

Colleen M. Swedyk called the meeting to order at 9:30 a.m. with Aaron M. Harrison and Stephen D. Hambley present. The meeting was held in the commissioners' hearing room and opened with the Pledge of Allegiance and a prayer.

Commissioner Hambley moved to approve the minutes of the April 21, 2023 special commissioners' meeting and the April 25, 2023 commissioners' meeting; Commissioner Harrison seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Public Comment regarding pending resolutions

None.

Resolutions

County Engineer Administrative Assistant Dan Becker presented and reviewed the following resolutions:

1. Approving change order #2 to the contract for MED-CR 35-1.79 PD 111873 (Friendsville Road bridge rehabilitation bridge No 8) between J.D. Williamson Construction Co. Inc. and the Medina County Board of Commissioners
2. Finding that public convenience and welfare requires the resurfacing of the Medina County Job & Family Services rear parking lot, Medina County, Ohio and authorizing the Medina County Engineer to ask for bids for said resurfacing.

Mr. Hambley moved to approve the two resolutions; Mr. Harrison 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 the following resolutions:

1. Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
2. Approving a three (3) year agreement between the Medina County Sheriff and Fraternal Order of Police, Ohio Labor Council – Lieutenants

Mr. Hambley moved to approve the two resolutions; Mr. Harrison seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Finance Director Brett Thomas presented and reviewed the following resolutions:

1. Amending the appropriation measure resolution
2. Authorizing the county auditor to transfer funds from various county department accounts to the Medina County Vehicle Maintenance revenue line item
3. Authorizing the purchase of 6,900 gallons of regular unleaded gasoline for the Engineering Center
4. Declaring Medina County property as excess property
5. Allowing expenses of county officials
6. Allowing claims and authorizing issuance upon the treasurer in settlement of such list of claims in the amount of \$1,247,276.21

Mr. Hambley moved to approve the six resolutions; Mr. Harrison seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Department Update

Planning Services Director Denise Testa reported that at this month's Planning Commission meeting, they will be reviewing one replat in Liverpool Township, a final plat in Sharon Township, a preliminary plan extension in Montville Township, and a text amendment in Sharon Township. The June meeting will include Wadsworth and Guilford township text amendments as well as a final plat in Granger Township and revised preliminary plan in Sharon Township.

Regarding CDBG, the additional equipment for the Lodi Playground Project has been ordered. The Montville Cobblestone Park Pathway Project Phase 2's construction is scheduled to begin May 15. This will close out the 2020 CDBG projects. For 2022, the Financial Empowerment Center located below Honeybee Bakery is up and running as is the Wadsworth Homelessness Prevention Program. The sidewalk project in Wadsworth is out to bid and they are preparing bid documents for the Brunswick Street repavement, the Montville pathway phase 3 pathway and the Lodi pathway project. They are in the process of exploring options to update their Fair Housing analysis of impediments which will be due in July 2024. The CHIP program has completed its first public hearing for a June 21 application deadline.

Mrs. Testa reported that the Critical Infrastructure Main Drive Chippewa Lake second layer of paving will be installed soon which will conclude the project. The prep work for the ARPA project (Chippewa Lake Main Drive Phase 2) is now being completed. The bid package for the Lodi Community Park Bridge Replacement Project is currently being reviewed by the Village and County's legal counsels. They continue to meet with their Fair Housing clients.

Commissioner Swedyk presented and reviewed the following resolution:

1. Proclaiming May 2023 as Older Americans Month and May 16, 2023 as Senior Day in Medina County

Mr. Hambley moved to approve the resolution; Mr. Harrison seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Commissioners' Resolutions

Commissioner Swedyk presented and reviewed a resolution reappointing members to the Medina County Alcohol, Drug Addiction and Mental Health (ADAMH) Board. Mr. Hambley moved to approve the resolution; Mr. Harrison seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Commissioner Swedyk presented and reviewed a resolution appointing a member to the Medina County Advisory Council on Aging & Disability. Mr. Hambley moved to approve the resolution; Mr. Harrison seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Commissioner Swedyk presented and reviewed a resolution approving an amended agreement to establish a countywide emergency management agency. Mr. Hambley moved to approve the resolution; Mr. Harrison seconded the motion.

Mr. Hambley explained this is the agreement that has been discussed over the last couple of months and was discussed with the EMA Executive Committee last week. This agreement finalizes the language so the commissioners can send it out to the communities and jurisdictions for their approval. Mrs. Swedyk noted that she thinks the changes are really good and represents the community. She also likes the addition of the Sheriff on the board and is really a good list of representatives. Mr. Harrison stated that this is more or less the agreement that was presented to the committee, but there were a couple of changes suggested by the committee that were incorporated; he looks forward to getting this circulated and approved by the subdivisions. Mr. Hambley stated that he thinks the changes were largely those of clarity as opposed to substance, which is very important as they found in the 90-39 version, clarity becomes less clear over time. Mr. Harrison added that having one agreement makes it clearer; Mr. Hambley agreed.

There was no further discussion. Roll call showed all commissioners voting AYE; the motion carried.

Commissioner Swedyk presented and reviewed a resolution approving the petition for annexation of 0.3733 acres of land known as being part of Wadsworth Township to the City of Wadsworth, Medina County, Ohio pursuant to O.R.C. 709.22. Mr. Hambley moved to approve the resolution; Mr. Harrison seconded the motion.

Mr. Hambley noted that it's nice to see an annexation where all the interested parties agree; Mrs. Swedyk agreed.

There was no further discussion. Roll call showed all commissioners voting AYE; the motion carried.

Public Comment

None.

With no further business to come before the Commissioners, the meeting recessed at 9:41 a.m.

Discussion Session

At 9:41 a.m., the Commissioners began the Discussion Session in the Commissioners' Hearing Room.

State Route 18

Jeremy Sinko discussed this project where they are working to replace the existing sanitary sewers. They had a force main break a couple of weeks ago between State Road and Medina Line Road outboard of this project. They have actually had a couple of breaks on this sanitary force main over the last couple of years and each repair has been over \$100,000 due to the depth of this force main. The thought was to include this to replace this 4,700 feet of force main as part of the State Route 18 project which will probably add approximately \$1M to the project cost, and for design services, we're looking at about \$90,000 that we would have to do an amendment to. Mr. Sinko stated that he was looking for support to have this force main replaced. The commissioners supported Mr. Sinko's request.

Chippewa Wastewater Treatment Plant

Mr. Sinko stated that he has provided a study that HDR Engineers had provided which was finalized early April. They looked at three options including 1) rehabilitating the existing plant; 2) replace the plant; and 3) turn that wastewater treatment plant into a pump station. After reviewing the report, the engineer's recommendation is to rebuild the new plant. The commissioners own adjacent property to the east of the plant where they could build the new plant and keep the old one in service which would be decommissioned once the new one is in place. He stated that this has a cost of approximately \$32M for a new plant with about 10% of that being engineering services to have the plant designed.

Mrs. Swedyk mentioned that there was discussion a couple of years ago about turning this into a pump station and the report highlights the reasons that is not an effective decision right now. Mr. Sinko explained that when the engineer looked at this option, this cost would be close to \$70M. Mr. Hambley stated that in 2000, that was the anticipation in buying that additional acreage. It was reasonable to look at an alternative, but was cost prohibitive and would make sense to look at the investment in that. He noted that the water quality standards was largely driving

this, and the aging of the technology and equipment; there's not doubt we need to move forward. Mr. Hambley mentioned that as part of that contract design to also look at the serviceability or the area to be served. We've been constrained for the last 40 years as to the area it could serve, and all development plans, land use planning and zoning have been around that limited capacity. Now we have the ability, if we're going to look at building a \$32M plant, should we look at increasing that capacity. It has water quality implications, but also land use implications. He stated that this is where community planning will have to be involved. This is a once in 100 years scenario. Mr. Sinko added that it's good to have all of our boxes checked and it could be good to have as part of our design services to do a serviceability study. Mr. Hambley stated that he's spoken with Denise Testa and Bethany Dentler, that as part of the process, they can bring some of the community and business interests as well as the township officials and property owners in to have input as to what we ought to be doing. Absent any grants, the more customers you have, the more affordable it is. We'll need to go after grants to help reduce the cost, and if we have more customers, it will not only help us pay for it but also improve the water quality of the area; Mr. Sinko agreed. Mr. Sinko stated that we're probably looking at a 3-4 year process for this. Mr. Hambley pointed out if the area is expanded, NOACA approval will be needed. Brief discussion occurred regarding the prescription area and NOACA policies. Mr. Harrison noted that this is another opportunity where the autonomy of our county has to take priority. We have to be able to take the steps we need to manage the growth of our county. It's probably easier to do that with NOACA's participation, but the lack of NOACA's participation does not foreclose our responsibility to continue doing this; Mrs. Swedyk and Mr. Hambley agreed. Mr. Sinko stated that he will move forward with this.

Additional Department Update

Office for Older Adults Director Laura Toth reported that they are currently up and going with a limited Wadsworth menu; the café is currently open from 9 a.m. to 1 p.m. Currently, they are all cold meals due to having to move the fire suppression system because a new range was purchased. The café is also currently cash only because they do not yet have the point of sale system in place to take credit cards. She reported that Senior Day will be held May 16. She then reviewed the following March outreach numbers:

- Home delivered meals – more than 10,000 served to date
- Congregate meals – nearly 1,000 served
- Transit Rides – 734 compared to 512 in January and 574 in February; increase due to City of Medina, not Wadsworth Flex Program (Brief discussion occurred regarding this program)

The commissioners resumed Discussion Session at this point.

1969 Courthouse Lease

Chris Jakab reported that an updated, revised lease agreement was received for the 1969 Courthouse for purposes of possible leasing to the City of Medina for their municipal court. He stated he thinks necessary changes were incorporated into it with still a few minor updates to be incorporated. Discussion is scheduled for tomorrow at 11:00 a.m.

Prosecutor Discussion

Mr. Jakab stated that the prosecutor would be attending the meeting today to discuss the expansion at the state level of the victim assistance program. This involves expanding victim notification and definition of "victim" and Mr. Thompson wishes to discuss the impact on his office of this expanded program. Mrs. Swedyk stated that the meeting will recess until Mr. Thompson arrives.

Digital Inclusion and Literacy Program ("DIAL")

Mr. Hambley stated that the kickoff of the DIAL program is this week. A "beta" version of this has been taking place at the Office for Older Adults, but now they are able to do in-person classes involving Chromebooks and creating non-carrier specific emails, content streaming and as of this week, folks can go to the library or OOA and sign up for these in-person classes, or you can go online for the classes. This is available through our county website and also use certificates to obtain a discount for Medina Fiber for half off the price. The certificates also allow you to take out hotspots that are available extending your ability to have hotspots. He stated that Chromebooks are also available to be loaned out by the Office for Older Adults and the library for a period of time. This is an initiative to help people improve not only their access to digital resources, but also to better utilize them and learn to safeguard themselves online.

Election Day

Mr. Harrison reminded that today is Election Day and encouraged everyone to vote.

Special Commissioners Meeting

Mrs. Swedyk announced that a special commissioners meeting will be held tomorrow at 11:00 a.m. to discuss the courthouse lease and annexation deliberations. Mr. Hambley noted that the annexation deliberation is not a public meeting; Mrs. Swedyk confirmed.

Mrs. Swedyk recessed the meeting at 10:03 a.m. to await the arrival of the prosecutor.

The meeting reconvened at 10:32 a.m.

County Prosecutor Forrest Thompson stated that several years ago, he approached the commissioners regarding the funding for their Victims Advocacy Program because of their continued decrease in funding. Historically, the VOCA funding was the principle financial source for the supplementation of their Victim Advocacy Program and had been for a number of years. Those funds depleted over a period of time and in 2018-2019, they lost almost 70% of their total funding which put them in a crisis. They either had to terminate necessary services or find additional

sources of funding. The commissioners came to the rescue and provided that funding. He stated that this was at the time when the original Marsy's Law came into effect. Thanks to the work the director of Victim Advocacy and her team, they were able to effectively do 95%-99% of everything the original Marsy's Law required. This continued until April 6, 2023 when the new Marsy's Law took effect – House Bill 343. House Bill 343 specifically expands virtually every aspect of Marsy's Law. This effectively expanded the definition of what a victim is and the rights of victims. It stated that anybody that has some tangible interest in the incident giving rise to being victimized was themselves a victim as well. He provided some examples of who now is defined as a victim and stated that the expansion of the definition of a victim expanded the obligations of his office exponentially. He mentioned the additional factors of specific expanded advance notice requirements as they are now required to notify victims of hearings that have not yet been set – it's an impossibility. Many of these changes are forcing the courts and his office to make adjustments, and he reviewed the changes effecting his office including 7-, 10-, and 30-day notices to victims and to identify three separate occasions of attempting to make contact with a victim. At the current time, their obligation has exponentially expanded.

Mr. Harrison asked if his office is responsible for identifying the universe of those people, or do they have some obligation to come forward. Mr. Thompson answered that they do have the obligation of identifying themselves, which is a good thing. Part of the responsibility of the enhanced Marsy's Law is that now, the Supreme Court prepare a standardized form to be used by law enforcement to identify and get information on the victims, and as the document states "upon first contact." Mr. Thompson stated that any law enforcement officer will say this is a ridiculous requirement because anyone can envision any number of incidents where the identification of the victim is a virtual impossibility at the outset. If that form is not completed, his office is now required to resource that information within 7 days of the initiation of prosecution. Mrs. Swedyk stated that this is a significant unfunded mandate. Mr. Thompson confirmed and stated that it's an expanded unfunded mandate as well as a constitutional right. Mr. Thompson stated that he advocates for victims every day, he believes in it, they are an integral part of the justice system, and this division has done a phenomenal job of keeping the victims informed, provided them transportation and housing as well as other services. There were 4,000 pieces of literature sent out by his office last year, due to these changes, they anticipate this will be doubled if not more.

Mrs. Swedyk inquired how many additional staff members Mr. Thompson expects that he needs to fulfill these obligations. Mr. Thompson answered that he is asking for one additional full-time victims advocate at a \$40,000 salary and he will pay for all equipment needed for this staff member. Mrs. Swedyk stated that she is okay with one additional employee. Mr. Hambley agreed noting that this passed out of the House unanimously, and in the testimony, it did bring up the funding and it looks like several times it was requested by the advocates for the state to provide sufficient funding for these additional responsibilities. Mr. Hambley asked if the legislature in this next budget is providing additional funding. Mr. Thompson stated that they have not provided the additional funding, and as he understands it, several months ago the governor announced a proposal of an \$8M supplement to prosecutors' offices victim assistance groups. Just because everyone could have created a victim assistance organization within the prosecutors' office doesn't mean that they did. He stated that he does not know what the final conclusion on that proposal will be, however, the best-case scenario of the \$8M was predicated upon the loss of revenues from 2019. Mr. Hambley stated that the reason he is asking this is because at the same time, this additional position is directly attributable to the unanimous decision of the General Assembly and the signature of the governor from last year and that we ought to advocate to our elected officials that they include that restoration, and they actually provide the additional funding necessary for this function in the future. Right now, they have a lot of money they are sitting on, so this is one area he thinks we should be pushing hard. Mr. Hambley stated that he agreed we need to fund it, but we also need to push them to adequately fund what they mandated upon us. Mrs. Swedyk agreed and stated that in the future, if they do reimburse through a fund Mr. Thompson is in charge of, he will make sure that this is then paid out of that fund; Mr. Thompson confirmed. Mr. Hambley stated that this is the time to advocate and make it clear that we are expecting that they come up with the funding for this additional responsibility. Mr. Harrison added that the Prosecutors Association is probably pushing that as well; he agreed to draft a letter on this matter. Mrs. Swedyk advised Mr. Thompson that in the meantime, Mr. Jakab will add the position to his budget. Mr. Jakab stated that he will prepare the increase in appropriations resolution and confirmed that Mr. Thompson is requesting \$40,000 for the salary. Mr. Thompson agreed to review Mr. Harrison letter prior to it being sent.

Mr. Thompson explained that this permeates to every law enforcement agency, every department of corrections, halfway houses, etc. There is a notice obligation to victims on agencies where a defendant is held, so it's going to permeate every aspect of the justice system, and he thinks this is the tip of the iceberg. He stated that the courts issued an administrative order requiring his office to provide their designated notices under the new Marsy's Law – notices that his office does not receive. This also opens them up to a litany of old cases because part of Marsy's Law was the overlap of the expanded ceiling of records. Now they are going to be inundated with requests to seal records for individuals who were never a victim identified in the first place.

Adjournment

Mr. Hambley moved to adjourn the meeting; Mr. Harrison seconded the motion. Roll call showed all commissioners voting AYE; the motion carried. The meeting adjourned at 10:53 a.m.

RESOLUTIONS PASSED MAY 2, 2023

<u>Number</u>	<u>Resolution Title</u>
23-0341	Proclaiming May 2023 as Older Americans Month and May 16, 2023 as Senior Day in Medina County
23-0342	Approving change order #2 to the contract for MED-CR 35-1.79 PID 111873 (Friendsville Road bridge rehabilitation bridge No. 8) between J.D. Williamson Construction Co. Inc. and the Medina County Board of Commissioners
23-0343	Finding that public convenience and welfare requires the resurfacing of the Medina County Job & Family Services rear parking lot, Medina County, Ohio and authorizing the Medina County Engineer to ask for bids for said resurfacing
23-0344	Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
23-0345	Approving a three (3) year agreement between the Medina County Sheriff and Fraternal Order of Police, Ohio Labor Council – Lieutenants
23-0346	Amending the appropriation measure resolution
23-0347	Authorizing the county auditor to transfer funds from various county department accounts to the Medina County Vehicle Maintenance revenue line item
23-0348	Authorizing the purchase of 6,900 gallons of regular unleaded gasoline for the Engineering Center
23-0349	Declaring Medina County property as excess property
23-0350	Allowing expenses of county officials
23-0351	Allowing claims and authorizing issuance upon the treasurer in settlement of such list of claims
23-0352	Reappointing members to the Medina County Alcohol, Drug Addiction and Mental Health (ADAMH) Board
23-0353	Appointing a member to the Medina County Advisory Council on Aging & Disability
23-0354	Approving an amended agreement to establish a countywide emergency management agency
23-0355	Approving the petition for annexation of 0.3733 acres of land known as being part of Wadsworth Township to the City of Wadsworth, Medina County, Ohio pursuant to O.R.C. 709.22

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting on this second day of May 2023.

Respectfully submitted,	COMMISSIONERS	_____
		Stephen D. Hambley
	OF	_____
_____		Aaron M. Harrison
Brian S. Gallatin		
Assistant Clerk to the Commissioners	MEDINA COUNTY	_____
		Colleen M. Swedyk