Patricia G. Geissman called the meeting to order at 9:30 a.m. with Colleen M. Swedyk and William F. Hutson present. The meeting opened with the Pledge of Allegiance and a prayer.

The minutes of the July 2, 2019 commissioners' meeting were emailed in advance. Mrs. Swedyk moved to approve the minutes; Mr. Hutson seconded the motion. There was no discussion. Roll call showed Mrs. Swedyk and Mrs. Geissman voting AYE; Mr. Hutson abstained. The motion carried.

Finance *Director Mike Pataky* presented and reviewed the following resolutions: (1) amending the 2019 annual appropriations resolution by transferring appropriations; (2) authorizing the purchase of 6,700 gallons of regular unleaded gasoline for the Engineering Center; (3) adopting of the 2020 tax budget; and (4) allowing expenses of county officials. Mr. Pataky requested payment of the weekly bills in the amount of $3,783,620.46. Mrs. Swedyk moved to approve the four resolutions and to pay the bills; Mr. Hutson seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Human Resources *Assistant Nicole Lee* presented and reviewed a resolution approving personnel changes for the employees under the jurisdiction of the Medina County commissioners. Mrs. Swedyk moved to approve the resolution; Mr. Hutson seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

County *Administrator Scott Miller* presented and reviewed a resolution regarding the necessity to levy an additional tax in excess of the ten mill limitation. Mrs. Swedyk moved to approve the resolution; Mr. Hutson seconded the motion. Mrs. Geissman noted that a presentation was previously provided to the commissioners and they know the need for this. They will put it on the ballot and hopefully the citizens of Medina County will realize the need. There was no further discussion. Roll call showed all commissioners voting AYE; the motion carried.

Sanitary *Engineer Amy Lyon-Galvin* presented and reviewed a resolution terminating a contract for lawn maintenance services and snow plowing services, and approving a limited contract for lawn maintenance services and authorizing to bid for lawn maintenance services and snow plowing services at various Medina County facilities. Mrs. Swedyk moved to approve the resolution; Mr. Hutson seconded the motion. There was further discussion. Roll call showed all commissioners voting AYE; the motion carried.

Office *for Older Adults Director Laura Toth* reported they are right where they should be with most programs. Home delivered meals are scheduled to go over 38,000 meals provided again this year. Regarding Transit, the impact of Veterans Services taking over veterans' transit has put transit numbers where they should be. She will be meeting with Shannon Rine to discuss how they can offer more senior transportation options that they subsidize in the county to make sure the senior get better service in the county so they utilize all of their grant-funded units. Their main grant funder (WRAAA) has provided notice that there will be a slight increase in units across the board for their grant funded services; this will be available to utilize in 2019. A resolution will be presented in the next couple of weeks reflecting this change.

Mrs. Toth reported that Picnics on the Patio are going well averaging about 90 participants per event; the next one is Friday with Swiss burgers and the entertainment is Jim Gill. They also have a new collaborative event happening in Brunswick. On Thursday, July 18, they are working with Brunswick schools and the City to put on an outdoor picnic.

Their biggest event this month is their annual Senior Farmers Market distribution. There will be 194 packets distributed; each packet contains ten $5 voucher coupons to use at various farmers markets around the county. This program is very popular and it is expected that all packets will be distributed by noon on Thursday. It is a first come-first served event. Mrs. Geissman stated that she is amazed at the growth of the Farmers Market since its first year. In answer to a question by Mr. Hutson, Mrs. Toth stated that this program is funded by the U.S. Department of Agriculture.

Commissioner Geissman presented and reviewed a resolution supporting the Northeast Ohio Areawide Coordinating Agency's application to the U.S. Department of Transportation for the Infrastructure for Rebuilding America Grant. Mrs. Swedyk moved to approve the resolution; Mr. Hutson seconded the motion. Mr. Hutson explained that this originates out of NOACA as they are trying to get funding to improve the Cuyahoga River where it goes through the City. The Irishtown Bend area has been deteriorating over the years and they have applied several times and haven't been able to get funding for it, so they are trying to get more communities and a broader area to support the effort in hopes that they will get the funding. Mrs. Geissman stated that Mr. Miller had brought this to their attention last week. There was no further discussion. Roll call showed all commissioners voting AYE; the motion carried.

Public Comment
None.

Commissioner Swedyk moved to go into Executive Session after Discussion Session for the purpose of discussion of pending litigation; Mr. Hutson seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

With no further business to come before the Commissioners, the meeting recessed at 9:42 a.m.

Discussion Session
At 9:45 a.m., the Commissioners began the Discussion Session in the Commissioners' conference room.

Muskingum Watershed
Mark Krosse stated that he is a volunteer with Save the Lake Coalition. The group helped the Park District with water quality issues in Chippewa Lake. They jointly funded a consultant study to determine the causes of algae blooms. The study showed long-standing issues with Muskingum and the Chippewa sub-district. The lake and one mile run of channel, the outlet, were left out of the district. A year and a half ago, they began working with Muskingum staff to get this resolved. They received resolutions of support from four political subdivisions. In March, the Muskingum Board declined the request. The only way forward is to now position the Conservancy Court. The Muskingum District has extensive programs focused on water conservancy that would benefit Medina County. They are requesting the commissioners' support to join them in a petition requesting that the one mile outlet be brought back into the sub-district, Medina County be brought back into the Muskingum District and the Chippewa sub-district then be dissolved. This would increase public benefit to Medina County and the Park District. Muskingum's main district provides grants and support for a watershed coordinator in other areas. The Medina County Soil and Water District needs a watershed coordinator. Since Medina County was left out of the Muskingum District, the county is currently not eligible.

Nate Eppink stated that Mark did a good job summarizing what he has been doing the last year. The Park District purchased Chippewa Lake in 2007. In the last few years, the issue of toxic algae blooms was discovered. The Save the Lake Coalition helped to underwrite a study for the algae blooms. This is an international problem. Mark came to the Park District Board in January with a proposed resolution and the Board chose not to adopt it under advice from legal counsel. They did not want to be a part of a potential lawsuit with the petition to the Conservancy Court. Muskingum has been a partner with the Park District for decades. They have offices at Buffalo Creek Retreat. If they are to tackle the issue of the algae blooms, they are the park district's partner. They have come to the Park District Board meetings and said that to expand the district will have no benefit on water quality or flood control because it is so flat. There is no way to move water faster. They are telling us that the benefits are negligible. There is a meeting on Monday with Mark and another board member to talk through this issue again. Commissioner Hutson inquired if the Conservancy has done anything to help with the issues in Chippewa Lake. Mr. Eppink stated he does not believe they have because the lake and the outlet are not included in their jurisdiction. Mr. Krosse stated that there is evidence to show that Muskingum has been a detrimental cause for some of the problems in the lake. The depth of the lake used to be 60 to 65ft, but the most recent depth recorded is now 24ft. In the 1961 original plan approved by the Conservancy Court, the plan quantified the benefit of Chippewa Lake to the flood control project as being equivalent to having 21 square miles of additional drainage. The lake has filled in with sediment coming from Muskingum's jurisdiction north of it making it a detriment to the flood control and water quality of Chippewa Lake. This will be one of the issues brought before the Conservancy Court. A new draft resolution will be discussed during the Monday meeting.

Commissioner Hutson stated aside from renting office space, have they provided any tangible benefit to the Park District. Mr. Eppink stated in recent history, no, but going back 30-40 years, he does not know the answer to that. Mr. Eppink stated he has spoken to the sub district manager about improvements that can be made, but no other benefits. Mr. Krosse noted that the residents in this jurisdiction want Muskingum's services. They have 85 years of experience in flood control and watershed management. Commissioner Geissman stated she recalled that many of the residents were paying a tax and receiving no benefit. Mr. Krosse stated they are receiving some benefit, Muskingum would say, but yes, everyone in the jurisdiction is paying a property assessment. However, when it is requested that they help with the lake, Muskingum says sorry, it is not in the jurisdiction. Mr. Eppink stated that the justification from Muskingum is that the assessment is based on the impact of the homeowner's property in the watershed. Although there is not a tangible benefit, it is affecting things downstream. The funds are used within the watershed, but not necessarily at Chippewa Lake.

Mr. Hutson inquired if the Park District has any plans to make any improvements to the outlet or the lake. Mr. Eppink stated that they do not own much land around the outlet. The current outlet, is not the original course and with significant rains, the water wants to flow in the original course. They would have to work with additional land owners and Muskingum. Some cleanup has been done in the outlet. They can only do so much due to land ownership. They are interested in the lake itself because they are the owners. Mrs. Geissman inquired what the bottom line that Mr. Krosse was trying to accomplish through these support resolutions. Mr. Krosse stated three things: Chippewa sub district plan be amended to bring back into scope the lake and outlet, Chippewa sub district be brought back into scope of the main district, and then dissolve the sub district once they are a part of the main district. The result is better focus on flood control and water shed quality management which benefits the park district and residents. Mr. Eppink stated that the things Mark wants is also what the park wants for water quality and improvement, but they cannot lead the charge. Mr. Hutson stated that both can agree that flood control and water quality are significant benefits to Medina County and

he would like to see something happen one way or another to try and achieve that end. Mr. Hutson stated he would like to hear back from the Park District before approving any resolution of support.

Court Management Software

Scott Miller explained that there are limited funds that can be spent on software and over the years, he has tried to get people to work together to work more efficiently and effectively to stretch the dollar. Clerk David Wadsworth received seven proposals for software and has narrowed it down to two – Tyler and Pioneer. Judge Dunn has been looking at software for four years as he also has a need to upgrade software. Judge Kovack has indicated that she going to stay with her current system (Courtview) and Judges Collier and Kimbler are not currently using specific software programs. Mr. Miller reviewed the costs of the Tyler and Pioneer software noting that Tyler is more costly, however, it meets the needs of all of the courts where Pioneer does not. If Pioneer is selected, a second system will still need to be purchased for Juvenile and Probate Court resulting in two maintenance contracts. Mr. Miller provided an overview of the costs stating that it makes sense to go with one system and in his opinion, it makes sense to go with Tyler Technologies. He stated that he has a letter from Judge Collier and Judge Kimbler in support of the Tyler system. He noted that Judge Kovack supports Clerk Wadsworth in his desire to purchase Pioneer, but it is his understanding that she is not going to be using the system. Mr. Miller stated that at some point, a decision needs to be made as Clerk Wadsworth and Judge Dunn are both anxious to get something going as their current systems are old.

Clerk Wadsworth stated that the annual maintenance of both products is where the big kicker is. Mr. Miller reviewed the costs. Mrs. Swedyk stated that she read the packet and she thinks they should go with Tyler for two reasons: (1) the three judges who would be using it want Tyler and (2) the county is already using Tyler for accounting and payroll systems. Mr. Miller stated that in talking with Tyler, they had indicated that they had indicated that because the county uses their accounting system, there is a possibility of some savings on the maintenance fee, but he has not pursued that because he was not sure what direction would be taken. Clerk Wadsworth stated that he feels that Tyler Technologies' system is by far too expensive. Over a ten year period, their annual maintenance cost is outrageous and they charge significant fees for credit cards. He currently charges $3.00 for a credit card transaction, but they want 4 percent or more and it will go through their bank. Then, every time a document gets filed, they get $5 – it's like giving them a franchise to that. He doesn't understand why they would pay so much for a system and they are getting all these other money streams as well. It's not to the benefit of the attorneys or citizens that use their services. Mrs. Swedyk stated that if the three judges want the other system…Mr. Wadsworth stated that Judge Collier has told him he will do whatever Judge Kimbler and the commissioners want as to not rock the boat, and Judge Kimbler has told him that she doesn't really care – she will do whatever the commissioners want. Mrs. Swedyk stated that they received a letter July 3 from Judges Collier and Kimbler. Mr. Wadsworth stated that's nice.

There was discussion regarding current credit card fees and filing fees. Mr. Miller explained that Tyler is a hosted system which allows them to avoid the cost of additional equipment and offsite backups. Mr. Wadsworth stated that he can buy a server for less than $50,000 and it will last six years, and he backs up to other locations already for only the cost of the equipment. It's a one-time $50,000 expense that will last six years or more, and the SAS solution is leaps and bounds above that per year in perpetuity; it's a huge commitment by the county. Mr. Miller stated that he goes with the Pioneer system, there will be a need for two systems, which will increase the annual costs. Mr. Miller agreed that Tyler's quote was high. Mr. Hutson suggested to continue to negotiate, but stated that his inkling is to lean toward Tyler because it is a global solution that everybody can use and standardization is a key factor in modern technology. Mr. Wadsworth said not if it wastes money.

Judge Dunn stated that he has done this for four years and feels that Tyler is the superior product for them in their court, and two other judges have indicated the same in correspondence. This is a program that's posted on the web, they have the server stations and will be responsible when other individuals try to hack in and pirate information which has happened in numerous communities including Akron; they are bearing the risk of loss to insure our data. If the server gets burnt up, a flood or some other type of problem, he can use his laptop and have his court running by having an internet connection. It's that simple. That's what you're paying a premium for. Also, processing paperwork like the Clerk of Courts is only half of the software product. The operational aspect of using it as a judge or as a probation officer in the field, to be able to do your work from wherever you are is an incredible savings. You can gather data with immediacy and be able to use it will absolutely be able to facilitate the judges' ability to do their work making the process that much more efficient. Judge Dunn stated that there is no concept in the Pioneer product to be able to work with their detention center. The Tyler system has a specific module that is for that and his staff evaluated it and agreed that it is good and allows them to send reports on kids, how they are doing every day, provide mental health reports, etc. with immediacy and not requiring physical, written files on every item. Judge Dunn explained that we're never going to be paper resistant, but this will dramatically reduce the amount of paper required. From his end of evaluating the products, there is no comparison. He noted that the BMV also charged $4 to use his credit card to renew his drivers' license for a $28 charge; it's the world today.

Clerk Wadsworth stated that he spent a good deal of time with Judge Werner who is using Pioneer software; he loves it – he's ecstatic about it. He recommended Judge Dunn talk to him. Judge Werner has all of that with his system – he can be at home or in his car and work. Mr. Wadsworth agreed that he doesn't know much about the detention center and stated Judge Dunn has to make the call on that sort of thing. Mr. Wadsworth

stated that he knows what's in the best interest of their courts and this is his call for the software for his people to use to operate and function. He stated that he does not spend public money easily and is very cautious of this; he stated that he sees this as a boondoggle.

Commissioner Geissman stated that she would like to know why Judge Kovack does not feel that she can use the same as the other three judges. Mr. Wadsworth answered that she is comfortable with what she has. Scott Newman stated that the program they currently use (Courtview) meets all their demands and does what they need it to do. Mrs. Geissman asked if there's any advantage for her to be on the same system as the other judges; Mr. Newman answered that he cannot speak to that. He stated that the current system works and Judge Kovack obviously sees that there's no need to deviate. Mr. Wadsworth stated that they only pay $18,000 a year; Mr. Newman noted that it's relatively cheap. Mr. Wadsworth stated that Judge Kovack indicated to him that one day the time will probably come where they will migrate over to the same system he's using. Mrs. Geissman stated that she would think that if everyone were using the same thing it would be cheaper and also something that collectively that they would be able to use. Mr. Wadsworth stated that if everybody went with the Pioneer system it would be significantly less expensive, but Judge Dunn points out that he feels uncomfortable with it for his detention center. Judge Dunn stated that it's a terrible bench tool and a terrible tool for his probation officers and he has eight of them doing that on a constant basis. He stated that if Mr. Wadsworth wants to have that system to file stamp and accept people's papers, that's great. You have a common pleas judge using for his diary system a recipe box – what's the liability if someone's speedy trial gets beat or if someone spends four extra days in jail – what's the cost of that. That's why the change has to happen. Mr. Wadsworth stated that Judge Collier pointed out that the recipe box works very well for him.

Commissioner Swedyk stated that recently three huge muni court operations picked Tyler – Akron, Cleveland and Franklin counties. Mr. Wadsworth stated that they have been in the process of signing for a long time. Mrs. Swedyk asked if he has talked to them to see why they preferred Tyler since they are such big operations. Mr. Wadsworth answered that he minds his own business, but noted that Wayne County uses Pioneer and they love it, and they are a unified system. He noted that Lorain has signed with Pioneer as well. Mr. Hutson stated that he has been in Wayne County as a practitioner and it doesn't work all that well. Mr. Wadsworth stated that if they select the system and force it on him, he will do his best to install it and maintain it, but if and when it fails, he will not be responsible for it – it will be on the commissioners. Mr. Hutson stated that is a responsibility he is willing to accept if that's the direction that they go. Mr. Miller added that he appreciates Mr. Wadsworth's concern about taxpayers' monies, but to be as efficient as possible, we have to work together. Mr. Miller will approach Tyler to try to negotiate the maintenance fee down to a lower price. He asked the commissioners what next steps they would like to take. Mr. Wadsworth asked who is paying for this; Mr. Miller answered that the money will be coming from the $200,000 grant the courts received. Mr. Wadsworth stated that he got the grant. Mr. Hutson clarified that Mr. Wadsworth applied for the grant, but Judge Kimbler signed off on him applying for it. Continuing, Mr. Miller explained that there is $600,000 in the court technology fund and money from the Auto Title transfer. Mr. Wadsworth stated that he is not giving his entire computer fund away for this project. Mr. Miller stated that he thinks that is something the judges control; Mr. Wadsworth stated we will see. Mr. Hutson stated that he supports the direction that Mr. Miller is going; he doesn't think we should let Pioneer off the hook necessarily as he thinks it's good to have competition in negotiating, but he would focus on Tyler. Mr. Miller stated he will do that.

DD Board Garage

Scott Miller stated that the Board of Developmental Disabilities has reduced their number of busses down to two. He has been in talks with them to come up with an agreement to do a joint maintenance garage where we would share some of the costs. An MOU will be presented in the next couple of months; it should save the county a lot of money.

Water Rate Study & Analysis

Amy Lyon-Galvin discussed the status of CT Consultants' water rate study & analysis and the water use charges as established by resolution in 2014. She reviewed the recommended stepped rate increases noting that the benefits are multiple including to have the ability to pay for maintenance projects with cash rather than borrowing money. Ms. Lyon-Galvin requested permission to present a resolution on July 23 regarding this matter; the commissioners agreed.

Executive Session

At 10:37 a.m., the Commissioners went into the Executive Session that had been voted on earlier. The Executive Session ended at 11:03 a.m.

Adjournment

Mrs. Swedyk moved to adjourn the meeting; Mr. Hutson seconded the motion. Roll call showed both commissioners voting AYE; the motion carried. The meeting adjourned at 11:03 a.m.

RESOLUTIONS PASSED JULY 9, 2019

Number	Resolution Title
19-0643	Allowing claims and authorizing issuance upon the treasurer in settlement of such list of claims
19-0644	Amending the 2019 appropriations resolution by transferring appropriations
19-0645	Authorizing the purchase of 6,700 gallons of regular unleaded gasoline for the Engineering Center
19-0646	Adoption of the 2019 tax budget
19-0647	Allowing expenses of county officials
19-0648	Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
19-0649	Necessity to levy an additional tax in excess of the ten-mill limitation
19-0650	Terminating a contract for lawn maintenance services and snow plowing services; approving a limited contract for lawn maintenance services and authorizing to bid for lawn maintenance services and snow plowing services at various Medina County facilities
19-0651	Supporting the Northeast Ohio Areawide Coordinating agency's application to the U.S. Department of Transportation for the infrastructure for Rebuilding America Grant Program

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this ninth day of July, 2019.

Respectfully submitted,

Rhonda J. Beck
Clerk to the Commissioners

COMMISSIONERS

OF

MEDINA COUNTY

Patricia G. Geissman

William F. Hutson

Colleen M. Swedyk