 p.m. and midnight". There were no comments.

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

The meeting was opened for public comment and no one wished to speak.

Mrs. Geissman said a Discussion Session would be held immediately following this portion of the meeting and an Executive Session to discuss imminent litigation was requested for 10:15 a.m. Mr. Hambley moved to allow the Executive Session and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

The meeting recessed at 9:52 a.m.

Discussion Session

The meeting reconvened at 9:56 a.m. for the Discussion Session in the Hearing Room.

Dave Davidson, Connect Ohio Northeast Region Field Director, presented an overview of what they will be doing in each of the 88 counties in the State of Ohio and specifically in Medina County to increase technology access and literacy. He said Connect Ohio is not a broadband provider; they are a non-profit organization that was hired by the State of Ohio to work with each county to try to bridge the digital divide that currently exists in Ohio.

COMMISSIONERS MEETING, MONDAY, OCTOBER 20, 2008

Mr. Davidson said mapping is one of the services that they provide. They discussed with all of the service providers what areas they are covering now (not including satellite) and then they produced maps showing the broadband service inventory for the State of Ohio, density of households unserved by a broadband provider by census block, and the broadband service for each county. Medina County has a fiber optic project underway and that is something that they will incorporate into the process. That will help address some of the problems with availability. The critical items that must be included for a successful technology expansion are the “5 A’s”:

- Availability - Broadband must be available.
- Awareness - If it is available, but people don’t know about it and that slows down the adoption process.
- Applications - People (such as farmers) need to know that broadband will improve their day-to-day lives and business.
- Affordability - Broadband must be affordable.
- Adoption - These all lead to a successful adoption.

Mr. Davidson said that the eCommunity Strategy is to build eCommunity Leadership Teams throughout Ohio. They need to identify leaders in nine different sectors of the community: business/industry, K-12, healthcare, libraries, higher education, community-based organizations/churches, government, tourism/recreation/parks, and agriculture. Over a course of five meetings they want to have each sector identify where they are today regarding broadband availability and applications. Then they want them to identify where they want to be over a two- to three-year period. Finally, they want to determine the steps needed to get there. The individuals that they would like to have participate on the eCommunity Leadership Team are leaders of their sector. They will expect them to attend the meetings, fully participate and provide their input, give a vision for application, and share best practices. Mr. Davidson said the process will take about four months to complete and he will be facilitating it. They will be generating a report at the end of it that will change the focus from the planning phase to implementation. They need to identify about four to five people in each of the nine sectors so the “kickoff meeting” will probably be about 45 to 50 people. He will provide an overview of the program and ask for a person to step up as a leader of that particular sector of the County. After that, they will go through a series of meetings to create a draft of the report and the full report will be available in about four months. The idea is to bridge the digital divide in Ohio, be a conduit for broadband, work with each of the counties, and coordinate with the State. They are part of the Governor’s initiative on broadband and part of the Ohio Broadband Council.

Mr. Davidson discussed a new program called “No Child Left Offline”. They work with computer manufacturers and software manufacturers to be able to provide computers and software to disadvantaged children, either physically disadvantaged or from lower income areas. He asked if there were any questions about Connect Ohio.

Ms. Ray asked how they execute the recommendations that are put forth in the report and if they do it with the private companies that are currently located in the areas. Mr. Davidson said that Medina County is keyed into broadband with the fiber loop; therefore, they would try to “bring to the table” the main providers if possible. In some of the rural areas, the fiber loop might be able to deliver the fibers to particular areas, but it does not take it to the last mile. Perhaps they may be able to bring in a fixed wireless company that would provide that final mile or maybe another company may want to “come to the table” to provide service to a particular area.

COMMISSIONERS MEETING, MONDAY, OCTOBER 20, 2008

They would be a conduit for that process and work with the imbedded carriers and ones that could potentially come to the area and coordinate with those that are facilitating the fiber project.

Mr. Hambley pointed out that the inventory does not show the capacity; it only shows the existence of broadband service. Mr. Davidson said the broadband would primarily be the cable companies and DSL providers represented.

Mr. Jakab asked where their funding comes from. Mr. Davidson said that it comes from the State of Ohio. He is not sure exactly what budget it was taken from. The Governor signed the proclamation in December 2007. The initial funding was about \$2 million for all 88 counties.

Mrs. Geissman asked when this project would be completed. Mr. Davidson said that the first phase is to be completed by June 2009 for all 88 counties. It is a very aggressive schedule that will be done by four people.

Mr. Hambley asked if the State has any intention of assisting with the implementation of these plans. Mr. Davidson said he has found that the counties are at different levels of sophistication. Medina County has obviously found that broadband is critical to attract and retain business and they are well ahead of many other counties. Potentially, they can facilitate some funding such as the U.S. Department of Agriculture that is starting to invest in broadband for farming areas, and the State may have some grants. If they identify a need, they can put together a business case on a local level and help facilitate that process. They are directly connected to the State entities that cover the technology area.

Mr. Hambley asked what departments they coordinate their efforts with. Mr. Davidson said they coordinate with the Ohio Broadband Council of the Governor. This is a relatively newly-created council that is focusing on bridging the digital divide in Ohio. It includes many members that participate from various departments within the State.

The Commissioners reviewed the spreadsheet of the eLeadership Team and helped to make additions and corrections. They recommended that a good location for the meeting would be at the Medina County University Center or the Medina County District Library.

In other business, Ms. Ray said she would be attending the Medina City Finance Committee meeting that evening at 5:30 p.m. to continue to discuss the financing of the parking deck. The following day at 9:00 a.m., October 16, is the first meeting with the architect and the officials regarding the Courthouse Expansion Project.

Mr. Miller stated that the budget requests were sent out on October 10 and they need to be returned by November 26.

Mr. Jakab presented the proposed agenda for the architect's meeting the following day. Medina City Planning Director Greg Hannan is asking for an extension for the City/County approval of the bid specs for the parking garage that were due that day to be extended to October 27. They hope to release them to the short-listed design/bid firms on October 31. He presented the updated draft for the Commissioners' review.

After a short discussion, the Commissioners made the decision to interview Welty, Knoch/Simmons, and Donley's for the construction management firm for the Courthouse

COMMISSIONERS MEETING, MONDAY, OCTOBER 20, 2008

Expansion Project next Monday, October 27, beginning at 10:15 a.m.. Eliminated from the short-list were Ruhlin and Project and Construction Services, Inc. (PCS).

The meeting recessed at 10:20 a.m. for the Commissioners to go into the Executive Session to discuss imminent litigation that was voted on earlier.

After the Executive Session, the meeting was adjourned at 11:00 a.m. on a motion by Mr. Hambley that was seconded by Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Resolutions Passed 10/20/08

<u>Number</u>	<u>Resolution Title</u>
08-0971	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
08-0972	RESOLUTION DETERMINING THE NECESSITY TO CLOSE BLACK RIVER SCHOOL RD. (C.H.83) BETWEEN SPENCER RD. (S.R. 301) AND RIVER CORNERS RD. (T.H.27)
08-0973	RESOLUTION DETERMINING THE NECESSITY TO CLOSE REMSEN RD (C.H.37) BETWEEN S. WEYMOUTH RD. (C.H.32) AND STONY HILL RD. (T.H.48)
08-0974	RESOLUTION DETERMINING THE NECESSITY TO CLOSE SMITH RD. (C.H.4) BETWEEN CHAMPION CREEK BLVD (T.H.438) AND BROOK RUN DRIVE (T.H.746)
08-0975	RESOLUTION AMENDING THE 2008 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
08-0976	RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
08-0977	RESOLUTION APPOINTING A THIRD PARTY ADMINISTRATOR AND EXCESS INSURANCE CARRIER FOR THE COUNTY'S WORKERS COMPENSATION SELF INSURANCE PROGRAM
08-0978	EXPENDITURE ADJUSTMENTS FOR THE SHERIFF'S DEPARTMENT
08-0979	CASH TRANSFERS FOR VARIOUS FUNDS
08-0980	RESOLUTION AUTHORIZING THE PURCHASE OF 5,000 GALLONS OF DIESEL AND 1,500 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE MEDINA COUNTY HIGHWAY GARAGE
08-0981	AUTHORIZING THE PURCHASE OF 6,800 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
08-0982	SALES TAX DISTRIBUTION TO THE VARIOUS DISTRICTS LOCATED IN MEDINA COUNTY
08-0983	RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
08-0984	INTENT TO DESIGNATE ONE OR MORE SOLID WASTE FACILITIES FOR THE RECEIPT OF SOLID WASTE GENERATED WITHIN THE MEDINA COUNTY SOLID WASTE MANAGEMENT DISTRICT
08-0985	A RESOLUTION TO ADOPT RULES REGARDING THE GENERATION, COLLECTION AND TRANSPORTATION OF SOLID WASTE WITHIN THE MEDINA COUNTY SOLID WASTE MANAGEMENT DISTRICT
08-0986	RESOLUTION SUPPORTING THE PRESERVATION OF OHIO'S PAYDAY LENDING REFORM LAW

