

COMMISSIONERS MEETING, MONDAY, NOVEMBER 3, 2008

Patricia G. Geissman called the meeting to order at 9:31 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 October 27 Commissioners' meeting was dispensed with as each Commissioner had read them personally. Mr. Hambley moved to approve the Commissioners' meeting minutes; the motion was seconded by Ms. Ray. There was no discussion. Roll call vote showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented and reviewed the following resolutions: (1) extending the completion date of the Marks Road Bridge #16 Replacement Contract with Medina Excavating, Inc. and, (2) determining the emergency closing of Blake Road (C.H. 118) between Tower Road (C.H. 55) and Yoder Road (C.H. 105) for the repair of a driveway culvert. Mr. Hambley moved to approve both resolutions; the motion was seconded by Ms. Ray. There was no discussion. Roll call vote showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list for permits issued October 23-29, 2008.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the Annual Appropriation Resolution; (2) revenue adjustments for the total amount of \$28,527.75 for the sale of surplus County property at the Medina County Vehicle Auction in October; (3) authorizing the transfer of funds from the Child Support Enforcement Agency Fund to the General Fund for indirect costs; (4) authorizing the purchase of 7,000 gallons of regular unleaded gasoline for the Engineering Center; and, (5) declaring Medina County property as excess property to be disposed of (Table A) and sold by public internet auction (Table B). Mr. Miller requested payment of the weekly bills in the amount of \$593,697.74. Mr. Hambley moved to approve the five finance resolutions and payment of the weekly bills; the motion was seconded by Ms. Ray. There was no discussion. Roll call vote 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 vote showed all Commissioners voting AYE.

Chris Jakab, County Administrator, presented a resolution approving the use of County Revolving Loan Fund monies for the local company Architectural Daylighting. The State Department of Development has committed \$161,900 and the total project budget is \$601,916. Architectural Daylighting proposes to utilize these grant funds to procure machinery and equipment to expand its current operations and to hire 18 additional employees over the next three years. The State has asked that the County commit \$16,000 of its Revolving Loan Fund balance to fill the financing gap of the project. All of the \$16,000 and \$161,900 Economic Development loan will be repaid to the County for future project use. The resolution would also allow for the standard review by the Revolving Loan Committee to be waived because of time constraints. Mr. Hambley moved to approve the resolution; seconded by Ms. Ray. Mrs. Geissman asked if reviews are waived very frequently. Mr. Jakab said this was the first time; it was the only way it could be accomplished. They originally wanted it scheduled for this past Friday, but he told them it couldn't be on the agenda until Monday. There was no further discussion. Roll call vote showed all Commissioners voting AYE.

Jim Troike, Sanitary Engineer, presented and reviewed the following resolutions: (1) extending restricted water main status for a waterline installed in Hartneck Road by Arthur Gallo and Thomas Windenmyer; (2) releasing the remaining escrow account of Fabrizi Trucking & Paving, Inc. for the Brunswick Sanitary Sewer Replacement 2006 Project MCSE #SR-500/5-41.1; (3) authorizing the Final Adjusting Change Order No. 1 for the West Park Boulevard Phase II 2008 Project MCSE#SR-500/200-163.2; and, (4) authorizing preliminary

COMMISSIONERS MEETING, MONDAY, NOVEMBER 3, 2008

designation pursuant to O.R.C. § 343.014 for the Solid Waste Management Plan. This is the second of four designations and then there will be a time period for comments. The Solid Waste Management Plan is now on display for public comment. Mr. Hambley moved to approve the four resolutions and Ms. Ray seconded the motion. Mr. Hambley asked if there were any attendees or comments at the public hearing held last Wednesday. Mr. Troike said there were no attendees or comments. The resolution clarifies that the Central Processing Facility and Class IV Compost Facility would be the only facilities to receive the waste generated in Medina County for the updated Plan. Some of the facilities that were in the last Plan are not operating any longer. There was no further discussion. Roll call vote showed all Commissioners voting AYE.

Lynn Remington, County Home Superintendent, reported that they had one admission in September and two releases. There are 52 residents residing at the County Home and 3 participants in the Adult Day Care Program. They had a flu shot clinic and two fire drills. Volunteers painted and carpeted a bedroom. Repairs were made to the public address system. Capital improvements were to the natural gas line and a roof was repaired. Inspections were made to the fire alarm system. They had a great Halloween Party and "Bake-Off" where the residents made treats such as eyeballs and witches brew. In October, 59 individuals volunteered 282 hours of their time.

Dr. Ross Santamaria, Diversion and Forensic Services Director, presented statistics for July, August, and September 2008. They closed 149 diversion cases and 25 forensic cases as of September 30, 2008. Fees were up and they collected \$35,600 to date. He discussed an unusual offense case called "Wrongful Entrustment" that they have had several clients commit in the past. An example is when a person loans their vehicle to someone and they know they do not have a valid driver's license. Last quarter, the agency still had many child endangering cases where infants were left unattended in vehicles. Dr. Santamaria discussed some required continuing education classes that he found to be very enlightening. Ms. Ray asked about the charge of operating a gambling house. Dr. Santamaria said they have had those cases in the past. That is when a local bar has gambling machines that sell tickets of chance. This is different from Keno that is now approved in the State of Ohio.

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

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

Mrs. Geissman said that there would be a Discussion Session following this part of the meeting, and an Executive Session was requested at 10:15 a.m. for the purpose of discussing pending and imminent litigation. Mr. Hambley moved to approve the Executive Session and Ms. Ray seconded the motion. There was no discussion. Roll call vote showed all Commissioners voting AYE.

The meeting recessed at 9:50 a.m.

Discussion Session

The meeting reconvened at 9:50 a.m. for the Discussion Session in the Conference Room.

Ms. Ray discussed the United Way-initiated Financial Stability Partnership for Medina County families. The group was approached by the State Treasurer's Office to host a kickoff meeting for the "Ohio Saves" campaign supported by Treasurer Cordray, United Way, and OSU Extension. The "Ohio Saves" campaign is part of the "America Saves" campaign that is designed to build wealth and reduce debt. The Medina County kickoff meeting for "Medina County Saves" will be held on Thursday, November 13, 1:30-3:00 p.m., at the Medina County District Library. A representative from Treasurer Cordray's office will offer information and State support.

COMMISSIONERS MEETING, MONDAY, NOVEMBER 3, 2008

Mrs. Geissman said that the World Town Planning Day was very well attended last Friday. It was held at Buffalo Creek Retreat and the location worked out very well. There was plenty of room inside and out. Mr. Hambley commented on the clever theme of “Made in Medina” that featured local manufacturers and businesses.

Ms. Ray said that Pizzuti Solutions LLC would be making a presentation at the Discussion Session. Pizzuti provides construction management services that coordinate between the construction manager, architect, and the county. Chris Jakab, County Administrator, added that owner’s representation services provide another layer of oversight that can be useful on large-scale projects.

Mr. Jakab said that second interviews were held with the three construction management firms last week for the Medina County Courthouse Renovation and Expansion Project. He asked if there was consensus to move forward with the negotiation process for the firm’s contract to commence services. Mrs. Geissman asked if he had checked references. Mr. Jakab said he did; he was told that their first choice performed remarkably well and the counties said they would use their services again. After a short discussion, the Commissioners chose Donley’s of Cleveland, Ohio and Richmond, Virginia. Mr. Jakab said he would notify them and begin negotiating the price.

The meeting recessed at 10:00 a.m.

The meeting reconvened at 10:17 for a presentation by representatives of Pizzuti Solutions LLC, James Russell (Executive Vice President), Mike Bird (V.P. of Project Management), and Don Wheat (Senior Project Manager). Mr. Russell stated that he was a former city manager and they have a staff of former public officials that total over a century of experience on “both sides of the table”. They understand how the public procures their projects, the challenges they face, and some of the impacts on staff. Pizzuti Company has been in business for 32 years, primarily as an at-risk developer. The corporate office is in Columbus, Ohio, and there are also offices in Chicago, Illinois, Orlando, Florida, and Atlanta, Georgia. Pizzuti Solutions was started four years ago and he manages it for the company. They take the expertise that they have in the private sector (master planning and fiscal management) and offer it to the public sector. Their public sector customers have built city halls, courthouses, hospitals, stadiums, arenas, and everything that the public owns or invests in. The role they try to serve is an extension of staff in solving scheduling, financial, and management issues. They are owner’s representatives for two courthouses being constructed now in Franklin County and Delaware County. There is an additional cost for their services, but it is blended into the total budget of the project by finding alternative ways of saving dollars within the project, such as keeping it on schedule and avoiding unexpected costs.

Mr. Bird said he has been in the business for 35 years and has worked on projects such as Progressive Field (formerly Jacobs Field) and Quicken Loans Arena (formerly Gund Arena). Projects such as the Medina County Courthouse are his favorite because it is all about the people they represent in small town America and the ability to deliver that project on time and within budget. He said that the Medina County Commissioners need to realize that the County is affected by what happens in China, India, and elsewhere in the world because it is a global economy. For example, when China buys up all of the cement they can and when India buys all the steel, those prices go up. The labor market for other projects in and around the area, such as the \$1 billion Ohio State University expansion project, can impact prices and labor throughout the State. To avoid all of those challenges, they make conscious decisions about what they do and everybody understands why, when, and how they did it. They make sure they have consensus and everybody agrees that it is the best way because collaboration is the key. He said the project will probably need to involve the Department of Homeland Security and a study will need to be done to make sure everything around the courthouse fits security standards. They will also need to know the procurement process in Ohio so that it meets the Ohio Revised Code, which is different from other states’ codes.

COMMISSIONERS MEETING, MONDAY, NOVEMBER 3, 2008

Mr. Bird said that they make sure that there are no surprises so that the Commissioners are not blind-sided. They make sure that the processes that are established for this project are not canned best practices that don't always work for every community. People usually don't like going to a courthouse because they are in the midst of a problem, but they need to be treated like they are innocent until proven guilty. It is an open forum to get justice delivered, but the safety and security of the people (visitors, employees, public) inside is important because incidents can happen.

Mr. Russell said that an owner's representative could keep the County's project on budget and on schedule by: (1) negotiating contracts before the bidding process because there is a bureaucratic markup; (2) the perception that government decisions and payments are going to be slower than in the private sector, there is bureaucratic overhead and a markup; and, (3) they meet with the construction manager and the architect before they are hired and talk about specific examples of how they would handle things to make sure the team works well together and they have adequate and appropriate staff. They try to understand how they structure their general commissions and what fees they are charging the County that might also be built into a subcontractor's fees and staffing levels. An understanding of cost avoidance and adherence to schedule can lower the up-front costs. For example, a 30-day delay could cost \$300,000 on construction escalation. They review everything and make recommendations.

Mr. Bird said that the only thing that is absolute at this point is that something is going to go wrong. The ability to handle that problem and make contingencies to lessen the impact is part of their anticipation and planning. Mr. Wheat added that some companies pad their estimates. Pizzuti does not hesitate to review and challenge them. They typically see that their customers end up with a better building that costs less to build and operate.

The gentlemen discussed some of the ways that they have saved owners money such as reviewing the structural concept and recommending alternatives such as perimeter supports that were lighter and a more efficient structural frame, making estimates early in the process so it does not slow down the design team, value engineering (investigating a substituted product such as granite adhesive), understanding what is being valued-out to cut costs but could cost more in the long run (such as removing elevators causing poor people movement within the building), investigating right-of-way easements and utility relocations, using County services (such as the County Engineers for archeological services), coordinating with the stakeholders to make sure filing systems, doors, restricted/secured judge's parking, etc., are initially designed correctly so no costly changes (such as reinforcing floors) are necessary down the road, and proper positioning of the addition on the property and upsizing infrastructure by taking into consideration future expansion and better connection to other buildings (requiring shorter tunnels, for example).

Mr. Russell said that they have a former judge on staff that could present input on courtroom design. Their design team can also build a full-scale mockup of the courtroom during the design process for all of the users, including the media, to provide input. This can help with the courtroom design to check site lines, omissions, the positioning of cameras, etc. Mr. Bird said that they have a relationship with the National Center for State Courts, in Williamsburg, Virginia, a non-profit agency that specializes in courtroom design that was founded by President Roosevelt to assist the public in designing courthouses. They were involved in the Courtroom 21 Project that is the high-tec courtroom model.

The meeting recessed at 10:58 for the Commissioners to go into the Executive Session to discuss pending and imminent litigation that had been voted on earlier.

At 11:30 a.m., Mr. Hambley moved to adjourn the meeting and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

COMMISSIONERS MEETING, MONDAY, NOVEMBER 3, 2008

RESOLUTIONS PASSED 11/3/08:

<u>Number</u>	<u>Resolution Title</u>
08-1011	RESOLUTION TO ALLOW CLAIMS AND ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
08-1012	RESOLUTION TO EXTEND THE COMPLETION DATE OF THE MARKS ROAD BRIDGE #16 REPLACEMENT CONTRACT BY AND BETWEEN MEDINA EXCAVATING, INC. AND THE MEDINA COUNTY BOARD OF COMMISSIONERS
08-1013	RESOLUTION DETERMINING THE EMERGENCY CLOSING OF BLAKE RD. (C.H.118) BETWEEN TOWER RD. (C.H.55) AND YODER RD. (C.H.105)
08-1014	RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
08-1015	REVENUE ADJUSTMENTS FOR THE SALE OF SURPLUS COUNTY PROPERTY
08-1016	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND TO THE GENERAL FUND FOR INDIRECT COSTS
08-1017	AUTHORIZING THE PURCHASE OF 7,000 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
08-1018	RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
08-1019	RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
08-1020	APPROVING USE OF REVOLVING LOAN FUND MONIES FOR ARCHITECTURAL DAYLIGHTING
08-1021	A RESOLUTION EXTENDING RESTRICTED WATERMAIN STATUS FOR A WATERLINE INSTALLED IN HARTNECK ROAD BY ARTHUR GALLO AND THOMAS WINDENMYER (SAN. ENG. PROJECT 500/00-5.1.48)
08-1022	RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE REMAINING ESCROW ACCOUNT OF FABRIZI TRUCKING & PAVING, INC. FOR THE BRUNSWICK SANITARY SEWER REPLACEMENT 2006 PROJECT MCSE#SR-500/5.41.1
08-1023	RESOLUTION AUTHORIZING THE FINAL ADJUSTING CHANGE ORDER NO.1 FOR WEST PARK BLVD. PHASE II2008 MCSE#SR-500/200-163.2
08-1024	RESOLUTION AUTHORIZING PRELIMINARY DESIGNATION PURSUANT TO ORC 343.014
08-1025	RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
08-1026	RESOLUTION TO ALLOW EXPENSES OF THE ADULT PROBATION DEPARTMENT

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

Respectfully submitted,

COMMISSIONERS _____
 Patricia G. Geissman

OF _____
 Stephen D. Hambley

 Pam Vereb, Clerk

MEDINA COUNTY _____
 Sharon A. Ray