

**MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY  
EXECUTIVE BOARD REGULAR MEETING MINUTES  
May 24, 2023**

Members Present

Carl Deforest  
Brian Guccion  
Aaron Harrison  
Matt Hiscock

Conrad Sarnowski  
Larry Walters  
Marty Warchola

Personnel

Christina Fozio  
Chuck Stiver  
Matt Sturgeon  
Ben Nau

Guests

Mike Lyons  
Tom Condosta  
Robert Haas  
Steve Hambley

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

Carl Deforest motioned to approve the meeting minutes from April 26, 2023, as written, seconded by Marty Warchola, and approved by all with Brian Guccion abstaining.

Christina Fozio introduced the monthly bills resolution. She added a set of new tires for the director's F-150. The current set lasted over 60,000 miles. Matt Hisock asked if the bill for Weber Murphy Fox is the entire fee or a partial fee. Ms. Fozio said it is a partial fee. Carl Deforest motioned to approve the bills as Resolution 2023-011, seconded by Aaron Harrison, and approved by all.

Clete Miller of Weber Murphy Fox was scheduled to speak but was not available because of an emergency. Ms. Fozio will reschedule Mr. Miller for a special meeting.

Department Updates

Chuck Stiver reported that the underwater ROV was received, and it is to be shipped back to the facility for GPS installation. The team will receive training on the device remotely. The toolbox on the 2016 Hazmat F-550 has been replaced and is back in service. The steel truck bed modifications to the 2020 F-550 are also complete. Mr. Stiver and Mr. Sturgeon gave a presentation on emergency management and the All-Hazards team at this month's Greater Medina Chamber meeting. We are invited back to present to their Safety Council later this summer. Mr. Stiver reported that he received a quote to vinyl wrap the fire investigation trailer, which showed vinyl wrapping will be too expensive for that project. Mr. Stiver believes we can make the trailer look nice with our in-house capabilities. Larry Walters confirmed with Mr. Stiver that the ROV will be insured while in transit. It is insured by the County's insurance and we will pay for shipping insurance there and back. Mr. Stiver discussed that it's his desire to do more public presentations to increase awareness. The ROV and our new dive capability will be well suited for demonstrations.

Ms. Fozio reported that our RC-2, which was approved pending a review by the Prosecutor's

Office, is presently being reviewed and should be finalized very soon. We are looking forward to disposing of the old records in the Highway Engineers facility as well as the Sheriff's Office.

Brian Guccion asked if there is an agreement to be signed. Commissioner Harrison answered that the Commissioners Office circulated an agreement. Mike Lyons explained that the Commissioners made adjustments based on the last EMA Executive Board meeting and sent it out as the final version. He thinks we've gone through an extensive process of reviewing and making modifications. The Prosecutor's office approves of the agreement's form and statutory compliance. Mr. Guccion asked if the Executive Board would get to vote on the agreement. Commissioner Harrison said that doesn't need to happen since the Board exists by virtue of the agreement. He conveyed that he didn't intend for people to believe they were coming back with another draft after the last meeting, some people may have. From the minutes of the meeting, it was set forth that the change had been made and the Commissioners would distribute it to the subdivisions. The group discussed that the agreement was sent out May 4<sup>th</sup> or May 5<sup>th</sup>. Brian Guccion asked Commissioner Harrison if he was telling him "We don't get a vote regardless, is what you're telling me, yes or no?" Mr. Lyons answered that the Commissioners brought their version back several times and have taken into consideration the input from all those meetings. Mr. Lyons reviewed that we discussed at the last meeting if the committee would include the Sheriff or an appointee. They revised the agreement to allow that Sheriff or their appointee. Also, we added another additional member so there are thirteen not twelve.

Commissioner Harrison suggested that Mr. Lyons walk everyone through the agreement. Mr. Lyons discussed that the statute calls for seven mandatory members and a process of assembling an advisory group to select the members, similar to what the Health Department does. The Advisory Group has representatives from each sub-division. Commissioner Harrison thinks that part is critical because a lot of the feedback he's heard comes from a lack of understanding of how people are appointed and seated. He thinks having a representative in that meeting will be beneficial. Mr. Lyons expanded that it will be an opportunity for the EMA to update the communities as a whole, which was part of the goal last year when only this Board was reviewing the agreement. He reflected that this Board began this with discussion of the membership and to bring the agreement to statutory compliance. There was debate about leaving things the way they were because the statute says the basic seven members must be chief executives. No mayors come to the meeting, although Brunswick City is the non-elected chief executive of Brunswick City. The prosecutor's office interpreted the statute with regards to the primary seven, which the statute says who they will be. The statute, with regards to the statutory seven, is explicit and it does not call for alternates. The statute goes on to say that we can add additional members and we may put in the agreement how they are added, which further supports that there is no implicit allowance to change the primary seven. The primary seven are according to statute and it's the prosecutor's office's opinion that the agreement can't modify that. Answering Mr. Guccion's question about whether it is ok to adopt, Mr. Lyons said it is in proper form, complying with statute. In that sense, it's ready to go.

Mr. Guccion asked who the primary seven are. Commissioner Harrison listed Carl Deforest, Robin Laubaugh, Dennis Hanwell, a commissioner, two trustees, and a non-elected appointee.

Mr. Guccion asked if Larry Walters and Matt Hiscock will be here last month. Commissioner Harrison discussed that he foresees a scenario in which a city takes action to say that for the purpose of public safety, their chief executive is their director of public safety. Mr. Warchola asked if that is allowed by statute. Mr. Lyons answered that this is a discussion that has been raised a number of times and early on we discussed the distinction between alternates vs. delegation of authority. There are some attorney general opinions that place limits on delegation of authority, even if the cities were to do it. Commissioner Harrison affirmed that the statute is limited to mayors and that is how the Prosecutor's Office is interpreting it. Mr. Guccion asked "in reality, is Matt and Larry going to be here next month? These guys are these the professional at what we do." Mr. Guccion said he thinks everybody who sits on this board knows what these first responders do, and nothing against Dennis, he was the police, but Robin doesn't know.

Commissioner Harrison continued to describe the membership of the committee. The chief executives are in statutory seven. The next three spots are the second commissioner seat, the Sheriff's appointee, and the village representative, which makes ten. Then the committee can appoint up to three people as a committee. The discussion at the last meeting was for this appointee to be people professional people such as Matt Hiscock or Larry Walter. Commissioner Harrison said it was also discussed that the scope of the Executive committee meeting being more oriented around financial affairs and strategy, and perhaps the All-Hazards Advisory Committee taking a more active role. Mr. Guccion said his position is whatever AHAC brings to us is what we exercise as a board. Ms. Fozio said she doesn't know if it's well understood that the role of AHAC is for the All-Hazards Team. Should funding go away for the All Hazards team, then that component goes away. Mr. Guccion asked why she would say that would happen. Ms. Fozio answered because communities support the All-Hazards team separate from EMA. It's its own cost allocation, so AHAC is for that purpose. AHAC isn't for the whole technical operations that includes emergency management and LEPC, it's just for All Hazards Team operations. Mr. Guccion said it concerns him that Mr. Fozio said AHAC could go away. Ms. Fozio clarified that it is unlikely, what she was saying is that the All Hazards is its own entity. It serves independent. Ms. Fozio said it should not be the technical authority for our whole operation.

Commissioner Harrison said that he used that as an example, maybe it was a bad example. The agreement does permit an additional subcommittee to be created that would have more of an emphasis and would have a lot more latitude as to who would get seated, under the purview of the Executive Committee with its statutorily compliant makeup. Mr. Guccion said his biggest concern that Larry Walters and Matt Hiscock are his neighbors and when something goes awry, those are the first to guys he calls.

Commissioner Harrison clarified that a lot of the language in the agreement was lifted directly from the statute, and the portions lifted directly from the statute are what is causing that dynamic. It will be up to the committee how to fill the three seats, the people who have been here who don't have a seat in the first ten, are probably going to be the first people looked at to fill those spots. Commissioner Harrison acknowledged that this would also create a political dynamic if its perceived some municipalities are getting extra seats.

Mr. Guccion asked if Robin Laubaugh and Dennis Hanwell would come. Mr. Hiscock said he has discussed this with Mayor Laubaugh. She will do whatever is required, but she would prefer that Mr. Hiscock be her designee for this committee, that's why he's advocated for those position in many discussions. Mr. Hiscock continued that if the agreement is in its final form, then he will take that to his council and they will have a vote on it.

Mr. Guccion said to Commissioner Harrison that the reality is that most of these people don't know what we do and half of them don't know we even exist. Commissioner Harrison continued that the latitude in the agreement, as drafted, does provide the opportunity to fill those seats with the people we see here. Mr. Hiscock reflected on a long email thread early on in this process which stated discussions amongst council about what to do. There are varying opinions and Mr. Hiscock can't speak as to what the body will do. He invited Commissioner Harrison and Commissioner Hambley to come to a Wadsworth City Council meeting to explain the agreement and to answer questions.

Commissioner Hambley said one of the most significant issues is the lack of flexibility in the statute. He had conversations the Sharon Ray as well as Melanie Miller about revising the statute to allow designees. He said that really is the remedy. He discussed that it may take some time for there to be an opportunity for the State Legislature to include that in a bill. He discussed that it would need to be checked that a revision wouldn't unduly affect other counties, but it's a potential remedy. Commissioner Hambley and Mr. Hiscock briefly discussed that there are also other sections of the revised code in which allowing designees would be advantageous, such as a similar issue with the Health Department.

Ms. Fozio share that she reached out to OEMA under the Department of Public Safety and the Emergency Management Association of Ohio has a lobbyist who works on our behalf who initiated the same thing, to have the ORC changed to make it read similar to other departments.

Mr. Guccion asked if he should tell the townships to hold off until Commissioners Hambley and Harrison meet with Wadsworth? Commissioner Harrison shared that he's already visited some communities and a couple township have already acted on it. Commissioner Hambley confirmed that they have received some signed agreements.

Mr. Hiscock asked Mr. Guccion not to take that approach. EMA services a too vital and important for any subdivision to wait to see what another subdivision may do. Mr. Hiscock

conveyed that he doesn't know what Wadsworth will do, although he hopes they remain a member of EMA.

Ms. Fozio asked if she may please receive a copy of the latest revision. The group discussed that EMA Board members nor the trustees received it. That was not intentional.

Mr. Guccion asked if there is a drop-dead date. Mr. Lyons answered no. The idea is to implement this at the beginning of next year.

Mr. Warchola asked what would happen if we call together the Advisory Group and we can't get a quorum. Mr. Lyons said that the Board would continue to operate the way it is until we are able to get a quorum.

Mr. Warchola asked if the EMA Board's quorum is based on seven or thirteen. Mr. Lyons answered it's based on how many are sitting. If you have thirteen, then your quorum is based on thirteen. If you have eleven, then your quorum is based on that. The three additional are optional, so if they are not appointed then they are not counted in the quorum. The seven statutory members are defined so they would be counted as part of the quorum.

Mr. Warchola asked if the Commissioners would please resend the agreement since not everyone got it. Commissioner Harrison and Commissioner Hambley affirmed that they would work with the Township Association to do that.

Mr. Guccion asked if Sheriff Grice is on the Board, then is Captain Ross too? Commissioner Harrison answered no, its one.

Commissioner Hambley discussed that we need to get the majority of the communities to adopt the agreement, then under that agreement the Commissioners will convene the Advisory Group. The Committee remains status quo until that happens.

Mr. Warchola asked what will happen if the majority of the entities don't approve this? Mr. Lyons answered the majority will have to approve it in order for there to be a countywide EMA. Mr. Lyons also emphasized that we are presently operating under an agreement and we would continue to operate under the old one. Commissioner Harrison shared that this came up in Litchfield Township as well, because there may have been some misunderstanding that it needed to be acted upon right away. They do not have to act on the agreement right away, they can consider it.

Mr. Lyons added that the statute also includes that absent of participating of a countywide agreement a subdivision would have to develop their own emergency management plans.

Mr. Hiscock asked Mr. Lyons if his understanding is correct that the advisory group will ratify the named individuals in the statutory seven members and also vote on the non-elected representative among the statutory seven. Mr. Lyons confirmed they would vote on who the non-elected person is. Mr. Hiscock described that at the advisory group meeting candidates for

the positions are nominated and seconded, then they are chosen by a majority vote of that group.

Mr. Guccion asked if in the agreement the Sheriff can appoint someone, why can't Wadsworth or Medina? Mr. Lyons answered because the Sheriff's position is among the additional seats that we can determine how to select.

In closing Mr. Hiscock complimented the Board for their willingness to talk and he encouraged everyone to move forward.

Carl Deforest motioned to adjourn the meeting at 9:34 AM, seconded by Matt Hiscock, and approved by all.