

MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT AGENCY & HOMELAND SECURITY
EXECUTIVE COMMITTEE REGULAR MEETING MINUTES
October 26, 2023

Chairman ~~Carl~~ Deforest called the meeting to order at 8:30 AM.

Members Present: Brian Guccion – absent, Carl Deforest – present, Matt Hiscock – absent, Kevin Ross – present, Aaron Harrison – present, Colleen Swedyk - absent, Larry Walters – absent, Marty Warchola – present

Commissioner Swedyk motioned to approve the minutes from the September 27, 2023, meeting, seconded by Mr. Warchola, and approved by all with no abstentions.

Commissioner Swedyk motioned to approve the minutes from the October 4, 2023, meeting, seconded by Mr. Warchola, and approved by all with no abstentions.

Mr. Warchola motioned to approve the minutes from the October 13, 2023, meeting, seconded by Capt. Ross, and approved by all with no abstentions.

Resolution 2023-23 Appropriation Transfer – Mr. Nau described that the resolution is to align the 2023 appropriations listed on the resolution, for the Capital Grant fund and for the Building Support fund, with the certificate issued at the beginning of the year. Mr. Deforest motioned to approve Resolution 2023-23, seconded by Commissioner Harrison, and approved by all.

Resolution 2023-24 Declaring Certain Items as Excess Inventory – Director Fozio explained that the resolution is to get rid of excess personal protective equipment. Nobody wants the non-medical items. By coded federal regulations we can begin disposing of these. We’re keeping medical items until their expiration dates come nearer. Commissioner Swedyk motioned to approve Resolution 2023-24, seconded by Captain Ross, and approved by all.

Resolution 2023-25 Declaring Certain Items as Excess Inventory – Mr. Nau described the items on this resolution are old computer equipment, old VOIP phones, and microwaves. Mr. Deforest motioned to approve Resolution 2023-25, seconded by Commissioner Harrison, and approved by all.

Resolution 2023-26 Monthly Operating Bills – October 2023 – Commissioner Swedyk motioned to approve Resolution 2023-26, seconded by Mr. Warchola, and approved by all.

Resolution 2023-27 Designation of Applicant’s Agent – Mr. Sturgeon explained that this is a form required by FEMA for the Building Resilient Infrastructure and Communities grant, which will fund our mitigation grant update. It authorizes Director Fozio to sign the grant paperwork. Mr. Deforest motioned to approve Resolution 2023-27, seconded by Capt. Ross, and approved by all.

Department Updates:

Director Fozio reported that we were awarded the Building Resilient Infrastructure & Communities grant for \$27,411.13 to update our mitigation plan. Mr. Nau reported that we were approved for multiple Hazardous Materials Emergency Planning grant projects totaling \$126,410.00 including pipeline emergency training, ammonia specialist training, air monitoring training, lithium-ion training, hazmat technician training, confined space operations training, GIS training, and a hazmat flow study project.

**MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT AGENCY & HOMELAND SECURITY
EXECUTIVE COMMITTEE REGULAR MEETING MINUTES**

October 26, 2023

Director Fozio reported that the \$40,000.00 grant award from Timken was received and deposited on Monday.

Board Members:

Commissioner Harrison – The Advisory Group meeting on November 15th will be at the Sheriff’s Office. Communications have been sent out to all the subdivisions, and it was discussed at the Township Trustees Association meeting last week. The Township Trustees Association executive committee may meet and take action before the meeting. We may allocate time for the township trustees and the village mayors to meet. Mayor Carter said she sent emails to all the village mayors. She received consent for her to represent the villages as a member of the Executive Committee from all but one mayor who hasn’t replied. Commissioner Harrison said the village mayors are not in the statutory seven, they are in the five additional seats. Mr. Lyons said having copies of emails from the mayors on record would suffice. The advisory board is able to make the appointment for the township trustees. Commissioner Harrison said there is no RSVP required for the Advisory Group meeting, but we are hopeful for a good attendance. A process for the the trustees to appoint someone to the advisory group if none of the trustees can make it has been sent to all the townships. If there’s no quorum in November, we will hold another meeting in January.

Building:

Mr. Clete Miller of Weber Murphy Fox distributed a General Construction Cost Summary updated 10/24/2023. He said it’s only the construction of an apparatus shed. It will be for a metal building. He spoke with Iron City Structures for what the construction would require. The number of columns is reduced, and wood doesn’t span as far as steel. Reviewing the Cost Summary from the top there is exterior site demolition which includes \$5000 for removal of the pole mounted siren. That could be included or not included in the bid. The slab has two trenches now, one on the north side and one on the south side. The slab will be slightly pitched. There are still two entry doors. The steel building is about \$90,000.00, plus miscellaneous steel framing. A bundled batten insulation with a vinyl cover was added instead of a spray on insulation. There are still five overhead doors. The placement is a little different, but it should not affect the placement of the five bays. Painting is included, not as an alternate, but with a narrower scope such as painting bollards and floor striping. Plumbing now reflects the two trenches, but also includes an oil separator and ties into sanitary lines. HVAC retained the two gas unit heaters, the supply line and has been updated with exhaust fans. Electrical includes a new subpanel into the building and tie-ins to the pole, plus lights, switches, and outlets. Heavy duty asphalt was added instead of light duty. The heavy duty is 8” thick so heavy vehicles don’t depress the asphalt. Clearing and grubbing is standard. There is only some grass on the western edge. Earthwork trenching is for the gas line and power feed. After OH&P and revising the general conditions to a part-time superintendent with no trailer onsite the estimated cost is \$781,273.00.

Mr. Lyons reported that the prosecutor’s office revised the language of the bid requirements that originally said, “contractor shall employ a competent superintendent or the necessary assistants who shall be present at and attend to the site during the performance of the work”. They removed language that could cause someone to interpret that there needs to be a fulltime supervisor.

MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT AGENCY & HOMELAND SECURITY

EXECUTIVE COMMITTEE REGULAR MEETING MINUTES

October 26, 2023

Mr. Miller discussed that the General Conditions of the Cost Summary were increased from zero to 18% to reflect miscellaneous costs. Mr. Miller gave the cost of dumpsters as an example of the cost that used to be minor that has increased.

Commissioner Harrison asked if we would need to move offsite. Mr. Miller sees no reason for us to move off site.

Commissioner Swedyk asked why we removed the parking lot as an alternative. Mr. Miller said in the last meeting there was discussion and agreement that if we are going to focus on the shed, then we should do the site and do it correctly the first time.

Commissioner Swedyk asked if we have assurances that we can get this done before the deadline next summer if we go out to bid in November. Mr. Miller said he honestly doesn't know. He said since we are building a kit we don't have to worry about acquiring and fabricating the wood. It's about getting the kit onsite and getting the slabs poured. He can't see a reason why we couldn't get it done in six months. Mr. Miller discussed that in his dialog with Dunlap & Johnson it was suggested there could be "creative invoicing". Commissioner Swedyk said she was nervous with that term. Commissioner Hambley said that he had a discussion with a person from Cambell Construction. He was told that steel is no longer a problem, he said the issue he sees is permitting and engineering. Those would have to be taken care of swiftly to accommodate the schedule. Commissioner Harrison asked if Iron City Structures had any insight on the timeline. Mr. Miller said they were looking at 3 months to have all the shop drawings approved by the structural engineer and have it fabricated. Commissioner Hambley commented that how the project lines up with peoples' schedules may affect the cost.

Commissioner Harrison asked if there is anything in general conditions or otherwise that alludes to us needing to spend our money by a certain date. He asked for confirmation that there's nothing in the documents that alludes to creative accounting. Mr. Lyons confirmed there is not. Commissioner Harrison wouldn't want someone who otherwise isn't sure they can comply with the timeline to give us a bid and not be able to get the work done and put us between a rock and a hard place because we entertained that as a possibility. He doesn't think we can assume the funds will be extended. Commissioner Harrison said as a policy measure he has no desire to ever pay for work before its done.

Mr. Lyons said if we bid this and enter into a contract, we have to certify that the funds are available. He doesn't see how the state could withdraw funds that we've entered into contract to spend and we've certified the availability of those funds. There may need to be a discussion with whoever is providing the money. Are we permitted to enter into this contract knowing what our timing is? The contract will have a timeline but sometimes there are delays that are beyond anybody's control. If we're in a situation where the state is going to withdrawal funds on a contract that has already been let on monies that we're relying on, before we enter into the contract we have to be sure that contingencies of a possible delay in the completion are tolerable to the funding. Chris Jakob said that Director Fozio had a previous dialog with Matt Martin of Ohio Department of Public Safety, which summarized we need to have paperwork to them by June 30th. Director Fozio said we need to submit the reimbursement request by June 30th. Director Fozio commented that not doing the renovation takes out a significant amount of time. Commissioner Harrison isn't concerned about the timeline target, he is more concerned about

**MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT AGENCY & HOMELAND SECURITY
EXECUTIVE COMMITTEE REGULAR MEETING MINUTES**

October 26, 2023

something unexpected happening. Mr. Lyons thinks in the communication with DAS about the status of letting a contract we need to articulate what the situation is before we enter the contract. You cannot enter into a contract if the funds are uncertain. Commissioner Swedyk asked if we get partial payments from the state like third-third-third. Mr. Lyons suggests that we ask that question and get confirmation. The group commented that there's no documentation with the capital grant. Commissioner Harrison added that's why it's a mistake to assume it will be extended.

Mr. Warchola asked if there was a penalty clause for the contractor. Mr. Miller said there was liquid damages for 199 days in the original bid packet but has been removed since that can be a red flag for potential bidders for a project this size. We could say in the contract that it has to be complete by June 1st, but the scope has gotten so lean he doesn't know how they couldn't meet that.

Commissioner Hambley asked if this is within the budget. Director Fozio answered yes. Commissioner Harrison asked about \$140,000.00 he saw in the budget. She explained that \$100,000.00 is from Nexus and the additional \$40,000 is from Timken, plus another \$70,500 in capital savings. That is aside from the \$800,000.00 grant. Commissioner Harrison reviewed the A&E costs with Mr. Miller. He asked if the "931" includes previously paid architect fees and Mr. Miller said yes. There is an additional "18" for new engineering for the new building. The previously listed amounts have mostly been paid already.

Commissioner Hambley asked when we can put this out to bid. Mr. Miller thinks he can have the drawing ready by mid-November.

Commissioner Swedyk asked Mr. Miller if he had a list of companies that specialize in this type of construction that we could call. Mr. Miller thinks there are, and he said Iron City Structures knows it's out there. Commissioner Harrison asked if they knew the timeline. Mr. Miller didn't know if the timeline had been discussed with them.

Commissioner Harrison asked if there are there any other things that were alternates that are not reflected on the new Cost Summary. Mr. Miller described how they changed from the FRP panels to insulation with vinyl coating. The only alternate in the new proposal is to clad the interior with metal panels. There is also the allowance to take down the old siren. Previously the alternates were painting, panels and asphalt.

Mr. Warchola asked if we went with steel panels would we have the expense of the vinyl covered insulation. Mr. Miller answered the batt insulation bundles come with a vinyl cover regardless.

Commissioner Harrison expressed that he's nervous about the timing. He encouraged anything that could be done to get the plans before the middle part of November. The sooner we get this on the streets the better the chance of success is going to be.

Commissioner Swedyk asked Director Fozio to request from the state third or four-quarter invoices. Director Fozio will do that. She will send the completed architects invoices as well. They haven't reimbursed for any costs yet.

Commissioner Harrison asked if the Timken money was unrestricted. Director Fozio said it's just associated with the project. It can be used for design costs. There is also the Nexus money.

MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT AGENCY & HOMELAND SECURITY

EXECUTIVE COMMITTEE REGULAR MEETING MINUTES

October 26, 2023

Commissioner Hambley said that this will have to comply with the state procurement requirements, specifically prevailing wage.

Commissioner Swedyk motioned to get the documents ready so we can go out to bid ASAP, seconded by Mr. Warchola. Chairman Deforest clarified the motion to prepare and issue a bid with a mid-November timeline, with a base bid and one alternate for the apparatus shed only. There was no further discussion. All votes aye.

Emergency Management 2024 Budget:

The draft 2024 budget was distributed. Director Fozio said that nothing in this was unusual from previous budgets. The addition of EOC phones is new. Commissioner Swedyk confirmed that there are raises in there but, if approved, this budget does not approve raises. Christina confirmed yes. The group briefly discusses cost of living wage increases. Commissioner Swedyk said that for 2024 they are going to recommend 3%. Mr. Deforest described that in Brunswick they're around 3% for 2024. There were no significant questions about the draft budget.

Next Meeting:

The November meeting is usually held the third week of November because of Thanksgiving. Commissioner Harrison suggested holding the next Executive Committee meeting after the Advisory Group meeting on the 15th.

The group discussed whether Advisory Group appointments are immediate or if they take effect January 1st. The group generally agreed January 1st. Commissioner Harrison said the document says the Advisory Group meets in January to appoint members for a one-year term until the next January meeting. He discussed, at the meeting on November 15th, extending the terms so that they expire at the meeting in January of 2025. Mr. Lyons suggests that in the motion to make the appointment we set the beginning of the term for January 1st. If they attend the Executive Committee meeting in November, they wouldn't be voting members. Commissioner Harrison said that applies for the Advisory Group Appointments, if there's another appointing authority, using the Sheriff for example, once the document is ratified, he could appoint himself. Mr. Lyons said he thinks that's true.

The next meeting is on Friday November 17th 8:30 AM.

The December meeting will be on December 20th 8:30 AM.

Mr. Deforest asked Mr. Lyons if there was anything else we need to do with the bid. Mr. Lyons said his office has made modifications to the bid package, they won't have any problem getting their part done. He thinks following up on the funding issues is the only thing.

Mr. Deforest motioned to adjourn at 9:29 AM, seconded by Mr. Warchola, and approved by all.