

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

The minutes of the May 28, 2024 Commissioners' meeting were emailed in advance. Mr. Harrison moved to approve the minutes; Mrs. Swedyk seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Public Comment regarding pending resolutions

None

Resolutions

Sanitary Engineer Jeremy Sinko presented and reviewed the following resolutions:

1. Authorizing change order 1 for the Gayer Road Water Storage Tank Rehabilitation Project
2. Authorizing change order 1 for the Medina County Sanitary Sewer Rehabilitation Project 2024
3. Authorizing the Sanitary Engineer to request Statement of Qualifications for professional design services for the Westfield Water Treatment Plant Upgrade Project
4. Accepting and awarding bid for Polymeric Emulsion Flocculant for the Medina County Kenneth W. Hotz Water Reclamation Facility
5. Amending the septage disposal fees for the Liverpool Wastewater Treatment Plant

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

Human Resources Director Holly Muren presented and reviewed the following resolution:

1. Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners

Mr. Harrison moved to approve the resolution; Mrs. Swedyk 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. Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
2. Approval of an Early Intervention Service Coordination Grant Agreement between the Ohio Department of Children and Youth and Developmental Disabilities and the Medina County Family and Children First Council for the administration of the County Early Intervention Program
3. Approving an agreement for the Ohio Drug Law Enforcement Grant FY23 for the Medina County Drug Task Force
4. Approving the transfer of Medina County Inventory between various Medina County offices
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 \$ 1,504,181.21

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

County Administrator Chris Jakab presented and reviewed the following resolutions:

1. Authorizing the advertisement for public bids for the Medina County Administration Facility Parking Lot Repair and Replacement Project
2. Authorizing a change order for the Medina County Emergency Management Safety Services Facility Project

Mr. Harrison moved to approve the two resolutions; Mrs. Swedyk seconded the motion. In answer to a question by the commissioners, Mr. Jakab stated that EMA would be paying about 55% of the cost of the change order. Mrs. Swedyk inquired of the Parking Lot Repair and Replacement Resolution asking if the other part is being done as an option this year. Mr. Jakab answered that he is meeting with Dan Becker tomorrow to finalize the bid specifications and he will present them later this week. He thinks there will be two bid packages with the option to award one, both, or neither. He explained that it will be bid within the next few weeks, and he thinks we'll be able to bid phase 1, and the other, we'll get pricing to determine if we have available resources to pay for that and we'll also do an asphalt versus concrete option for the second portion.

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

Mr. Jakab mentioned that an architect is coming at 11:00 a.m. to discuss a couple of projects for this building. Mr. Hambley noted that this portion of the meeting will likely be off camera in the conference room.

Department Updates

Planning Services Director Denise Testa presented and reviewed the following resolutions:

1. Approval of a Fair Housing Service Agreement with the City of Medina

2. Adopting a Residential Anti-Displacement and Relocation Assistance Plan for the County of Medina

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

Mrs. Testa reported that this month's Planning Commission meeting will include two subdivisions and a Liverpool CRA appointment. The July meeting currently included 6 subdivisions – 2 in Montville, 2 in Liverpool, 1 in Granger, 1 in Hinckley – and 2 text amendments (Homer and Lafayette.) In addition, they have concluded the Lodi Bridge Project. Regarding the PY22 CDBG projects, the Montville Pathway Project has concluded and the Brunswick Street and Lodi Pathway projects will be constructed this summer with an August 1 deadline. They are submitting their PY24 CDBG application which is due next Tuesday. They have received 90 CHIP applications and 6 LeadSafeOhio ("LSO") applications. They can use CHIP and LSO funds together. The state has extended the LSO deadline to July 31. Mrs. Testa will be doing a Fair Housing presentation to Medina Creative Housing this Friday. She thanked the commissioners for their support with the Lodi Bridge Project.

Office for Older Adults Director Laura Toth reported they have lowered the minimum age for activities to 55. They have some federal based programs that are aged 60 and over, so that cannot be changed, but in line with Medina and Brunswick Rec Centers and Soprema Center, they are moving their age for participation at their senior centers to 55 and over. She then shared a video produced by their foundation noting that the participants did a great job of sharing what the center means to them. She then discussed changes to the Seniors Farmers Market Program which is going online only – no paper vouchers will be distributed. Those wishing to receive vouchers can only do so by registering online. They must have an email address and is a massive change. Her staff is going through training and will assist people with putting in the online application, and if necessary, assist them in setting up an email. Mrs. Toth noted that June is Elder Abuse Awareness Month.

Commissioner Hambley then presented and reviewed the following resolution:

1. Proclaiming June 15, 2024 as "World Elder Abuse Awareness Day"

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

OSU Extension Office Educator Sierra Baca provided reports on the following four divisions:

Community Development – Kyle White

Solar Panels are installed and functioning as of late April and are producing more than anticipated. As part of the grant from Ohio State Energy Partners for the Solar Education and Research, Kyle taught 4 lunch and learn classes. Thirty-three people registered and most attended the classes. A Beginning Grant Writing Class Series will be held on October 9 and November 6 at their office.

Agriculture & Natural Resources – Ashley Kulhanek

The Master Gardener volunteers have installed a demonstration garden at their office. Annual Pond School was held May 21 with 34 attendees learning about algae management, pond plants, and wildlife management around ponds. They wrapped up their Home Farm Series on May 1 with a presentation from their OSU Ag Law Specialist and have completed 18 public presentations so far this year.

Family & Consumer Sciences – Erin Ruggiero

They finished off the school year with 8th graders completing their "Real Money, Real World" program at 6 schools in the county. They hosted a hands-on canning class in May and have a new partnership with Oasis of Hope teaching Money 101 to clients. A new program will begin this summer in partnership with Medina County Domestic Relations Court where Erin will teach "What About Me" a program for youth experiencing family disruption/divorce.

4-H Youth Development – Sierra Baca

Their 2024 Fair Enrollment for pre-fair projects and livestock/horse projects are up. Their three camps for Medina County will be going on for the next three weeks. They will soon be hiring two program assistants for the 4-H program. 4-H enrollment is at a high with 1050 community club members and a total reach with their in-school programming at 3000 youth in Medina.

Ms. Baca then introduced summer interns, Lacie Haffner and Emili Kois.

Public Comment

Justin Peroli, Lafayette Township Trustee, stated that this is a township issue and is regard to the 2020-2021 Financial Audit in Lafayette Township. He stated that is appears during that audit process, Mrs. Swedyk interjected the county commissioners' office at the aid of one of their trustees, and he was hoping to get an understanding of why. Mrs. Swedyk inquired what he was specifically talking about. Mr. Peroli handed Mrs. Swedyk a document. Mrs. Swedyk stated that the township trustees asked for an introduction noting that they (the state auditor's office employees) worked in our building. Mr. Peroli stated that is what he took from that and that is the reason he was here today. He distributed a packet to each commissioner and stated that during that same audit process, they had a reciprocity agreement with Westfield Township, and had an employee that was responsible for managing that. He stated that it was mismanaged, fraudulently reported, and led to their taxpayers being defrauded. It was brought up in both a public meeting and to the trustees at the time, and it seems to have escaped review during the audit process. He stated that he was here to ask for the commissioners' assistance in doing what was exactly done previously in bringing this to the attention of the people that need to see it in order to not go after employees, but hold accountable the elected officials that have violated their oaths to uphold the state laws, that have ignored the fraud that has gone one in their township, and simply not been responsible to the taxpayers that elected them. He asked the

commissioners to assist with that. Mrs. Swedyk asked Mr. Jakab to connect Mr. Peroli with Lindsey from the state auditor's office; Mr. Jakab agreed.

Mr. Hambley explained that the board of commissioners have statutory functions, and because of their various backgrounds, sometimes people approach them. Because he is a former legislator, people will approach him about what's going on at the General Assembly. Mrs. Swedyk was a fiscal officer for a number of years, and other elected officials, including him, will refer people to her based on her experience as a fiscal officer of a township. He explained that it's not really a function of the board. Mr. Peroli stated that he never would have thought to have come here before until he saw that it had been done previously. Mr. Harrison stated that he the commissioners are always happy to point people in the right direction. He stated that he will look over the stack of papers Mr. Peroli put in front of him, but he doesn't know that they conclude fraud or anything else, so he doesn't think anybody should read into the fact that the commissioners will make those connections, or weighing in on anything that may or may not have happened. Mrs. Swedyk stated that they are always happy to make connections for any elected official. Mr. Harrison noted that email is a great way to do that.

With no further business to come before the Commissioners, the meeting recessed at 10:00 a.m.

Discussion Session

At 10:00 a.m., the commissioners began the Discussion Session in the Commissioners' Hearing Room.

Montville Township Community Reinvestment Area ("CRA")

Bethany Dentler stated that the Economic Development Corporation received an application from LTC Montville LLC and they have been discussing it for more than a year. LTC Montville is planning to build a commercial building of about 71,000 square feet and will be a congregate care operation – 99 bed nursing home – and will focus on short term rehabilitation with some longer-term beds available. The project involves a total capital investment of about \$15.8M, probably closer to \$17M, and they are planning to begin construction as soon as possible with the draft agreement stating on or about July 1. Their plan is to create within a three year period 120 new fulltime equivalent jobs with payroll of approximately \$6M by the time the building is constructed and the employees are hired. The project plan using the Montville Township proposed guidelines calls for a 15 year total tax exemption of 50% for the first five years, 35% for the following five years, and 25% for the final five years. They organized a meeting last week and met with the company which included Commissioner Hambley, township officials, county auditor staff, and Medina City school representatives. The Medina City Schools and the company have also agreed to a 15 year compensation agreement. She noted that according to current state law, school board approval is not needed for any projects below the 75% level and this one is below that level. The company is voluntarily providing a donation of \$3,250 per year to the schools for 15 years totaling \$48,750. The other stipulation is that the company agreed to apply for membership in the City of Medina-Montville Township Joint Economic Development District ("JEDD") and the JEDD board is in the process of reviewing and discussing that application.

Mr. Hambley stated that he was at the JEDD meeting last week and he knows they decided to table it. He had conversations with the County Prosecutor's Office regarding the linkage between the JEDD and the CRA and whether they can work independently, or together. The intent all along from the very beginning was that they would work together. He noted a cost of services study that was done a couple of decades ago as Montville was looking at cost of services in balancing its growth and the revenues coming in from that growth. They don't have an industrial base, so in looking at commercial they had to make some decisions as to the areas to acquire sufficient revenues for commercial. We know in the cost of services study, not all commercial development pays its way when it comes to cost of services. The big boxes actually take more in services than they typically do in taxes according to that study, so the idea was balancing out to help stimulate discussion and ultimately the creation of a JEDD for certain types of projects. He stated that Brian Richter from the Prosecutor's Office indicated that there really is no formal linkage between the two – the CRA is still under the authority of the board of commissioners to make the decision, and based on that, they can make the decision, and the JEDD can move independently. Mrs. Dentler stated that this CRA is in the Route 3 corridor and when it was created, they also created a CRA district in the Route 18 corridor. At the time, working with Montville Township, it was agreed that the general map of the CRA area would overlay the JEDD district that the city and the township were working on with the understanding and plans that companies that would benefit from a CRA would apply for the JEDD so the township and the city would receive income to help pay for those services. All of the agreements they have had in Montville Township to date have applied for and been accepted into the JEDD. Mr. Harrison stated that it's not been a legal requirement – it's been a practical requirement; Mrs. Dentler confirmed. Mr. Harrison asked if in the past, have there been others the commissioners have approved a CRA before the JEDD was approved. Mrs. Dentler stated that as part of the process when they have the meeting with the company, they confirm with Kimberly Marshall that the company has applied for the JEDD before the commissioners would move forward with legislation. Mr. Harrison stated that he wouldn't want to do anything as a board that limits the incentive for the JEDD membership because he thinks that's a great benefit to the entire community, so he wants to be sensitive to that. Mr. Hambley noted that the JEDD actually held up making their decision based upon what the CRA decision is. He pointed out that when looking at our senior population, we have about 20% of population is 65 and older, and it's projected to be 25% by 2030 and will continue to grow with 7 out of 10 people that are 65 and older sometime in their lifespan will need that kind of facility. There is a public need for this kind of facility. He stated that every medical professional there will be working to keep those people as healthy as possible and not utilize resources outside of that facility unless necessary – it's their job. Their compensation is based on how well they do at keeping people out of the emergency room and from having to go to the hospital. Their business model is predicated on not utilizing LST and not having that demand. When you also look at the payroll and the increase in the tax base, especially after 15 years when they'll be paying 100% of the taxes, this is a great benefit and great use of the commercial corridor. Mrs. Dentler noted that the language of the CRA agreement indicates that the developer will apply for membership in the JEDD, which they have done, and upon acceptance of membership agrees to comply with JEDD membership requirements, which won't happen until the jobs are created. In terms of the process, they have done what they are obliged to do. Mr. Harrison asked

if there is a scenario where they would not be accepted into JEDD membership. Mrs. Dentler stated that she doesn't believe the JEDD board has ever turned one down. Mr. Hambley stated that the question would come to why they would turn it down. At this point, they're contributing an income tax and would basically have the ability for some grants for some improvements. Mr. Harrison stated that it seems like a no-brainer and his only concern is as a practical matter if the order has been reversed, he wants to make sure the board isn't setting it up for their not to be JEDD participation. Mr. Hambley explained that the agreement never said that they applied and were accepted into the JEDD, it's just a matter of timing from his perspective. Mr. Harrison stated that if the requirement is application, and they have checked that box and the commissioners approve the CRA, he would imagine the application could be withdrawn and they're not part of the JEDD and they've got the benefit of the CRA.

David Mitchell, Attorney for LTC Montville, stated that they were approached by the county and the JEDD as an opportunity to participate in both the CRA and the JEDD and they are more than happy to do that. What they didn't want to happen was for them to submit the application to join the JEDD with the understanding that tax abatement, once available, and grants were available, and then those programs be denied or turned down, and they are obligated to pay 1.25% for their employees. He confirmed that it is their intention to follow through with their application presuming that the CRA application has been granted, so they would be joining the JEDD on that basis. The only caveat is there has been some discussion recently about the ambulance runs and the current situation that the township is in of having to reimburse the Cleveland Clinic Medina Hospital for ambulance runs that aren't paid by the patient. He stated that they are not comfortable with any concept where they would be singled out as a particular user of those services to pay something more than their obligation to the JEDD like any other taxpayer. If JEDD participation is going to be conditioned on some additional obligation to contribute to ambulance runs, that would be the only thing that would make them take a second look at JEDD membership. Mr. Hambley noted that there is a JEDD meeting scheduled for June 20 in anticipation that the commissioners may be taking action next week which would keep with their timeframe of July 1 in order to proceed. Mr. Harrison stated that he thinks the board's next steps probably have the least moving parts. Mrs. Dentler noted that if the board approves the CRA and something goes sideways with the JEDD application and there is a withdrawal of the JEDD, then the CRA agreement can always be rescinded. Mr. Harrison stated that he thinks any organization in that area needs support of the JEDD because that's where the benefits do flow back to both the city and the township (the JEDD itself), and the community benefits extend from there. Mrs. Swedyk asked if there is any reason that someone would not be accepted into the JEDD. Kimberly Marshall stated that the JEDD board has never rejected a JEDD application. She explained that when she started with the city in 2011, the JEDD district had already been formed. It's voluntary and they don't force anyone to join. At that time, there were no incentives. They began working with Mrs. Dentler on forming a CRA district over the JEDD district in that Route 3 corridor and the Route 18 corridor. Early on, Summa, the two schools and Montville Tire were the first joiners, so they probably did not benefit from the CRA. Since then, the new projects have gotten the CRA with Drug Mart being the only one to have gotten the straight 50% across the board, but since then, the township implemented a policy of 50-35-25 which this developer is in agreement with. There have not been any JEDD applications that have been rejected. In addition, the other incentive the JEDD board created was a financial assistance grant to help offset the costs of different types of infrastructure that might be needed for a project. She stated that while this is voluntary, it was the intent that in order to get the CRA that you would join the JEDD – that was always the intent which she confirmed in the 2012 minutes. She stated that this project is important to the city and they would like to see it move forward and have this developer be part of the JEDD district. She thinks this project, of all the JEDD projects, has the highest amount of payroll of any project that has come in. In comparison, some of their industrial projects have this kind of payroll – it's pretty impressive.

Montville Township Fiscal Officer and JEDD Board Treasurer Mary Pawlowski distributed documentation she hopes to help clarify some of this. She noted that she thinks everyone probably agrees with Commissioner Hambley's discussion on the need for this, and nobody is opposed to them coming into our township. She stated that the township feels that the cart has come before the horse and referenced the second amendment to the joint contract that notes "no tax abatement, no tax exemptions, no tax incentives, or TIFFS shall be granted on property within the JEDD district without the consent of the contracting parties." This has always been done first and for some reason, they have not come before the trustees or City Council. Mr. Hambley stated that the contracting parties would be the city and the township; Mrs. Pawlowski confirmed and provided an example of South Town Center. It should only go to the JEDD board after the two parties agree. The Zoning Commission has already approved the project – it's a beautiful project – and they are coming back before the Zoning Board where they have made some changes. They had final approval a year ago and have had two extensions and will probably need another one if they don't put the shovel in the ground by June 30. She stated that their issue is neither the trustees nor the city have agreed with them entering into the JEDD which is usually the first step. She briefly reviewed the JEDD Board Award Log and then referenced the February 26, 2013 Montville Township Trustees minutes quoting "the Trustees would like to have the requirement that any tax abatement agreement would include a commitment from the property owner to join the JEDD" noting that this has been established, however, they have not been approved by the trustees. Mrs. Pawlowski stated that normally the township is the first person to authorize them joining since it is in the township. Mr. Harrison inquired if she is worried that there may be a scenario where the township doesn't consent to them being part of the JEDD. She responded that it's not so much worrying about it, it's just the proper procedure that has been followed since day one with the CRA and asked why aren't we just following the procedure as established by past practices. Mr. Hambley stated that she is characterizing it as the "proper" procedure, but it has been the custom not doubt. The JEDD board had the opportunity to approve that application last week and did not. They (the developer) has complied with the policy, the legal requirements of the CRA and he's not sure what the argument is. He stated that this is a discussion and the commissioners have a meeting next week where it's proposed that the board would approve that, and as Bethany Dentler has indicated, it is one that can be rescinded if they withdraw their JEDD agreement or if they are denied, but it's one that can be correct. Because it's out of order from what you normally do, the JEDD had the opportunity to take action, decided to table it until we took action, which was actually your decision as a JEDD board member, not ours. Mrs. Pawlowski stated that they tabled it for more than just commissioners approving it because it should never have gone to the commissioners based on history.

Mr. Hambley explained that the facts are clear – in the past, you normally have conducted business and gotten these approvals before it got to the commissioners, but because this project has to move forward, this is the timeframe we need to take this action for the CRA. If she has issues for the JEDD, she needs to resolve those in order to comply with the agreement with the commissioner. Mr. Harrison stated that the commissioners are not ordering them to resolve those issues. The JEDD board could freely decide not to resolve those issues, but the question is what impact that has on the commissioners' decision. He then asked if the township's subsequent zoning steps are conditioned on anything that happens at the JEDD board; Mrs. Pawlowski answered no. Mr. Harrison stated that while the custom is probably there for a reason, he also thinks if we're getting into time constraints, we need to give an indication that we really want this investment to be made in the community. If the commissioners don't do that, it could slow things down. Mrs. Dentler stated that Ohio Revised Code prohibits the project from beginning construction on the building until the CRA is in place. Mr. Harrison stated that it doesn't seem to him that this is a lever that forces the JEDD to do anything. Mrs. Pawlowski stated that it feels that way because the cart is before the horse. She asked why there are time constraints when they were approved by zoning months ago and they didn't apply for CRA until recently. Their all of the sudden emergency is because they weren't proactive in the winter in order to get this process moving. This all could have been handled when snow was on the ground. She stated that it does feel like there is pressure coming from the commissioners to the JEDD board and trustees. The issue of safety services has been brought up at every meeting and hasn't been addressed by the township. Nobody is singling them out on it, it's just they are concerned because it's \$100,000+ to their residents and they have to go back and ask for a larger levy. The trustees should have had the opportunity to discuss this before any of this came down. Mr. Hambley inquired when this was approved in terms of zoning. Mr. Mitchell answered that it was in 2020. Mr. Hambley stated that he understands from the zoning code, originally when the CRA was created, the documents shows that it was conditional use – congregate housing like he's talking about was conditional use. In 2012, the township switched over to permissive (no conditions.) This project is permissible, no conditions attached, and he asked if the LST issue was raised during the zoning process. He stated that they need to move forward with the project because it's building season, and she's trying to take something the CRA was never intended to be utilized for that purpose to deal with a cost of service. He understands that LST is an additional cost based on the type of facility, but zoning allows that type of facility. If that was senior housing, and he knows she provided data and the second largest users are senior apartments – not a nursing facility. There is one nursing facility that is effecting Medina Township unbelievably, but they pay no taxes because they are exempt and that's hurting Medina Township – he understands that fear. He noted that to Mr. Mitchell's point, they don't want to be singled out and he agrees – one facility shouldn't be singled out because they happen to have residents that are going to use it with some regularity. He noted that if you had senior apartments, you'd have the same issue. Mrs. Pawlowski clarified that the cost of safety services is not part of the Zoning Commission's duties – it is the trustees. Had they come before the trustees a year ago, or six months ago, this could have been ironed out before getting to this point, but now we're rushing to get this done because it's time to put the shovel in the ground. Mr. Hambley asked what the legal authority of the trustees with a facility would be that's meeting the zoning code and meeting all other legal obligations as a property owner and a developer. Mrs. Pawlowski answered the cost to the township. Mr. Hambley stated that is her concern, but what is the legal authority. She responded that is not for her to say as she is not a trustee, but it comes before the board to discuss it with the developer, and it's been brought up with the developer since day one so they are aware of the situation. This is the first one in Montville and they are trying to set the future and are trying to fix the situation for all three entities. She's hoping that Brandon Gibson from Economic Development will help them with Cleveland Clinic as far as billing. Mr. Harrison stated that the commissioners are sensitive to that issue, but the ultimate question is whether this is the appropriate forum as it related to the CRA approval. From our perspective, getting things moving to the role the county has to play in it, it feels like it is beyond the scope of what the commissioners have a position to weigh in on. Mrs. Pawlowski stated that she is asking the board to respect the process and have them go back to the trustees and let them have the opportunity to discuss it. The resolution that is normally provided to the township has not been provided yet.

Brandon Gibson stated that we have sat in 3.5 hours of 3 meetings and he understands the townships desires. He has told Mrs. Pawlowski personally that she's one of the best at what she does, but we've sat through 3.5 hours of meetings and we have yet to hear one request from the township. If it's just to go back to a meeting, what's the meeting for? What is the request? If it's to pay \$108,000 a year for ambulances, that's more than the incentive they are being offered to build the facility. Mrs. Pawlowski stated that is not the total reason. The reason is they should be getting approved like South Town Center where both parties have approved. What if they decide not to join the JEDD? Mrs. Dentler explained that if they withdraw their application, they would not be in compliance with the agreement which requires them to apply for membership in the JEDD. Kimberly Marshall explained that when a new company is coming in, they fill out the petition to join the JEDD which she always takes to the JEDD board first because if the JEDD board doesn't agree to lock them in, there's no reason to go to the city and the township. Mr. Harrison stated that in the scenario where the commissioners meet and approve the CRA next week and the application with the JEDD gets removed or withdrawn, the CRA isn't automatic. We would have until there are employees and residents in that facility to solve some of these issues to account for the JEDD approval, so the JEDD approval doesn't have to happen before the next step, but the CRA approval does create a timing urgency that doesn't exist for the JEDD discussion. He would prefer in these situations that that had already been resolved, but it seems like we're not going to get there. Mrs. Dentler stated that this is the first time we've had this kind of situation because in the past, when she would receive an application, she would verify that they applied for the JEDD. If they applied for the JEDD, the commissioners have always felt freedom to move forward with their CRA process. She added that the CRA is designed to be an incentive and the state requires that it be approved before you break ground. There's a remedy if they don't comply with JEDD membership, but in the meantime, it doesn't make sense to hold up his construction timeframe.

Montville Township Zoning Inspector Paul Jeffers stated that he has been promoting JEDD and CRA to customers in the township for years and had the understanding that both agreements had to be signed before shovels were in the ground. Mr. Hambley stated that he does not believe that is a requirement for the JEDD – only the CRA. Apparently there are these longstanding issues, even the cost of services study refers to issues of providing services

in development. He noted that John Coyne stated at last week's JEDD meeting that it seems that this is in large part a billing issue. Right now, every individual that is using it is being billed and that is where Brandon has offered to see if there is another way to help resolve some portion of that to offset cost to the township. The question for our board is whether the CRA ought to be used, but it's not going to resolve their billing issue. Mrs. Pawlowski agreed stating that the meeting with the trustees would have. Mr. Hambley stated that they can still do that for the JEDD, and he understands that she's fixed on the way the process has customarily worked, but legally, the CRA and JEDD are independent of one another, and for the benefit of the community and the county, utilize them both at the same time and have tried to do it. Now we've got a circumstance where we need to get the CRA accomplished and the other issues can be resolved. He noted that he believes the onus is on the JEDD and it's hard to believe why the JEDD would turn down the opportunity to collect an income tax from that facility and the township gets at least \$30,000 a year from that for the payroll. Mr. Harrison stated that if the trustees say they are not going to approve this JEDD application, that creates a different issue, but that hasn't even happened yet. The one thing we know is construction doesn't start until the CRA application gets approved. Mrs. Pawlowski asked if the CRA application includes the trustees. Mr. Harrison stated no, the approval comes from the commissioners. He noted that he would prefer to have the JEDD approval completed before we do the CRA, but the only thing our approving the CRA does is it gives everybody time to get on the same page in terms of what we want to see for the JEDD approval. The township can draw a hard line at that point and not be holding up the construction. Mr. Hambley noted that there has been a sense of partnership between the county and other townships that have CRAs, and we work with the townships in that process. If we look at the legislation the commissioners passed when the CRA was created, the incentive was 15 years at 50%. Since then, the township has said they want it staggered, and the commissioners never modified that and have gone along with that in the sense of partnership. This developer is complying with that even though technically, if the commissioners wanted to, could give them 50% for 15 years. But since the commissioners do work with the township, that is our policy and how we proceed so we are in agreement with the staggered abatement. At this point, there's reason to believe that there's benefit of the project to the community, the county and the township with moving forward with the CRA. These other issues can be resolved as a matter of course.

Bethany Dentler stated that Brandon Gibson will prepare a resolution for next week. Mrs. Swedyk stated that if the CRA get approved, it's not really approved until the JEDD is approved because it can be rescinded. Mrs. Dentler explained that it can be rescinded if the membership application is withdrawn or not accepted.

Mr. Mitchell stated that in addition to wanting to start construction, they have another deadline involved and that is the Ohio Department of Health and their Certificate of Need. Their Certificate of Need to move 60 beds to this location was originally granted in 2020 – that approval has a two year lifespan. They, by legislative action, because of Covid, got them to change the law to extend the obligation date by an additional two years. They couldn't get building materials, plumbing materials, generators, etc. in time to meet that two year deadline. Their current Certificate of Need for this project expires in October 2024. If they do not have a footer in the ground by that time, those beds are lost at the cost of approximately \$700,000, and they will have no ability to proceed with this project. He stated that they have never obtained any tax incentives or other grants or benefits on any other projects. They are not familiar with the process whatsoever. The county and the JEDD came to them, and Mrs. Pawlowski told them about the existing ambulance run problems. That's a problem they have today whether they are here or not. No suggestion has ever been made regarding contributions nor have any proposals been submitted to them, and this is the first time he is ever hearing of any procedural issue of the township trustees not having been consulted with. He stated that they met three times in the last week and this is the first time they have heard about this. Mr. Mitchell stated that if this becomes overly difficult where they are not wanted in the JEDD, just tell them and they will abandon this process today and save everybody a bunch of time. They are trying to be good stewards here and be good citizens, but there seems to be lots of hurdles cropping up. If it becomes too difficult, they won't do it. He stated that a lot of people, including Mrs. Dentler, Mrs. Marshall and Mrs. Pawlowski have spent a lot of time on this and they would like to see it come to fruition, but they aren't twisting anybody's arm.

Mr. Hambley stated that Brandon confirmed he will be working on a resolution for the commissioners to consider next week. At this point, as he understands the process, the JEDD will be reconvening to hopefully consider that petition. He thanked Mr. Mitchell because they are not only subjecting their employees to paying an income tax, but since they are a for-profit entity, they will actually be contributing to the tax base of the township. If they are not a member of the JEDD, then they are not. The agreement is very clear that the CRA and JEDD are linked, and hopefully the JEDD will in due course approve that application.

NOACA

Mr. Harrison noted that there is a NOACA meeting Friday and he does not think the traffic study for the Boston Road project will be on this month's agenda. If it does come up at the meeting, his preference would be that happening in connection with Strongsville lending it's support for the repeal of the interchange bill that was passed in 2023, he's hopeful that if we wait until September to get that approved, then Strongsville will have had opportunity to lend it's support to that process as well. He thinks NOACA's approval of that study will happen without a lot of incident too.

Natural Resources Assistance Council ("NRAC")

Mr. Hambley mentioned that NRAC will be meeting Friday. Our district will be going through the methodology – he thinks there is \$1.6M to distribute. They will be going out this summer for another round of awards for projects for open space.

*Commissioner Hambley recessed the Discussion Session at 10:57 a.m..
Discussion resumed at 11:10 a.m. in the Commissioners' Conference Room*

Administration Building Restroom/Wayfinding Project

Chris Jakab introduced Zack and Layna from HSB Architects who provided the following updates on the Administration Building Restroom/Wayfinding projects:

- Restrooms – Drawings were provided for the commissioners’ review. The \$566,914 remains the estimate for the base bid of seven restrooms and the alternate for restroom by the Choral Room will be an additional cost. The restroom renovations are basically new finishes and fixtures, new ceilings, and adhering to ADA standards. There will be an adult changing table in the first floor restroom which will become a single user, family restroom by Entry B. Flooring, tile and paint options were reviewed and discussed. Steven Bastean will look into whether permits will be required for the project, and Zack will determine if the owner is to obtain/pay for the permit or if it will be incorporated into the requirement for the contractor. After discussion, the commissioners agreed that Mr. Jakab may present a resolution in the next 1-2 weeks to the bid process.
- Wayfinding – Photos of current signage were reviewed with it being agreed that standardization is needed. Some schematic options were reviewed with Zack noting that a signage consultant can be brought in to help get things produced. The commissioners agreed that once this is in place, other offices will not be able to change signage and it will need to be enforced. Mr. Harrison stated that the most critical for the flow of the building is for the public. Mr. Hambley pointed out that temporary signs should also be incorporated for things such as events. The commissioners agreed for the architects to prepare a mockup of signs. Information will be gathered from office holders and staff for feedback regarding suggestions on guidance to the public for the architects.

There were no further items for discussion.

Adjournment

Mr. Harrison moved to adjourn the meeting; Mrs. Swedyk seconded the motion. There was no further discussion. Roll call showed all commissioners voting AYE; the motion carried. The meeting adjourned at 11:47 a.m.

RESOLUTIONS PASSED JUNE 4, 2024

<u>Number</u>	<u>Resolution Title</u>
24-0423	Proclaiming June 15, 2024 as "World Elder Abuse Awareness Day"
24-0424	Authorizing change order 1 for the Gayer Road Water Storage Tank Rehabilitation Project
24-0425	Authorizing change order 1 for the Medina County Sanitary Sewer Rehabilitation Project 2024
24-0426	Authorizing the Sanitary Engineer to request Statement of Qualifications for professional design services for the Westfield Water Treatment Plant Upgrade Project
24-0427	Accepting and awarding bid for Polymeric Emulsion Flocculant for the Medina County Kenneth W. Hotz Water Reclamation Facility
24-0428	Amending the septage disposal fees for the Liverpool Wastewater Treatment Plant
24-0429	Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
24-0430	Approval of an Early Intervention Service Coordination Grant Agreement between the Ohio Department of Children and Youth and Developmental Disabilities and the Medina County Family and Children First Council for the administration of the County Early Intervention Program
24-0431	Approving an agreement for the Ohio Drug Law Enforcement Grant FY23 for the Medina County Drug Task Force
24-0432	Approving the transfer of Medina County Inventory between various Medina County offices
24-0433	Declaring Medina County property as excess property
24-0434	Allowing expenses of county officials
24-0435	Allowing claims and authorizing issuance upon the treasurer in settlement of such list of claims
24-0436	Authorizing the advertisement for public bids for the Medina County Administration Facility Parking Lot Repair and Replacement Project
24-0437	Authorizing a change order for the Medina County Emergency Management Safety Services Facility Project
24-0438	Approval of a Fair Housing Service Agreement with the City of Medina
24-0439	Adopting a Residential Anti-Displacement and Relocation Assistance Plan for the County of Medina

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting on this fourth day of June 2024.

Respectfully submitted,

COMMISSIONERS

Aaron M. Harrison

OF

Colleen M. Swedyk

Rhonda J. Beck
Clerk of the Board

MEDINA COUNTY

Stephen D. Hambley