

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

Patricia G. Geissman called the meeting to order at 9:36 a.m. with Stephen D. Hambley and Sharon A. Ray present.

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

The oral reading of the minutes of the Commissioners' meeting on March 10, 2008 was dispensed with as each Commissioner had read them personally. Mr. Hambley moved to approve the minutes and the motion was seconded Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office presented and reviewed the following resolutions: (1) rejecting all bids received March 6, 2008, and authorizing the Medina County Engineer to advertise for bids for the installation of new pavement markings on various Medina County roads; (2) approving the final plat for the Woodhaven Preserve Subdivision Phase I located in Lot 24, Tract 8 of Wadsworth Township; and, (3) approving the annual assessment on the improvements on 20.8618 acres of land in Lot 24, Tract 8 of Wadsworth Township known as Woodhaven Preserve Subdivision Phase 1 and establishing said improvements as a public watercourse. Mr. Hambley moved to approve the three resolutions and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list for permits issued March 6-12, 2008.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) adopting the 2008 Annual Appropriation Measure and repealing the 2007 temporary appropriation measures; (2) revenue adjustments for the sale of surplus County property sold at the online public auction; (3) cash transfer to the Crippled Children's Health Fund; and, (4) authorizing the purchase of 6,900 gallons of regular unleaded gasoline for the Engineering Center from Ports Petroleum at the lowest bid price of \$2.75 per gallon. Mr. Miller requested payment of the weekly bills in the amount of \$858,496.97. He commented that this was a very difficult year for budgeting. The available revenues were about \$45 million and there were about \$40 million in expenses across the board for various funds. This is approximately the same amount that was budgeted last year. Mr. Hambley moved to approve the four Finance resolutions and payment of the weekly bills; the motion was seconded by Ms. Ray. There was no discussion. Roll call showed all commissioners voting AYE.

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

Mr. Berkowitz presented a resolution approving increases to the schedule of longevity payments and also approving the change in the Policy Manual (Policy 5.025) to increase the longevity payments in increments covering a three-year period (2008, 2009, and 2010). This is consistent with increases recently negotiated through the County's collective bargaining process, which will be payable to the non-bargaining unit staff with the first increase to be applied with the issuance of 2008 longevity payments. Mr. Hambley moved to approve the resolution and it

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

was seconded by Ms. Ray. There was no discussion. Roll call showed all commissioners voting AYE.

Mr. Berkowitz presented a resolution amending the Table of Organization for the Maintenance Department that is eliminating two positions as a result of the Fair Board taking over the responsibility for the Community Center. Mr. Hambley moved to approve the resolution; the motion was seconded by Ms. Ray. There was no discussion. Roll call showed all commissioners voting AYE.

Mr. Berkowitz presented three more resolutions for rate increases in conjunction with the collective bargaining units contracts approved at the last Commissioners' meeting for the Child Support Enforcement Agency, Job & Family Services, and Sanitary Engineer's Department. Mr. Hambley moved to approve the three resolutions and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Chris Jakab, County Administrator, had nothing to present.

Jim Troike, Sanitary Engineer, presented a resolution authorizing the renewal of the contract with Agri-Sludge, Inc. for the hauling and disposal of cake sludge and the hauling of liquid sludge for various Medina County wastewater facilities. Mr. Hambley moved to approve the resolution and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

Mr. Troike presented the Commissioners with the Solid Waste District 2007 Annual Report and said it is available on the Sanitary Engineer's web site. He reported that municipal solid waste is down about 4,000 tons for the year and that is the second year in a row that tonnage has decreased rather than increased, which had always been the trend at the Central Processing Facility. There is a decrease in recyclables, especially paper, which is a trend that shows people are recycling paper at schools and reading the news on the internet instead of buying a newspaper. They are still reviewing some of these trends to try to decide what that means to the Central Processing Facility and to help them decide what to do.

Charles Huber, Chief Building Official, gave the Building Department's report for building permit activity in February 2008. Estimated construction costs for permits issued reflects a 52.71% decrease in February 2008 compared to February 2007, dropping to \$6,423,215.00 from \$13,581,545.00. There were 15 new housing starts for February 2008 showing a continuing downward trend for the past five years. Permit counts and revenues collected show an increase in February 2008 (186) from February 2007 (174), but a -23.98% in permit fee revenue collected. This is partially due to the new fee schedule that went into effect in March 2007. The total permit counts for 2008 year-to-date were 373 compared to 473 last year, show a downward turn of -12.93% in revenues. Permitting activity, broken out by townships and villages, shows Montville Township having the most residential permits for the month of February 2008 and year-to-date through February. Brunswick Hills Township was the second most active. Non-residential or commercial permits issued broken down by political jurisdiction shows Homer and Medina Townships each having two permits issued.

Charles "Buck" Adams, Emergency Management Agency Director, reported that they have been working on a project for the last several years to make Medina County more prepared

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

for severe weather. He thanked Matt Sturgeon, intern from The University of Akron Emergency Management Program, who completed the project and documented the work that they do to make Medina County more storm-ready.

Gary Garnet stated that he and William Comeaux from the National Weather Service (NWS) were at the meeting to recognize Medina County as StormReady[®], a program designed by the NWS for preparing cities, counties, and towns across the nation with communication and safety tools necessary to save lives and property. The top goal is to prepare communities with an action plan that responds to all types of severe weather such as a tornado, flood, or blizzard. This is a voluntary program that the most pro-active counties accomplish. The StormReady program gives clear-cut advice to city leaders and emergency managers on how to improve their hazardous weather plans to be better prepared. Once the community completes the criteria, it is reviewed and the community is pronounced StormReady. Criteria that Medina County had to meet to become StormReady were to:

1. have a 24-hour warning point emergency operations center;
2. have several ways to obtain severe weather information forecasts and warnings from the NWS;
3. create a system that monitors weather (radar or different types of weather sensors around the county);
4. perform public readiness through community seminars and outreach; and,
5. have a formal hazardous weather plan.

Mr. Garnet said an Advisory Board made up of National Weather Service meteorologists and State emergency managers reviewed Medina County's application and they visited the location. In February 2008, the County received a formal letter that it was accepted into the program. He said they were at the meeting today to recognize the accomplishments of Medina County and present an official certificate, poster, and StormReady signs that could be displayed throughout the community. Medina County was authorized to use the StormReady logo, official letterhead, brochures, and other suitable documents. StormReady communities must stay prepared because the designation is only valid for two years and then it must be renewed. Mr. Garnet congratulated Medina County that is only one of 14 counties in Ohio (made up of 88 counties) to receive this distinguished honor.

Mr. Comeaux presented a certificate and a plaque to the Commissioners and thanked Mr. Adams and his staff for reaching this level of storm-readiness. Mrs. Geissman added that the County is proud of Mr. Adams and his leadership. At last week's meeting, they commended him, the Sheriff, and all of the support team that came together to make sure the residents were safe during the snow storm. She thanked them for coming and commented that this was a wonderful honor. Mr. Adams thanked the Commissioners for their support.

Mrs. Geissman presented a resolution supporting the creation of a Chippewa Lake launching facility to provide the needed access to the lake for public use and enjoyment of Chippewa Lake for recreational boating and fishing. Last week, the Commissioners agreed to provide support documentation for Park District Director Tom James to submit with an application for grant funding. Mr. Hambley moved to approve the resolution and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

Mrs. Geissman presented a resolution proclaiming April 2008 as “Fair Housing Month”. Mr. Hambley moved to approve the resolution and Ms. Ray seconded the resolution. There was no discussion. Roll call showed all Commissioners voting AYE.

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

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

The meeting recessed at 9:50 a.m.

Discussion Session

The meeting reconvened at 9:55 a.m. for the Discussion Session in the Conference Room.

Mr. Hambley presented three-year ozone averages from 2000 through October 31, 2007, provided by the EPA for those Ohio counties with ozone monitors. The standard was 85 parts per billion (ppb). As of March 12, 2008, the standard was changed to 75 ppb. Medina County is 77 ppb; therefore, it is “on the edge” and most likely will be in the non-attainment area for ozone. The county will probably be required to e-check until it goes below 75 ppb.

Mr. Hambley discussed a letter from County Engineer Mike Salay about a property owner/permit holder that was notified to install a 48-inch diameter pipe on his lot to be in compliance with the Stormwater Management and Sediment Control Permit. He still did not comply and as a result storm water keeps backing up onto the adjoining property. Mr. Salay has requested that the Commissioners ask the Prosecutor’s Office to take action in accordance to rules and regulations. The other Commissioners agreed to Mr. Salay’s request and the Clerk will prepare the document.

Mr. Hambley said Cleveland Mayor Frank Jackson attended last Friday’s Northeast Ohio Areawide Coordinating Agency (NOACA) Executive Committee meeting. Mayor Jackson said the weighted vote – which favors Cuyahoga County over four surrounding counties – is the “muscle” that he needs to protect the interests of his community. He is not going to give up his “muscle” unless there are other agreements to deal with issues such as the Avon interchange. Mr. Hambley said this is the first time that anyone could remember that a mayor of Cleveland has been a part of a NOACA committee meeting. Mayor Jackson has a different point of view than his predecessors and a different approach to governance. He is willing to come to a future meeting to try to work through this issue. There were issues that Mayor Jackson was unaware of such as the regional transportation plan and attempts made to deal with some of the economic issues. He is willing to discuss a different approach to the weighted vote, which is a change in the composition of the Board by adding more Board members. Mr. Hambley said they will, hopefully, be able to resolve the weighted vote issue soon, but Medina and Lorain Counties are still considering “pulling out” and other options if it is not resolved.

Mrs. Geissman said she attended the County Commissioners Association of Ohio (CCAO) meeting in Columbus last Friday. A Union County commissioner and prosecutor

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

expressed concern about having no authority to sue Ohio Secretary of State Jennifer Brunner regarding electronic voting machine's being declared unfit and having to go to paper ballots. When Ms. Brunner was Common Pleas Judge she hired Judge Brown (the judge that ruled this) to be her magistrate. They are filing an ethics violation that the judge even took the case. Saying that commissioners have no standing to sue is unreasonable because commissioners sue and get sued for everything. Mrs. Geissman said Union County has had no problem with the electronic voting machines, just as Medina County had no problems with them. There is no guarantee that there will be any State money to pay for the scanners, and yet there is an order that they must change. The Union County officials asked if Medina County would join them in legally pursuing this "fight" at no cost to the County because they have put so much money into it already. They feel it would give more substance if another county or two sided with them. Mrs. Geissman said she told them she would discuss it with her colleagues. They may have the support of the CCAO as well after Ms. Brunner presents her side of the story. Mr. Hambley and Ms. Ray said they were inclined to support Union County and they asked that Union County officials forward information regarding what was filed through the court. Mrs. Geissman pointed out that Medina County had no problem with the electronic voting machines and they have already spent \$2.1 million of taxpayers' dollars that would be wasted. Mr. Jakab said the local Board of Election members have sent correspondence to the Secretary of State on this issue and they may want copies.

Chris Jakab, County Administrator, said Brian Richter, Assistant Prosecuting Attorney, provided the requested clarification regarding compensation for the Flood Appeals Board for their review.

Mr. Jakab said they received a decision on a Wadsworth Annexation matter. He said Attorney Steve Friedman, of Squires, Sanders and Dempsey, asked if they would like him to provide them with his thoughts and comments on moving forward; Mr. Jakab said they would.

Mr. Jakab said he met with the Greg Hannan, City of Medina Planning Director, on Friday regarding the Courthouse Project. Medina is still planning to present their report on March 31, 2008. They asked about setting up a forum for discussion. He told them the Board of Commissioners would probably want to review the report before the discussion and the Commissions agreed. Mr. Jakab said he would schedule a meeting following the Commissioners' review.

Mr. Hambley moved to adjourn the meeting at 10:08 a.m. and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

RESOLUTIONS PASSED 3/17/2008

<u>Number</u>	<u>Resolution Title</u>
08-0145	RESOLUTION PROCLAIMING APRIL 2008 AS FAIR HOUSING MONTH
08-0146	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 08-0147 RESOLUTION REJECTING ALL BIDS RECEIVED MARCH 6, 2008 AND AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE INSTALLATION OF NEW PAYMENT MARKINGS ON VARIOUS MEDINA COUNTY ROADS
- 08-0148 RESOLUTION APPROVING THE FINAL PLAT FOR THE WOODHAVEN PRESERVE SUBDIVISION PHASE I LOCATED IN LOT 24, TRACT8, OF WADSWORTH TOWNSHIP
- 08-0149 RESOLUTION APPROVING ANNUAL ASSESSMENT ON IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF SECTION 6131.63 ORC ON 20.8618 ACRES OF LAND IN LOT 24, TRACT 8 OF WAD TWSHP KNOWN AS WOODHAVEN PRESERVE SUBDIVISION PHASE I AND ESTABLISHING THEREBY SAID IMPROVEMENT AS A PUBLIC WATERCOURSE
- 08-0150 ADOPTION OF THE 2008 ANNUAL APPROPRIATION MEASURE AND THE REPEAL OF ALL 2007 TEMPORARY APPROPRIATION MEASURES
- 08-0150A REVENUE ADJUSTMENTS FOR THE SALE OF SURPLUS COUNTY PROPERTY
- 08-0151 CASH TRANSFER TO THE CRIPPLED CHILDREN'S HEALTH FUND
- 08-0152 AUTHORIZING THE PURCHASE OF 6,900 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 08-0153 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 08-0154 RESOLUTION APPROVING INCREASES TO SCHEDULE OF LONGEVITY PAYMENTS POLICY 5.025
- 08-0155 RESOLUTION AMENDING THE TABLE OF ORGANIZATION FOR THE MAINTENANCE DEPARTMENT
- 08-0156 RESOLUTION APPROVING WAGE INCREASES FOR PAYMENTS OF THE MEDINA COUNTY CHILD SUPPORT ENFORCEMENT AGENCY
- 08-0157 RESOLUTION APPROVING PERSONNEL CHANGES FOR EMPLOYEES OF THE SANITARY ENGINEER'S DEPARTMENT
- 08-0158 RESOLUTION APPROVING RATE CHANGES IN ACCORDANCE WITH COLLECTIVE BARGAINING AGREEMENT BETWEEN MEMBERS OF TEAMSTERS LOCAL 293 AND MEDINA COUNTY JOB AND FAMILY SERVICES
- 08-0159 RESOLUTION AUTHORIZING THE RENEWAL OF THE CONTRACT WITH AGRI-

COMMISSIONERS MEETING, MONDAY, MARCH 17, 2008

SLUDGE INC FOR THE HAULING AND DISPOSAL OF CAKE SLUDGE AND HAULING
OF LIQUID SLUDGE FOR VARIOUS MEDINA COUNTY WASTEWATER FACILITIES

08-0160 RESOLUTION SUPPORTING THE CREATION OF A CHIPPEWA LAKE LAUNCHING
FACILITY

08-0161 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

All deliberations concerning official business and formal actions by this Board of
Commissioners were conducted in an open public meeting this seventeenth day of March, 2008.

Respectfully submitted,

Pam Vereb, Clerk

COMMISSIONERS _____

Patricia G. Geissman

OF _____

Stephen D. Hambley

MEDINA COUNTY _____

Sharon A. Ray