

**MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY  
EXECUTIVE BOARD REGULAR MEETING MINUTES  
March 23, 2022**

Members Present

Carl Deforest  
Brian Guccion  
Matt Hiscock  
Bill Hutson

Conrad Sarnowski  
Colleen Swedyk  
Larry Walters  
Marty Warchola

Personnel

Christina Fozio  
Ben Nau  
Matt Sturgeon  
Chuck Stiver

Guests

Mike Lyons  
Jerry Winkler  
Scott Miller  
Thomas Condosta  
Brad Winter

Chairman Conrad Sarnowski called the meeting to order at 8:30 AM.

Carl Deforest motioned to approve the bills from the February 23, 2022, meeting as written; as seconded by Brian Guccion; and approved by all.

Carl Deforest motioned to approve Resolution 2022-08 Monthly Operating Bills – March 2022 as written; as seconded by Colleen Swedyk; and approved by all.

An AHAC Recommendation to the Executive Board dated March 10<sup>th</sup>, 2022, for 2022 Team Issued Apparel not to exceed \$2,000.00 was presented. Brian Guccion motioned to approve the expenditure as presented; as seconded by Colleen Swedyk; and approved by all.

An AHAC Recommendation to the Executive Board dated March 10<sup>th</sup>, 2022, for ID Cards/ Accountability/ ICS System not to exceed \$1,000.00 was presented. Carl Deforest motioned to approve the expenditure as presented; as seconded by Brian Guccion; and approved by all.

Christina updated that the All-Hazards Advisory Committee recommended a change to the AHAC SOP to allow “Chief Officers” to the AHAC in order to include assistant fire chiefs. The SOP will go to the Fire Chiefs Association for feedback then to the Executive Board for final approval.

Assistant Prosecuting Attorney Mike Lyons presented that Assistant Prosecuting Attorney Thomas Condosta and himself have recently looked into the EMA’s Countywide Agreement, which was prompted by their consideration of the EMA’s authority to enter into contracts.

Mike Lyons presented that his office was recently asked to review a draft mutual aid agreement between EMA/the water team and the Wooster Township Dive Team and also an AIA Contract for architectural services for EMA at Heather Hedge Drive, which caused his office to investigate the Countywide Agreement that forms EMA. It is unclear if all the subdivisions have a record of approval or not when EMA was being formed as a countywide EMA 32 years ago. There are also there are two versions of the agreement with different details. Mike suggests we modernize the document since the State statutes have been revamped since EMA was originally formed. An updated agreement would reflect the current statutes and operations of the agency. Mike explained that the current statutes identify EMA as a department of the county and there is a tie-in to the commissioners. Mike described

EMA as not autonomous from the Commissioners, but EMA is a hybrid. The county gives the structure under which EMA operates. EMA has authority to establish its budget and has coordinating authority.

Mike and Tom have begun to look at the EMA agreement to make suggestions for an updated agreement. They identified that by statute there is a system to establish a countywide EMA. There is a difference between how we operate versus what our agreement states and what the statutes indicate. Mike expressed that he is not too concerned about that, but we should know that there is a discrepancy.

Bill Hutson described that he and Colleen Swedyk are both listed as Commissioners' liaisons to EMA. It is uncertain who is considered the primary representative or who is the alternate. Commissioner Hutson also noted that the county has encountered documents over the years that are outdated and have needed updated. This is no different.

Mike assured the group there's no emergency to conform with what is written in the statutes in order to move forward because the function of EMA is primary to the statutory procedures. His opinion is that the board should operate as is until a new agreement is created. Bill Hutson noted that there are many County agencies with most of their agreements going to the County Commissioners for approval since the commissions have ownership over all property.

Mike Lyons noted that Scott Miller asked if there were any way to for EMA to be an autonomous agency. Mike said there is not. Mike was also asked if the board should be a Council of Governments. He does not suggest that. The State statutes are not to make a separate layer of government but to make a coordinating element of existing entity.

Mike discussed the subdivisions involvement regarding an updated agreement and expressed adding language to broaden what is currently written regarding contracts and MOU approvals by the board for coordinating functions. Discussion moved to consideration if the Commissioners need to approve contracts.

Brian Guccion asked, for example, if when the EMA Board approves items like the AHAC expenditures that were there approved in this meeting, those are contracts, do the Commissioners need to approve those? Mike Lyons said no. Other departments in the County independently commit to expenditures, then it goes to the commissioners for final payment. Brian asked if all contracts need to go to the commissioners for final approval. Mike said no. We have independent statutory authority to form a budget and we have not gone to the Commissioners for approval of expenditures in the past, which Mike said he does not believe is a problem. The renovation of this building is not part of the EMA's structure of budget and expenditures. There is no question that our EMA is valid, the question is do we want to enter a review of EMA's authority.

On the proposed Mutual Aid Agreement with Wooster Township, neither EMA nor the Commissioners have authority to enter a commitment for each community to respond outside of the county. We already have the capability to mutual aid by State statute. EMA's Countywide Agreement will need to identify the authority given to EMA by the communities. There was no recommendation for any action of the EMA Board at the time.

Christina noted the proposed mutual aid agreement with Wooster Township was developed for a few reasons to include qualifying for NIMS typing to enhance personnel numbers and equipment for response capabilities. She also noted that over the years she has experienced documents that are too

generic and open to interpretation causing complications. The water MOU is meant to better define roles and thinks it's interesting that the opinion of the draft is that it is too detailed. Even though state statutes provide for the sharing of resources the statutes also reference, and allow for, entities entering into MOU's to enhance the statutes. She asked Mike about entering into a water agreement that will provide the information needed to apply for typing. Mike said the process of reviewing the Countywide Agreement will identify that. A statement with less specificity that speaks the cooperation of the teams and recognizes how our team operate, signed by both, may be appropriate.

Carl Deforest motioned to adjourn the meeting at 9:48 AM; as seconded by Brain Guccion; and approved by all.

