

COMMISSIONERS MEETING – MONDAY, AUGUST 16, 2004

Sharon A. Ray called the meeting to order at 9:30 a.m. with Patricia G. Geissman and Stephen D. Hambley present.

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

At the beginning of the meeting the oral reading of the August 2 minutes was dispensed with. Each Commissioner has read them personally. Mrs. Geissman moved to approve the minutes; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Doug King, Administrative Assistant in the County Engineer's Office, presented a resolution accepting & awarding the bid for the resurfacing of Firestone Road with Specification 402, resolutions approving the use of Subdivision Drainage Maintenance Funds for repair work in Eaglewood Subdivision Phase I, Reserve Subdivision Phase I, Fox Meadow Subdivision Phases 1 & 2, & Glenmoore Farms Subdivision Phase I & 2, and a resolution approving the final plat for the Cobblestone Park Subdivision Phase 1A. Mrs. Geissman moved to approve the 6 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed resolutions involving amendments to the appropriations by transferring appropriations, various fund transfers, expenditure adjustments, declaring county property as excess property to be offered for online auction, and the weekly bills in the amount of \$741,316.52. Mrs. Geissman moved to approve the 6 resolutions and payment of the bills; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve the personnel changes; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary presented a resolution to waive the 5 year service requirement to obtain payoff of sick time for Jack Hogan of Job & Family Services relative to his retirement. Mrs. Geissman moved to approve waiving the requirement; Seconded by Mr. Hambley.

Through questioning, Gary agreed that Jack will be executing his retirement effective August 31 and that he will not be coming back for employment. This will save the county a considerable amount of money and will not set precedence.

There was no further discussion.

Roll Call on the motion and second to approve waiving the 5 year service requirement showed all Commissioners voting AYE.

Gary presented a resolution authorizing a one day suspension of an employee in the Sanitary Engineering Department. Mrs. Geissman moved to approve the suspension; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary presented a resolution approving the termination of a Deputy Dog Warden. Mrs. Geissman moved to approve the termination; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution to accept and reject bids that were taken on August 5 for parking lots. All bids were over 10% higher than the estimate. It has been determined that the parking lot across from NAPA for the Professional Building should be dropped from the list. This resolution authorizes re-bidding for the parking lots behind the Prosecutor's Office, Brunswick Auto Title and the County Home. Mrs. Geissman moved to

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approve this resolution; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution authorizing the advertisement for bids for the replacement of the flat roof on the Prosecutor's Building. Mrs. Geissman moved to approve the advertisement; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution to accept an easement for the sewer replacement in Lafayette Road near Lake Road in Medina. Mrs. Geissman moved to accept the easement; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken presented a resolution approving a change order for the Boston Road sanitary sewer replacement project with Fabrizi Trucking & Paving. The line had to go in deeper and they ran into an unknown culvert in the area. Mrs. Geissman moved to approve the change order; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Art Verdoorn, Building Official, presented and reviewed their July statistics. The number of permits issued for single family homes dropped from 101 in July 2003 to 76 at this time. He's not sure that's any type of indicator because it is only one month and it is still a healthy market. Commercial is still better than last year with an increase of 50% for the year. The new Building Code went into effect on August 1 and there hasn't been much in the way of comments regarding the changes that were mostly affects wind loads.

Mrs. Geissman noted that the average construction cost is still \$211,000, which doesn't include the cost of the lot. It is still hard for the average person to purchase.

Art noted that there is a shortage of cement, OSB and plywood. Traditionally this occurs during hurricane season, which has just started. The cost of regular lumber is staying about the same.

Mrs. Geissman stated that she has heard that a lot of building material is going to Iraq.

John Jones, Transportation Services Director, presented and reviewed their statistics for July. Ridership is still up 2.8% for the "L" but they are down 21% for the year. There is a meeting next week regarding the "L". The traveled 70,520 vehicle miles and used 7,503.50 gallons of fuel for a fleet miles-per-gallon of \$9.40. They had revenue hours of 4,765.75, 1 vehicle accident, and 2 breakdowns in July. The cost per passenger was \$9.59 and the cost per mile was \$1.33. He reported that he is in the process of writing next year's operating grant. He will be back for the discussion session this afternoon.

Ms. Ray presented and reviewed a resolution commending Matthew W. Tesar on receiving the Eagle Scout Award. Mrs. Geissman moved to approve the commendation; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

The meeting was opened for public comment and there was no one present wishing to comment.

The Clerk read the resolution to allow expenses of county officials. Mrs. Geissman moved to allow the expenses; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray reviewed a notice of a regular annexation petition being filed on August 13 for 12.46 acres from Wadsworth Township to the City of Wadsworth. The hearing for this petition is October 18.

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Commissioners recessed the meeting at 9:49 a.m.

Commissioners reconvened the meeting at 10:15 a.m. for the public hearing on the petition for annexation of 177.1326 acres of land from Wadsworth Township to the City of Wadsworth. This hearing was continued from August 2. An attendance sheet is attached as Exhibit A.

Ms. Ray noted that this hearing is not to review matters already brought up at the last 2 hearings but for the presentation of new information. Ms. Ray swore in those wishing to comment at the hearing, noting that she would be swearing them in individually as they came forward.

Present for this presentation were: Jeff Witschey, Agent for the Petitioners, and James Bennett & Trina Devanney, Assistant Prosecutors representing the Township, and Bill Thorne, Assistant Prosecutor representing the Commissioners.

There was an agreement that the presentation for the Township would be reviewed first.

James Bennett, representing the Township, stated that Commissioners are to consider the general good as well as whether the benefits to the annexed territory and surrounding territory outweigh the detriments. Evidence will show no benefit and that any proposed/alleged benefit is significantly outweighed by the detriments. Testimony will include Chris Easton relative to the City's plans and tests as well as an expert that has reviewed the City's information and expressed concern, the Wadsworth City Schools Superintendent relative to detriments to existing parents and the school system, residents within the territory that don't see any benefit, and residents from the surrounding territory about the detriments of aesthetics, traffic, property values and the schools. There will also be testimony from petitioners that feel they may have been misled about signing the petition and may ask to have their names removed. This comes down to an annexation petition of 51% of the property owners who only own 32% of the land in the area.

Chris Easton was called forward and sworn in.

Mrs. Geissman moved that Commissioners hear from the petitioners that feel there may have been some misleading done to get their signatures. She feels this needs to be heard first before going into the merits of the annexation.

Mr. Hambley added that this is looking at the last portion of the brief that was filed that signatures were obtained by misrepresentation or undue influence; therefore, if they're removed from the petition it would determine the validity of the petition. That's the first issue that needs to be examined.

This was agreed to by all parties.

The following testimonies are from people that signed onto the petition for annexation and were made through questioning.

Gary Minor testified that when they first heard of the annexation, Dan Ryan called the Trustees for a meeting. At that time they didn't feel it would be a benefit to go into the City. The Trustees suggested a petition of the neighbors against the annexation as well as for them not to sign onto the annexation petition. The petition opposing the annexation was not pursued. He did not agree to the annexation at first but later agreed to sign. When he signed on the talk was of the area from his home south to the Sega property, that there were enough names to annex, and that the City wanted the Seville Road properties, including General Clay, to be included on the petition. The General Clay property is right behind his. He didn't know the City hadn't approved at that point. It is tough to say whether he would have signed if he had known they didn't have enough signatures at that time. He believes that annexation will eventually happen and with the proposal he agreed to it. At this time he doesn't have a problem with the annexation

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from his property down to the Sega's but he is against including Seville Road. He was promised that all hookups would be paid by Mr. Sega into the house as well as taking out the old septic system. He feels everything he was told was accurate and honest. There is an annexation agreement for signing the petition that the sewer and water will be provided. He understood that there were enough names to annex along Mt. Eaton Road from Johnson Road on the west side down through the Sega property. They did not say they had enough to include Seville Road without his signature. He assumed they would annex his property whether he signed or not. He doesn't feel there was misrepresentation to cause him to withdraw his name from the petition. He presented the document/agreement for signing the petition. He remembers meeting with the Trustees and Mr. Bennett approximately 2 weeks ago, but doesn't remember saying any misrepresentations were made. At first he felt the annexation was being forced on them but not from anything Mr. Witschey said. If there were not enough signatures to annex the property from his down (south) he would not have signed. He agreed to sign the petition after being told there were enough signatures and the only way he would get hooked up was to sign. He does not recall telling Trustee Kreider, Mr. Bennett or Ms. Devanney that he would take his signature off the petition if he could, and he has not talked with anyone else about this annexation in the last couple of weeks.

Daniel Ryan testified that his first response to the annexation was that he was against it. He met with the Trustees and was told to get a petition (against the annexation) within a mile radius of the properties and no other help was offered. There was a meeting with neighbors and Mr. Witschey and they were told they had enough signatures to force their properties in, but the City wanted the brick yard and Seville Road properties and that their signatures were needed to get those in. If they didn't sign, those properties could be dropped and his property as well as his neighbors would be forced into the City. If there was a 100% guarantee that this would not happen he would not have signed on. Those residents were promised paid hookups for the sewer and water. If they didn't agree, the property would be annexed and their hookups would not be paid for. If they had not promised the payment of the sewer and water hookups he would not have signed on. At this time he does not want his name removed, noting that he made an agreement to support it and he will stand by that agreement.

James Mills stated that he called Mr. Bennett on Friday that he was under the assumption that about 80 houses were going in and that he had no clue that 160 houses were a possibility. He had been told they were the last to sign the petition and that everyone else had agreed to the annexation. He would have still signed the petition if he had known that approximately 19 owners had not agreed because he needs the water. The houses on both sides of him dug wells and his water table lowered and he now has a recovery time of 1 gallon a minute. He now needs to dig a new well that will cost \$5,000. He feels there was some misrepresentation and on Friday he did say he felt misled and he wouldn't have signed if he had known the information about the housing. He wants the water, but if he had known there was a possibility of ¼ acre density he would not have signed on. He is aware the Sega property is 40 acres, but not being an architect or designer cannot say whether that would allow for 160 houses plus roads, detention ponds, or open space. He agreed that Mr. Witschey has indicated there would be 80-90 houses. He feels that if the city water is not available to the area and 30-40 homes were built with wells that it would lower his water table more. He does not want his name removed if there is a guarantee of water.

James Gingo stated that he feels he was misled and that possibly he doesn't know all of the facts. He was under the impression that there were enough signatures to annex along the other side of the road and they didn't need his signature. He knew the Mills' needed water and he understood that they wanted him in the same contract with the Mills, which took away his independent consideration of the matter. He felt forced into signing because of the needs the Mills' had and because he felt the annexation would go through anyway. He doesn't understand how they could be one of the first to sign the petition and that their signatures were needed. He felt duress because he wanted to be a good neighbor and his property was needed in order for the Mills' to get water. He had talked with a councilman and his account about the pros and cons of annexing and basically it is a wash. Relative to removal of his name, if he's on the same contract

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as the Mills' he doesn't want to be withdrawn because they won't get the water. He doesn't feel anything unlawful was said by Mr. Witschey.

Mr. Witschey noted that the contracts in reference are signed separately. If the Gingo's signatures are removed it will not affect the contract with the Mills.

Mr. Gingo stated that he hasn't had the opportunity to think about this independently and is not certain if he would like his name withdrawn. There are 43 owners and 29 parcels and 24 owners have signed for 13 of the parcels, which means the majority of 16 parcels are being forced in. He asked if he has some time to decide whether to stay on the petition or not.

Ms. Ray stated that the decision is needed now.

Mr. Witschey stated that the rule for majority is the number of people and there is 51%. He also stated that Mr. Gingo has no right to withdraw his name unless he can show fraud or misrepresentation. He agreed that it is the Commissioners' decision whether there's been duress, fraud or misrepresentation, but that would have to be shown before a withdrawal can be accepted.

There was a discussion relative to whether the names could be withdrawn if duress, fraud or misrepresentation is shown and there is no request from the petitioners to withdraw. Bill Throne, Assistant Prosecutor, stated that the statute indicates that anyone who signs may appear and orally testify that their signatures were obtained by fraud, misrepresentation or duress, and that if the Board finds that as true the Board can order the signatures stricken. It does not say the people have to request to be withdrawn.

Rob Kindig asked if he would ask a question.

Mr. Witschey stated an objection until Mr. Kindig states his relationship with this issue and whether he is a pertinent party to the annexation.

Ms. Ray stated that she was okay with hearing the question.

Mr. Kindig stated that 3 people testified they were told they would get \$8000 worth of work done if they signed on, and he questioned whether they would have the work done if they hadn't signed, and also whether this would constitute an illegal sum or bribe.

Mr. Thorne stated that one of the reasons to annex is to benefit and if they can get free water then it's a benefit to them. Obviously it's an influence, but the whole reason to annex is to get a benefit in one way or another.

Mr. Gingo stated that if he can withdraw without affecting the Mills' he will do so. If his withdrawal will affect their ability to get water then he will stay in. In his opinion he was not given the opportunity before to consider the situation. It may have been his own fault or misunderstanding. If he has the right to withdraw and it doesn't affect the Mills' water, he would like to be withdrawn.

Through questioning by Mr. Hambley, Mr. Gingo stated that he can't say there was fraud or misrepresentation, but that he felt duress because he was on the same contract with the Mills. He was under the understanding that if he didn't go with them then neither would they go. He doesn't believe that his understanding was due to any misrepresentation.

Through questioning by Ms. Ray, Mr. Gingo stated that he did feel there was some misrepresentation on the number of signatures they already had on the petition. He thought they had everything and the only way to get the Mills water was to accept the agreement.

Ms. Ray noted that Angie and Ryan Lane were subpoenaed and asked if they would be testifying.

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Mr. Bennett stated that they will not be testifying on this issue as he believes they don't feel they were misrepresented or misled in anyway. He had them subpoenaed because they were one of the last to sign and he had assumed they had the same type of influence that was being asserted on others. They have indicated that they signed on originally and their signatures were too old to meet the 6 months so they had to resign.

Cheryl Mills stated that she had agreed to sign onto the annexation in return for water and that the agreement is that their water would be paid. She didn't agree with being in the city and she didn't want in the city, but they needed the water. She did believe everyone else had signed on and was surprised that they were one of the first to sign. She's not sure she would have signed if she had known and she would have checked into things further. She had assumed they would have to annex regardless of signing or not. She would have wanted to know upfront that there were enough signatures and that they would have been forced in.

Rita Minor stated that her feeling was the same as her husband's and a lot of people when this was started. She changed her mind because of the free water and sewer hookups. She was told they would be annexed regardless and that they had more than 50% already signed, which lead her to believe they would be annexed. She would not have signed on the petition had she known they weren't going in without their signatures. She does not know for a fact that the signatures were not obtained before and that they didn't have the signatures to have forced their property in.

Ms. Ray asked Mr. Witschey whether he did have enough signatures to force them in before he obtained their signatures.

Mr. Witschey stated that he did and he is prepared to explain that.

Through questioning, Mrs. Minor stated that she understood when they came out that they had the signatures and that it could go without their signatures.

Commissioners recessed the meeting to meet with their legal counsel to assure the proceedings were being done correctly.

Commissioners reconvened at 11:20 a.m. and Ms. Ray noted that the Commissioners were not going to make a ruling on the issues discussed earlier.

Mr. Witschey stated that he felt his integrity was being challenged. The people were told they had the signatures or commitments for signatures. This annexation started with less property than it ended up with and he believes that is the point of confusion. This started with Mr. Sega indicating he wanted his property in and he was advised that in order to have continuity with the city the Neumann's property and the property on the east side of Mt. Eaton/Route 94 would need to be in. At that time there were 12 signatures needed for the majority. People in the area were contacted and most were happy to be annexed because of the need for water and many didn't have sewer. Mr. Sega contacted people in the area he knew, the recently deceased Dick Thomas & his wife, Mr. & Mrs. Furscik, and the Neumann's. Mr. Sega had the word of these people that they wanted to sign. There were written agreements with the Andeson's, Clark's and Mrs. Clifford. When they talked with the Mills and Gingo's they did have the signatures needed to bring the property in. Once they were ready to go, he decided to meet with Chris Easton, Wadsworth City Service Director, because he didn't want to surprise them with a new annexation. Mr. Easton explained that they would have an easier time getting City approval if a more rectangular piece was brought in that included the brick yard property and some properties north on the road that included the Lane's, Minor's and Ryan's. When he talked with them he had 18 signatures in the one area and an additional one that agreed to the annexation because she could do a lot split. When he talked with them about the signatures, he noted on a map, that he told them he had enough signatures to bring them in and the area south of them and that he needed their signatures to bring in the additional properties (Seville Road & General Clay). They asked about water and sewer and the offers were made to cover their costs for hookups.

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There is an old waterline and sewer line to these properties and a newer waterline to that was put in for a condominium development. Ed Steele, City Engineer, has said the City would like to see these people connected to the new waterline and to the sewer line. In the other cases, Mr. Sega, who is an excavator, will be constructing the line in a relatively cost effective manner, and he has agreed to pay their deferred assessments. Relative to the issue of whether an annexation agreement is proper or improper, these agreements are not only proper they are often enforced by the courts. If getting water and sewer is a benefit, the Board has to consider that as a benefit to them and should not look at those as though there is something wrong. After the subpoenas were received he received a lot of phone calls from people that were concerned that they did something wrong. Mrs. Gingo accused him of being a liar and refused to sit down and talk with him. He noted that everybody recently signed the annexation plat which depicts the entire area and shows exactly what's coming in and the property owners that were involved. Mr. Horbus from his office has pointed out that where 1 person may be able to show duress and get their name withdrawn the rest of the petition or the rest of the signatures on the petition are not tainted and therefore only that one signature requires removal.

Mr. Bennett stated that he doesn't believe that anyone was intentionally lied to, but he feels this is a very complex and confusing situation and that maybe all of the facts weren't understood by all of the parties involved.

Through questioning, Mr. Witschey stated that the people were told he was going to try to annex property to the City of Wadsworth and that they would be included in that petition regardless of whether they agreed or not. They were also told that if they signed on their water and sewer hookups would be paid. The extra \$8000 was to be paid because their signatures were needed in order to get the brick yard property included, which was basically a third alternative. There was the first group that wanted annexation and then a second group was added further north on Route 94. The third group that was added, Minor's Ryan's and Lane's, and it was explained that their signatures were needed to bring in the brick yard property. Relative to adding Seville Road and the brick yard, it was explained to him that he would have an easier time with the City if those properties were brought in. He didn't feel until recently that he would have a hard time getting his clients property annexed without including the brick yard. He talked with Chris Easton and he explained that it is a more integral thing than what he had thought. He does feel it is the right thing to do. He explained to those owners that the City seemed to want the brick yard property. He doesn't recall whether he told those owners that individuals along Seville Road were being forced in. He did tell them he needed their signatures, which would have inferred to mean he couldn't get signatures of other people. He doesn't agree that earlier testimony referred to misrepresentation but that 2 individuals said they felt duress. The original plan for annexation was for the Sega and Neumann properties on the west side of Route 94 and then the properties across the street from the Gingo's north to the city line. He stated that at the time he talked with the last group it would have been accurate to have said he had the signatures because he had the signatures on annexation agreements and verbal commitments from others.

Chris Easton was asked to return to the stand. His testimony is in response to questioning.

Mr. Easton stated that he has been the Director of Public Services since January 2004. The City became involved when Mr. Witschey approached him about how the City would receive the annexation petition. He indicated to Mr. Witschey that with the new annexation law the City's general preference would be to eliminate any island or peninsulas. It was his suggestion to include the brick yard and Seville Road properties because the original area is south of these property. He felt it would be appropriate to eliminate all islands and have a more rectangular shape, not only for geometric shape but for the delivery of services along the roadways that would be more appropriate if there were no islands at the frontage lines.

There was a review of a map.

Mr. Easton agreed through questioning that it is fair to say the General Clay property is west of Mt. Eaton and there is property in between that property and Mt. Eaton Road that is in

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the city and that it goes to Johnson Road; the city then proceeds down the east side of Mt. Eaton approximately half way to the brick yard drive, and the property initially proposed for annexation was the rest of the way down Mt. Eaton Road. City services could be brought down on the east side of Mt. Eaton Road, but there would be a gap on the west side. He agreed that it is also fair to say that the property on the west side could be added without the brick yard property and there is no need for the Seville Road properties to bring service to this area; therefore, the reason to add this is for geometric shape so there isn't a peninsula. The City passed a resolution on services stating they would provide police, fire, EMS, electricity, trash collection and sanitary service immediately and that water services would be provided in approximately 3 years. He agreed that there is an agreement to provide fire protection and EMS already to this proposed annexation area, the Sheriff provides police protection and there is electricity and trash collection in the area. The City provides 3 phase service down to the brick yard and about 8-10 spans south of that and part of the property is serviced by First Energy. Sanitary services are also provided to some of these residents, and water is provided to the Seville Road residents and some of the Mt. Eaton residents. He feels it is a benefit to be in the City for the property owners because some day the waterlines will need replaced and financing will need to be done through an assessment proceeding. The City cannot assess properties within the township and he believes it is more appropriate for property owners that are benefiting from the city services that they be in the city. It is a benefit to those owners in case the waterline goes bad and they need financing to ensure that water service. He agreed that at this point there is no need to replace the waterline.

Through questioning about the city's water supply, Mr. Easton stated that it is continually changing. They are exploring new wells within the City and outside to expand the supply. Burgess & Niple did an evaluation of the water system and the study was done June 17. Originally the study was to done when faced with development at I-76 and the City felt an examination was needed and felt it best to have an independent engineer examine those issues. It was also appropriate with other developments and proposed developments to incorporate those into the study for a potential impact. The study was done on the current capacity of the city's water system and the water treatment system and it was found to be close to capacity.

Mr. Bennett read from the report that "the city must carefully evaluate when water and sewer facilities will be available for new subdivisions and commercial developments based on the schedules of water system improvements. This report came out after the City said it could provide services to this proposed annexation territory.

Mr. Easton stated that they were aware of the study recommendations before it was published. The City did evaluate the ability to provide water and that's why the recommendation to provide service is 3 years after the date of annexation. It is not because the City is planning to use the well in Chippewa or because the city is close to capacity. The City would continue to develop the water supply for the long term. They do not project that the new subdivisions will be a strain on their water supply. The reason for the study was to examine the issues and to determine at what point any action should be considered. The study suggests continuing moving forward with caution. The front page of the study projects the number of dwellings to be built and the City feels they can accommodate those. He agreed the engineering recommendation is to consider accelerated schedules for design and construction of the new well field and waterline because the need for water is on an accelerated schedule, and that is without consideration of any development in this area.

Relative to the well field being built in Chippewa Township, Mr. Easton stated that the City has to obtain easements for right of ways for the well water transmission line. He believes the estimate is for 30 easement and they have obtained 9. They are making progress in terms of acquiring easements and are still negotiating with the remaining property owners. There is opposition in Wayne County about the City's use of the well field and a number of property owners have actively opposed the new transmission line as well as the new well field. He referred questions relative to eminent domain to the City's attorney. He was not aware that Chippewa Township passed any resolutions regarding this. He is not sure the resolution they passed of a 6 month moratorium applies to Wadsworth, and he referred this to the City's

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attorney. It is fair to say that the City doesn't have approval from Chippewa Township to do any construction at this point and they don't have Ohio EPA permits for construction. He was aware that some surrounding municipalities oppose this but was not aware that the City of Clinton has passed a resolution of opposition. He was aware that the firm GeoSciences has critiqued the Burgess & Niple flow report but he has not seen their qualifications nor their study to determine whether it is valid. He feels the 3 year time frame for providing water to this property is realistic. This property has not been annexed yet and the City Council hasn't decided that it is an appropriate step. After annexation the next step would be for the City to establish a zoning classification and the development would have to go in under those conditions. Construction of the waterline from Chippewa Township is not contingent upon development of this property. The City cleaned and tracked a well a week ago that would provide a capacity to this 200 acres if it developed residentially.

Mr. Easton further testified that the City is able to make the commitment to the 3 year provision of water to this property regardless of what happens in Chippewa Township. It is his opinion that this is an appropriate annexation. Some of the frontage property is receiving water and sewer and they aren't in the City limits so they're receiving the benefits of the City without being in the city. In addition the City has road maintenance responsibility on Seville Road and Main Street. A portion of the road is city and a portion township, and with any major resurfacings they are unable to share the costs or assess the adjoining property owners in the township. The same applies for utility replacement, such as if they needed to replace the 2" water main or reconstruct the waterline on Seville Road. The City is unable to charge the benefiting property owners without some type of special agreement. Those 2 issues make this an appropriate annexation. If there were a problem with a road maintenance or waterline item he would hope there would not be any interruption of services because of financing problems, but it's a situation where special arrangements would be needed for financing. The property is pretty much surrounded by sanitary sewer from when the city and county went together in 1975 to build an interceptor sewer and part of the area is a gravity drainage area. The sanitary sewer is along Seville Road and down Main Street/ Mt. Eaton Road. There is a small gap of sewer and then it goes south serving a subdivision and then heading west to the treatment plant. In addition there is a sanitary sewer that cuts right through the middle of the property. Part of this is within the gravity drainage area and it was anticipated to be part of the design of the interceptor sewer and treatment plant. Recently the City's Planning Commission felt it appropriate that this area be planned as a residential growth area of the City. That has not been adopted by the Planning Commission. The City's growth has been substantial in the number of households recently but in terms of total population it's about on track with a high growth rate from the 1996 Comprehensive Plan. Relative to sufficient capacities and the provision of services, the City is currently upgrading the wastewater treatment plant, which is a 3 year project. That is a project that was anticipated. The design phase is done and it is now in the award of bid phase. The expansion is being done because the 1975 plan has reached its life span. The proposed annexation territory was part of the design of the original plant. The water system that was built in the 1970's is also at its design life and it's time to upgrade that. The City has been searching for water supplies to expand the long term supply for many years. A supply owned by Barberton in Chippewa Township has been found. A lease was secured to utilize that resource to provide an additional water source for the City after testing of the water quality as well as the quantity from the site and monitoring of adjoining wells during the test pumping. There are properties in all directions that are further from downtown than this proposed annexation territory, as well as some that has been recently annexed that are twice as far. If this territory were annexed without certain properties he feels an island would be created. Seville and Mt. Eaton Roads would be considered arterial streets in terms of traffic loads and function, so their intersection would be of 2 arterials. At least part of these roads is within the City. Basically the roads are like an arterial collector and local; local being a neighborhood street and a collector being a street that collects traffic from the local streets and then collecting to an arterial that is a primary route through the community. He is not aware of any traffic studies that have been done but he's also not aware of any development proposals that have come forward that would generate a traffic study. The volume study of Seville Road and Mt. Eaton Road is generally below the capacity and he doesn't believe there are any level of service concerns for intersections that are within a half mile of these. Part of the development process is to analyze and make corrections to the roadways as

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necessary. The City requires any proposed development of more than 20 houses to do a traffic study and finance any improvements of the road. His opinion is that if annexation has to occur this proposed annexation would be appropriate because it provides continuity on both sides of the street where residents are already receiving public services. It is also an area with an intersection of 2 arterial roads and an area that's within the gravity drainage area of the sanitary sewer system.

Through further questioning, Mr. Easton agreed that the City's Comprehensive Development Plan does outline the proposed annexation territory as a potential residential growth area of the City's future growth. It is part of the City's land use plan that suggests this area be 3-4 units per acre. There are other areas outside of the City that are part of the planning for the City's growth, which is appropriate planning. Unless planning is done it is difficult for the City to consider what's appropriate when they are faced with an annexation. He agreed that he is unaware of any traffic studies for Mt. Eaton Road relative to whether it will hold any residential development. He doesn't believe the existing traffic volumes will exceed the capacity of Seville or Mt. Eaton Roads. There are some additional subdivisions east of this area that required road improvements and the examination of the intersection of Johnson Road and Mt. Eaton Road. Traffic is considered when development is proposed. The City wants to ensure that the roadways are adequate to handle new capacities. As arterial roads, the existing traffic as well as he proposed new traffic has to be considered. He understands the land in question is approximately 177 acres and with 3-4 units per acre there might be 600 units that would provide 6000 vehicle trips a day. If access is provided from both Seville and Mt. Eaton Roads to divide the traffic he is fairly certain the existing volumes can handle the additional volume. The exact volume is not known until a study is done. It would not surprise him to hear from residents that feel traffic has increased and the roads can't handle the volume. Residents generally see traffic grow and presume there's a level of service problem. These are arterial roads that were designed to carry high volumes of traffic.

Mr. Easton agreed that his testimony is that some parcels in the township are receiving water from the City and that one of the inclinations of the City is to require the annexation to assist in the assessment of any improvements to providing that water. He is familiar with a 1975 agreement between the City and County that created the regional sewer district; however, he is not aware that the agreement provides for the extension of sewer services within the township and the capturing of the costs associated with that. He is not aware that there is any language within the agreement for infrastructure improvements for water. Generally if someone in the township has a problem with a well the City has allowed use of the city water with an agreement that they would possibly annex if faced with an annexation petition. There are no such agreements in this case. He noted that the benefiting property owners have had water since the 1940's through the 1970's and he's not sure those types of agreements were discussed at that time.

Mr. Hambley stated that for the record he would like the Commissioners to have a copy of that agreement at some future date for consideration and review. He is aware that at that approximate time the City of Brunswick and the County entered agreements with a provision for the Commissioners to assess property owners when improvements are made to infrastructure.

Mr. Easton stated that the City Planning Commission asked the Planning Director to update the land use component of the Comprehensive Plan. That is in discussion at this time and no formal action has been taken. The original plan for this proposed annexation was slated to be low density growth in the 1996 plan.

Those people that had been subpoenaed and have already testified were told they could leave if they would like.

William W. Gould testified through questioning that he is self-employed as WW Geosciences and that he renders geologist services. He is a licensed geologist in PA and holds a PhD in geochemistry from Pennsylvania State University. Geoscience is the collection of sciences that includes geology of rocks, hydrogeology, and geochemistry. His work focuses on

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the flow of groundwater, the movement of groundwater contaminants and the movement of contaminants from soil to groundwater. He has been in this field for 15 years with his first 14 years with Earth Science Consultants in PA, serving on several projects in Ohio. He was retained by McMan, who was hired by a citizens group called "Save Our Water". He has obtained documents from the Ohio EPA and ODNR that included correspondence and reports, including a report by Burgess & Niple called the "Chippewa Creek Well Field Evaluation" that was prepared for the City of Wadsworth, June 2002. He understands that Burgess & Niple were commissioned by the City of Wadsworth to evaluate a well field in Chippewa Township in an area called the Chippewa Creek Valley aquifer. Doylestown is in the process of developing a well site in this area and the City of Rittman has a well in this aquifer. The City of Wadsworth has wells that are upstream from this, but if water is taken from the stream it would eventually go downstream to Chippewa Creek. Burgess & Niple performed a large volume pumping test. In a pumping test, there is a well used for the test and several observation wells located around it. In this case there were observation wells at 100', 200' and 300' from the testing well. As they pump the testing well they continually measure the water level at the observation wells throughout the pumping as well as for a period of time afterwards to see how they recover. In review of their data they were pumping approximately 2000 gallons a minute or 3 million/day. Their report concluded that there is a safe yield of 2.9 million gallons per day, but they also said they are aware the draw down in the test pumping well had not stabilized. In general safe yield means the amount that can be pumped out with continual pumping of the well without it running dry; the water would be replenished by other sources. The conclusion he drew from the data was not that the safe yield was 2.9 million gallons, but that it could be. The study was limited in space in that there was a couple hundred feet between the test pumping well and the observation wells. It was also limited in time with the pumping being done for 22 days and observation being done for a couple of weeks after. As water is pumped out the water that's already in the sand and gravel around the well gets pumped out and the water level goes down causing a depression. That depression produces water from around the well to float into the well recharging the boundaries. The recharging from rainfall as well as the ground surface in all 4 directions of the test pumping well eventually should stabilize and the current depression reaches a steady stage in which the amount of water pumped out of the well and the rate at which groundwater continues to flow towards the well become equal. That had not been observed in this case and they were not able to conclude that the water was replenishing at the rate they were taking it out. In his opinion they did not scientifically prove whether or not the 2.9 million gallons was a safe yield and the City's plan to bring in approximately 3 million gallons from there may be flawed. Probably the test to use would be a detailed numerical groundwater model of the entire aquifer, and he has not seen anything like that done. The information he reviewed doesn't show they considered the probability that water in Chippewa Creek will cause a draw down on neighboring property owners in a way that their wells would dry up. He visited the site in May and he could see standing water in many places and they haven't shown if wetlands are being eliminated. Another unknown is that if you de-water an aquifer subsidence can occur. If water is pulled away the soil and water shrinks and the ground levels get lower and it compels the undermining of structures, such as railroads. If the train track would sink the railroad would have to spend money to shore them up.

Through further questioning, Mr. Gould stated that he was referring to the wetlands and train tracks in the area immediately surrounding the Chippewa Creek Valley area, not the proposed annexation territory. The "Save Our Water" group is a collection of Chippewa Township citizens that are concerned that the development of the well field could de-water their own wells. The goal of that group is to stop the drilling of the wells.

Mr. Gould further testified that he has experience evaluating municipal well fields. On behalf of an industrial concern in the City of Wooster he performed a numerical groundwater model to support interaction that was designed to put in extraction wells to prevent Wooster's wells from becoming contaminated. A lot of testing is done to evaluate the current abilities including the results of any numerical groundwater would have to be consistent with the pumping tests that are done as well as tests from other draws in the area. Drilling logs are examined regarding the sand, gravel, clay and silt of the bedrock that is encountered. These are combined along with existing water levels at the various wells and fed into a computer program

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to calibrate it to any measure, and a scenario is run to test pump at a certain rate for a certain amount of time to stress the aquifer. The test was done to stress the aquifer over a span of area of 300' and for about a month. That information would need to be examined to see what the probabilities are for 5 to 10 years out. You would also want a sensitivity analysis done. The test in Wooster was done to determine the type of interceptor wells that should be put in to make sure the contaminated groundwater from a plant was pulled out and didn't get into the city's wells. It was not done to determine the safe yield; however, he had to determine the yields that individual wells could do in order to determine the space needed to be sure the contaminated fluid was entirely intercepted. In the report for Wadsworth the water continued to go down until the pump test was stopped. In his opinion Wadsworth doesn't have enough information to be sure the well can supply 3 million gallons a day. He did hear a property owner testify that 2 new wells were drilled by him and his water level lowered and caused him problems. Relative to having a number of wells drilled across the street, Mr. Gould stated that there is a question of interference with wells built in the bedrock and agreed it is a perennial problem. He stated that he has not studied the annexation territory or the water table in that area.

The hearing recessed at 12:45 p.m. for lunch and reconvened at 1:15 p.m.

Dale Fortner, Superintendent of the Wadsworth School District, was asked to come forward.

Mr. Witschey lodged an objection noting that in 1998 the Supreme Court of Ohio held that a Board of Commissioners may not consider impact of potential overcrowding of schools in deciding whether annexation is for the general good of the territory since the State Board of Education has exclusive authority over school related issues arising out of annexation. He believes testimony by Mr. Fortner may be completely irrelevant and not allowable.

Ms. Ray noted the objection, and swore in Mr. Fortner.

Mr. Fortner testified that he works for the Wadsworth City Board of Education. He has knowledge of the population of the students in the system on an ongoing basis because they assess the growth, development, programs and offers for the kids each year. Some of the schools are close to capacity and some of room for some growth. They offer a neighborhood school concept where they try to have students, especially K-4, attend a neighborhood school or a school in close proximity to where they live. Students in the proposed annexation territory would typically attend Franklin Elementary. A map was reviewed of subdivisions going in during 2003-2004, in which he believes have their houses all in now and will be supplying kids to the schools. If 600 homes were put in this proposed annexation area it would impact the schools dramatically. They have been working on their projections and he believes there are a little over 600 building lots available now and the additional 600 would double that. The students within the school district are from Wadsworth City and Wadsworth Township. If 600 homes go into this area it will put the citizens in the school district at issue where the existing facilities would not suffice the enrollment in addition to what has been projected. If 600 homes are proposed there would be a need for facilities and he doesn't believe their general fund could support that. His best projection is they would have to go to the voters for some type of bond issue. If the 40 acres of this annexation were to develop under current zoning with 20 homes he feels the school district could absorb them. They do not have the ability to build onto Isham Elementary, but Franklin Elementary does have the capacity to add some classrooms. Isham has restrictions of their land, but they do have some classrooms space available. From a school standpoint, they would have difficulty assigning students within this development to one school if 600 homes go in. The district is sectioned off so students can attend the school closest to their homes and they're starting to see evidence that they aren't going to be able to do that. Students within a neighborhood could possibly be attending different elementary schools. Students from a subdivision within the Franklin area now planned to attend Isham, which is further away from their homes, so the neighborhood isn't broken up. There was a review of letters from the Medina County Planning Commission regarding 4 proposed developments and his response to their request for comments was that as growth continues it has an impact on the school systems capacity and students will not be able to attend a neighborhood elementary school or they won't

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be able to attend a school where there isn't room so the school district would have to look at existing facility alternatives which ultimately could be a bond issue. If development continues the school district will be looking at a bond issue to build new classrooms to handle the new residential growth. One development of 33 to 55 homes is not going to impact the system dramatically, but when they are added up the total can put the district in a detrimental situation. They are continually leery of the growth and their capability of handling the growth by offering the services they feel need to be offered for the students and offering the educational environment that they feel is appropriate.

Through further questioning, Mr. Fortner stated that he understands there is a zoning process involved in a development and that some land has to be devoted to roads, detention basins and open space. He also understands that once certain zoning is approved for a development that they don't immediately build those homes and that some developments have 5 to 10 year build-outs. That is part of the school's projections. He also understands that only 40 acres of this annexation territory is proposed for residential development and that if 80-90 homes are built not all of the homes will necessarily have school age children. If there were 80-90 homes and they all had students, Mr. Fortner stated that they can't keep handling the little ones because they eventually build up, and the system is getting to that point. He understands the discussion is about isolation of this area and he would say yes they could handle it. However, when it is added to the mix of other developments the school starts having concerns. Relative to the question of whether dividing the students among different schools would be a detriment, it would be up to the residents of that area whether it is a detriment. Some parents may not feel it's important to have the neighborhood school while others feel it is very important. The definition of detriment is contingent upon each individual household and how they view that.

Mr. Fortner further stated that he was aware that the City has passed a resolution to provide service and that the School Board has not communicated with them about this particular annexation. Relative to why the School Board hasn't discussed this with the City, he stated that there was detailed dialogue with the city leaders under the past mayoral leadership relative to the impact of growth on the school district. He believes they have not entered the political arena of taking sides because they are all Wadsworth School kids. He does know they have continually talked about this and are now on discussions about facilities because as growth doesn't happen overnight, schools don't get build overnight either. Module units can be used, but they are now posturing themselves for facilities in the near future based on what they are seeing developed. He cannot speak for the School Board relative to whether they would file an objection with the City about accepting the annexation if it is approved by the Commissioners. He does believe the School Board is reaching their limit and he doesn't know how much longer they can be silent without coming out strongly against some of these issues they are faced with. The schools job is to education kids and if the community supports that and will build facilities to educate more kids then they'll do that. It is also the schools responsibility to pass a bond issue if needed. It depends on what happens in the future as to when they step forward. He also noted that they have not cried wolf; they do have some room, but when the already proposed developments are built out they will be at capacity. The County Planning Commission sends out a comment form but the City does not do anything like this. He had initiated some discussion with the former mayor and they had detailed discussions about the growth. He offered a suggestion that when the County Planning Commission sends out their comment form that they send it sooner as he's received the form and not had time to fill it out; he believes that is why his comment on the 4th one was "see comments from before". He agreed that township zoning is for 2 acre lots and that from a density prospective, the less dense, the less impact on growth for the schools.

Dennis Kreider, Township Trustee, testified that he has been a trustee for 26 years and is a Mt. Eaton Road resident. When the trustees were preparing their development plan about 10 years ago they conducted a survey of their residents about the type of development they wanted. That survey included this proposed annexation area. Overwhelmingly the residents, 87%, wanted low density housing and to save the rural small town atmosphere. Prior to the survey their zoning allowed for a ¾ acre lot if there was sewer and now water to the land and 1 ½ acres for other lots. The zoning was changed after the survey by increasing the acreage to 2 acre lots, which means less wells are in the ground for water. This was well received by the residents and

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they are in consistent support of the township and the rural character. There are very few people that won't say they moved to the township because they didn't want to be in the city and didn't want the high density. He had lived in downtown Wadsworth and moved to this area of the township. There is still a situation that some people are having water issues and he doesn't know anyone that ever talked about wanting to go into the city other than to have water. So much of the township can be served with sanitary sewer because of the sewer district from 1975. He first heard of this annexation when he received a letter from Mr. Witschey's office asking if there was interest in annexing. He called the office a few times and the person in the letter was not in whenever he called. People along Mt. Eaton, particularly those north from Peggy Drive to Maple, contacted him asking if they were going to be forced in and he told them that as long as they band together they wouldn't be. He personally was contacted by 2 neighbors to the north with their concerns about being in the city and the high density that would be across the road. They had no objection to the land being developed under township zoning. He was contacted by Mr. Ryan several months after the initial letter and he was totally against the annexation and wanted to know how to stop it. He contacted the other trustees and they set up a meeting with Mr. Ryan, Mr. Lane and Mr. Minor and they were presented with copies of petitions to use against the annexation. He was surprised to see their names on the petition for annexation. He was present when Mr. Bennett and Ms. Devanney met with Mr. Minor a few weeks ago, and Mr. Minor was more forceful in the fact that he wanted out and felt he had been misled than in his testimony at the hearing. As a resident of the area and as a trustee he does not feel there is any benefit other than water to annex. The detriments would be the loss of the low density rural atmosphere and more traffic. John Road has been reshaped due to a development that is going in that will create more traffic as well. The density will greatly affect the aesthetics. He does live with Clearview Acres, which is a high density development for being in the township compared to what can be built now. He is the superintendent of the cemetery. He is not a traffic engineer or land use planner. It is his personal observation about traffic. The survey the township did was 10 years ago and it was re-evaluated 5 years ago. The survey did not break out the property owners and their opinions from those within ½ mile or within this annexation area. The survey was of the entire township.

Through further questioning, Mr. Kreider agreed that when the township plan was updated was about the same time the city did theirs and this area was not slated for development, other than it is zoned R2 residential. Relative to questioning about benefit, he agreed it would be a benefit to the Segas and Neumanns to annex as they can build more houses on their acreage. He doesn't see any benefit to the General Clay/Wadsworth Brick property, particularly with their taking the part of the property that is zoned residential and leaving the industrial part in the township. By doing this you will run into how they will access the industrial property because their entire frontage is on Mt. Eaton Road. He is not sure they would have access if the residential portion was in the city and it could become landlocked. He's not exactly sure how their land is laid out as to whether they would have access of Wall Road along the railroad tracks. He has not talked with the residents along Seville Road that did not sign the petition for annexation.

Bill Hilton, 139 Seville Road, testified through questioning that he has lived in his home for 48 years and has no deed restriction like his one neighbor to prevent him from testifying. He agreed he is a township resident and has city sewer and water, is strongly against this annexation, and that the only thing he will get out of annexing is higher taxes. He has seen an increase in traffic over the years due to the businesses and factories along Route 57 and Seville Road as well as an increase in residential traffic. This annexation will definitely impact traffic because the only access is off Seville Road and there is already an easement designated as a street. He did not sign the petition to annex but has signed one against annexation. He has talked with his neighbors and they are also against the annexation because they don't see any benefit. He is retired from the Ohio Brass Research Center. He has no experience in land use planning or traffic engineering. The waterlines were built in 1958 and the city agreed to extend water at that time to his property. He pays extra on his water usage bill for the city water. He also has city electric, cable and trash collection. He would be willing to continue to pay extra for the water in order to stay in the township

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Mrs. Hampton was called forward; however, she had testified earlier and did discuss the issues coming forth today such as traffic.

Jen Fotta, 1200 Wall Road, testified that she lives within ½ mile of the proposed annexation territory. She does not feel there are any benefits to the territory within ½ mile of this area and does feel there are detriments. She has lived here for 9 years and traffic has increased during that time. There is a new development going in on the other side of Wall Road and there has been development in the last couple of years that required straightening out Wall Road similar to what they're doing on Johnson Road. She understands that when the WalMart opens in Wadsworth they are planning to close the Montrose WalMart, which will make ours the only one in the proximity causing all of the traffic from Rittman and Doylestown to come up SR 94 or SR 57. Wall Road has already become a through way between 57 and 94. They own 5.3 acres and the property is at the crest of the hill when you turn up Wall Road. They have to be careful at the driveway entrance and if traffic increases it's going to be more difficult. This will be a detriment to their property. It would be a detriment also if the schools had to come forward for more financial support because overdeveloping will get the schools more crowded. Wadsworth has always been noted for their good quality education and that's why people come there. The quality of education would be lost with classrooms being more crowded and some of the good programs would be lost. The schools would have to ask for more money for more facilities, buses, etc. They had lived in the city and moved to the township. She doesn't like the potential of 600 homes or the likelihood of 80 to 160 in this area. Development is unending and they will probably be looking across the street at many homes because if this land is annexed, there is only one farm left. Relative to the possibility of 20 homes if it is developed in the township, that would not bother her as much as what could be built there if the land is annexed. Overall she feels annexation is a detriment.

Robby Hoover, 1212 Wall Road, testified that she lives within ½ mile of the proposed annexation territory. She has been a part time clerical assistant with the Township for about 3 years. There has already been an increase in traffic with the construction to the east of them, which is relatively low density housing. There has definitely been an increase in traffic on the road and the intersection with SR 94 is busier. She has stopped going up 94 because it takes so long at the intersection. If this land is annexed along 94 there will be increased traffic and when WalMart opens traffic will come up from the south. The potential of 600 homes that will increase traffic will be a detriment to her property. She is concerned about increases in bonds or the overcrowding of the schools. The school system issues of coming close to capacity and potentially being over capacity with this annexation would be a detriment to the property and territory as a whole. She had lived in Firestone Park and moved to the township for the rural character and the annexation would change the rural character and be a detriment to the area.

Jean Keyser, 10031 Beach Drive, testified that she lives within ½ mile and has lived there for 17 years. She lived in cities before and moved from Cleveland to this area for the rural atmosphere. The proposed annexation would change that atmosphere and be a detriment to the whole. She is also concerned about overcrowding of the schools. She voted for the new schools in Wadsworth, but if developments keep coming they'll definitely have to have expansion of the schools and the hospital as well. A bond issue would result in increased taxes and that will be a detriment to her property and her lifestyle. She has seen increased traffic and the potential of 6000 vehicles would be a big detriment.

Mary Royse, 429 Crestwood Avenue, stated that she lives about 2 miles from this proposed annexation area and has lived at her home for 40 years. She has talked with residents of the city and township and recently sent out a petition to stop annexations in their entirety to the City of Wadsworth. She is concerned about the overcrowding of everything – schools, roads, city services. People from the schools and city departments were reluctant to sign the petition although they agreed with it because they were afraid of losing their jobs. The petition that was circulated lists 6 reasons for being against annexations: 1) Wadsworth is getting to be a big city and losing the town ambiance, 2) high density and cookie-cutter houses, 3) more urban sprawl, 4) tremendous burden on the residents in taxation; they just built 4 schools and will have to build more; the last levy went down before it went through, 5) traffic is unbelievable; it takes 20

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minutes to drive to downtown, which is ½ mile, and this is without the new WalMart, and 6) concerns about false information; people are very confused about this; she has attended meetings and they talk in numbers, not properties. More people would be fighting these if they knew what they were and then there's shock when they find out property has already been brought into the city. At this time she has 500 signatures on the petition and she's continuing to collect them because annexations are continuing. She agreed that she is pretty much dead-set against annexations. She has not sent these to state representatives. She has tried to change zoning but hasn't been successful. She has sent the petitions to local jurisdictions. She has sent this to the Wadsworth City Council and not received a response. She understands that the City had to pass a resolution supporting the annexation before it came to Commissioners and that they have to take action likewise to accept the annexation territory. She doesn't understand how the City can pass that the resolution assuring services when the people in those service departments tell her they cannot.

Mr. Hambley noted that the City can take any of the 6 reasons within that petition under consideration before they pass the first resolution or with the last resolution. Mr. Fortner was heard from about the impact on the schools and likewise the School Board, who is elected by both township and city residents, can take their concerns to the City. He also pointed out that the ORC gives the County Commissioners limited latitude and certain criteria to consider. Case law can be reviewed to see how much influence certain things can have. He doesn't know of any of the 6 reasons given that are in the ORC that Commissioners can consider; although he agrees they're all important. Every one of them can be considered by the City.

At 2:40 p.m. the Commissioners took a short break in the hearing.

At 2:45 p.m. the Commissioners went into a discussion session to review a letter from Holly Harris-Baines from the University of Akron that states the proposed road appears to be adaptable for the university, but they are deferring formal acceptance until a survey and soil borings are performed at the new site. These services were already performed at the original site and they will be requesting proposals for consultants for the survey, soil borings and site design. They will also be requesting reimbursement for the additional services as the revision was initiated by others. This is being done because of our desire for the road design movement. At this time they say they have expended \$12,678.29. They don't know what their additional expenses will be since they have to move over. He has discussed this with Mike Salay, Assistant County Engineer, and they really aren't moving over that much. Unfortunately their consultant is not known for speed or keeping costs down. A decision needs to be made that this road is acceptable so we can proceed with the survey, replat and design engineering. If we don't get going we're not going to be in a timeframe to get the road built.

Through questioning, Mr. Hambley stated that they don't want to formally accept until we agree on the money. His feeling is to proceed, remembering that this is a gift of land and the money issue can be worked out later. Before making the proposal to them about moving the road they were asked how much they had put into this and they said practically nothing.

Mike added that \$12,678.29 is the total expenditures they've had to date. There has been some work done but not a lot, and some of that doesn't have to be duplicated and can be utilized for the new site. Dave (Pierson) had said they haven't asked them to do much because as soon as he asks them to do work they are on the time clock.

Ken Hotz stated that McCoy said on Friday that the costs were closer to \$40,000 and the proposal hasn't been done yet.

Mr. Hambley proposed that the Board correspond that we are going to proceed with the design and that we understand they don't foresee a problem, and if we come to an agreement regarding the final dollars we would reimburse them, but that we don't expect it to be more than \$12,678.29. We do need to see some of the work product relative to the site such as soil borings, any environmental or surveying services, and base mapping to see if we would be able to use

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them. Overall we hope to get under a national permit and not an individual permit because of the wetlands and not having to mitigate them.

John Stricker noted that the university will use the wetlands as a buffer where we were going to use it as a parking area.

There was a discussion about the resources the university is using, noting that the State grant that Representative Chuck Calvert got them has paid for the work they've had done and they may be able to charge these additional expenses to that grant.

It was agreed for Mr. Hambley to prepare a letter to Akron University with his proposal.

Mr. Hambley stated that he would draft the letter outlining the proposal.

Mike stated that he hopes to have the revised engineering and plat for Wednesday's TID meeting.

There was a discussion about being behind on the timeframe for this project. The preliminary plat will be on the Planning Commission's October agenda and if possible the final plat can be as well. The Planning Commission prefers doing this sequentially where the final plat would go to them in November; however, the new Subdivision Regulations allow the preliminary and final plats to be considered at the same meeting. The road design can be done with the plat but the plat will be needed for the land transfer. The concern is to get this done so bidding for the project can be done early next year. The only unknown is whether we will get clearance from the Army Corp to build next year. There are benefits all the way around for everybody with this redesign.

The discussion session ended at 2:54 p.m.

Commissioners reconvened the annexation public hearing at 3:02 p.m.

Mr. Witschey presented a certificate of amendment to the articles of incorporation for the Wadsworth Brick & Tile Company, which changed its name to the General Wadsworth Brick Corporation. In essence the Wadsworth Brick & Tile Company and General Wadsworth Brick Corporation are one and the same and would represent 1 property owner. As mentioned before, there are a total of 43 owners and he wanted to be sure this was counted as one, not 2 owners. He has not obtained signatures under either company name, adding that it's only relevant in county the number of owners.

Mr. Thompson was called to the stand, and Ms. Ray noted that he testified at the last hearing.

Mr. Thompson identified a copy of his deed in which he took title to his property that fronts Seville Road. He testified that he doesn't remember the agreement. He's not sure that the agreement says he has to support the annexation. He had assumed that he can't fight it and from what he remembers there was something on the deed in order for the builder to get permits. He assumed he was required to not object to annexation because an employee of Mr. Witschey's told him there was a restriction on the deed so he might as well sign the papers. He told the gentleman no. He doesn't remember the gentleman's name, noting that he's not with the office any longer. When Mr. Witschey contacted him later he did not force him to sign any paperwork, but offered to pay him to sign, which he refused.

Through questioning by Commissioners, Mr. Thompson stated that somebody representing Mr. Witschey told him a restriction had been discovered that wouldn't allow him to speak out against the annexation.

Mr. Witschey stated that nobody told Mr. Thompson that because they don't have the agreement. He knows the City was contacted and they said there is an agreement for providing

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water services to the area that those people would agree to annex. Mr. Easton had 3 departments looking for this and nothing has been found. Nobody said the deed required that Mr. Thompson sign an annexation agreement.

Mr. Thompson stated that he was told that the agreement was going to be looked up and the next time he heard from anyone it was Mr. Witschey and he offered him \$1,000 to \$2,000 to sign the petition.

Mr. Witschey stated that Mr. Karazak, who is no longer with his office, did contact some people involved in this annexation. If an offer was made to Mr. Thompson there is nothing wrong with that. Mr. Karazak had no contact with the Minors, but he's not sure if he contacted the Mills and Gingos. The deed is dated 1971 so Mr. Easton contacted Bill Lyren, the prior City Services Director, to see if he knew where the deed agreement might be. It is the assumption of Mr. Easton that there is an agreement that requires annexation by anyone that owns this property.

Through questioning, Mr. Thompson stated that he has not signed to annex and he sees no benefit to his property with annexation. The only thing he sees is that it would cost him money. He understands that his neighbors on Seville Road have not signed and don't see any benefits. They turned in a petition at the first hearing stating they don't want to be annexed.

Mark Majewski, Northstar Planning & Design LLC, presented his resume that was not submitted with a letter he submitted at the first hearing. He has 25 years experience as a professional planner for communities as well as a planning consultant. He has thought about the traffic flow and configurations in regards to this annexation. This property has 2 arterial roads abutting it and one is a state highway that is intended to have pretty heavy traffic. It is a significant facility that should handle a significant development in this area. The typical process for cities is to make zoning and subdivision decisions including traffic impact studies when they receive development proposals, which would be after annexation. At that time decisions would be made as to entrances, exits and improvements needed on SR 94 and/or Seville Road. Often those costs are borne by the development and he expects that will happen in this instance. He has also analyzed the geographic location of this property and the more he has looked at this the more appropriate this annexation is. The land abuts the city with a significant length on the east and north sides. The city has already begun wrapping this area to the east and southwest, so it is a matter of time before this becomes a part of the city. There are function issues as well with this annexation as opposed to the first phase such as planning to make sure a street pattern occurs that makes sense for the area. He can't predict how city council will zone the area and how that will affect traffic, but if they do affect traffic there are more alternatives if the entire block is annexed. The city has had a lot of practice with stub streets, etc. in the north end of town. He believes annexing this whole piece will provide significant benefit to the properties. Concerns were expressed by the city's representative about having a little piece of land at the bottom of the city and there are concerns the legislature had in mind when they talked about not creating balloon annexations that would be difficult to service. Relative to the geography in terms of city services, it has already been noted that utilities are there. He understands the sanitary sewer is within the gravity drainage area of the system, which is owned by the city. He has briefly reviewed the 2 zoning codes that might come into play in this area. As noted, it's premature to judge what the city zoning will be. The city's zoning code does have sufficient vehicles to protect or buffer the area from the industrial area to the west. He reviewed the County Planning Commission's analysis of the 2 codes and they look pretty comparable in terms of the amount of land required between industrial and residential.

Through further questioning, he stated that the report he prepared was to document his evaluation of this annexation and to facilitate an understanding of his opinion. In the report one basis of his opinion was that he deemed the general good would be served because a majority of the property owners determined that annexation was beneficial. One basis is that all city services would be available, which would be beneficial. He agreed these properties have services such as electricity, police, fire and EMS; however, fire and EMS is by contract with the city and those would be a "given" if the land were in the city. Also part of his opinion is based on what the property owners determine beneficial. He agreed that he had not talked with various owners that

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did not sign the property. It is fair to say that he deemed annexation in their best interest because a majority of the neighbors wanted to annex. There is nothing in the report showing benefits to the General Clay property or that they wanted to be a part of the annexation. He agreed that the property owners that signed own 57 acres of the 177 acres and he deemed it beneficial to annex because the owners of 57 acres signed a petition. In the report he noted that the roads are very accessible and did not discuss the amount of traffic. The property owners that testified have a sense of how the traffic impacts them, but there has been no traffic study. He agreed he deemed it beneficial without a traffic study or analysis of the impact. A benefit to the surrounding property owners is that they will gain the potential for future annexation; agreeing that any annexation has the potential for future annexation of adjoining property owners. Some people may not choose to live in a city but they would still benefit being in a city. There's a balance in government and sometimes people have a choice and sometimes they don't. It could happen some day that government would tell surrounding property owners that it is beneficial to them to annex, and they would have the same benefits in terms of access to utilities. There were 3-4 people that said they need the water and have trouble with their water system. He understands that the General Clay/Seville Road properties were added at the city's request for geometric shape, adding that the geometric shape has something to do with how the properties fit together and the shape is structured by what's around it. That's one reason shoestring annexations are not favored. He feels the shape of the annexation property is more beneficial because of the potential street patterns. Relative to the General Clay property being split between the city and township and their access being in the city, the benefits depends on how they look at it. Impact studies or cost benefit studies of developments within a city is done whenever a potential development comes through and, depending on the community, they look at the costs imposed upon the local municipality. He believes Wadsworth's requirement is to look at traffic when they do a subdivision. He is not aware of any city that looks at those impacts prior to a decision on annexations.

In Mr. Witschey's closing comments, he stated that focusing on the decision that has to be made the test is the balance of the general good of the territory to be annexed and the benefits to that area versus the detriments to that area and the surrounding area within ½ mile as well as the benefits and detriments to the entire area. The annexation of adjacent territory to a municipality is encouraged by state law and case law. He asked the one witness if she had presented her petition against annexations to state legislatures because she doesn't like annexations. There are a lot of people that don't like annexations, development or growth, especially in their back yards. The way state law is set up that is an improper consideration. If they don't want the property near them developed then they should live in an area where they're sure that won't happen or buy sufficient acreage so that won't happen. People living along Seville Road are across the street from a major arterial road, within a mile of the center of town, and the property is sewerred behind them to the north, south and right through the middle of this annexation area. It is only reasonable that they expect their property will be annexed someday. Essentially they've enjoyed the benefits of living in the city without living in the city and they've done that for a long time. The time has come that they be annexed. All except 1 or 2 of the list of names Mr. Bennett reviewed are property owners along Seville Road and he'll be the first to admit these property owners probably won't benefit by going into the city except for the benefit Mr. Easton spoke of relative to if there is a problem with city services it would be more viable for the city to handle that from a financial standpoint to ensure no interruption in services. In that respect they would benefit. There were 11 property owners involved when he started this and he's still able to get a majority of people that want the annexation. The law states and there's case law on this, that a simple majority have signed the annexation petition is irrelevant to the consideration of whether or not the annexation is appropriate. The fact that they have just above the 50% is not to be considered. There is no law that you look at the total amount of land and make an analysis of 57 acres versus 120 acres. You can't look at specific property such as Seville Road. The entire area south to be annexed must be looked at. Testimony with respect to the general analysis for a general welfare of a specific community, whether it's the city or township, is not a relevant consideration. Case law states the test is whether or not the annexed area is benefited; not whether it is in the best interest of the general welfare of a political subdivision. All comments regarding the general considerations of the township or city are irrelevant. The focus must be on the annexation area and the area within ½ mile of that area.

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Relative to delinquent taxes that were brought up at an earlier hearing, they have calculated the taxes due for the parcels being annexed that the brick yard owns and the amount is approximately \$60,000. The near million dollars stated perhaps was the total when all of the parcels are totaled. Mr. Easton has had communications with the township that the city is not interested in taking tax dollars that were originally owned to the township. In any event its still an irrelevant consideration. Tax issues are not eligible criteria in determining whether annexation will be for the general good of the territory sought to be annexed. The fact that some inhabitants will pay new taxes is an unavoidable consequence of state policy that favors annexation. He has already cited that the school board and overcrowding of the schools is irrelevant. City services cannot be used for a basis for denying annexation unless the city is unable to provide the necessary services. Mr. Easton has made it clear the city is prepared to meet its obligation of service with a time frame listed in their agreement. Testimony was heard about the proposal Wadsworth has in Chippewa Township and he doesn't believe that any of the testimony is relevant in light of Mr. Easton's testimony that even if the wells are not drilled he believed they have the services available in terms of water. Mr. Easton was cross examined with respect to the Burgess & Niple report that says the city must carefully consider the provision of water and Mr. Easton said the results of the report were published before the report was issued and that the city did in fact carefully consider the water issue and that's why city council's statement to provide water had a time table for the provision of that water. The area sought to be annexed is within 1 mile of downtown Wadsworth, it has sewer north, south and in the middle, and it is separated from the city with 2 major arterial roads. There was testimony about 600 houses but nobody has any idea of how many houses will be there if the brick yard ever sold to a development. There could not be that much development with the acreage that Mr. Sega owns. However, Mr. Easton said these arterial roads are sufficient to handle that capacity. Mr. Majewski is not an engineer, but a land use planner and he is familiar with arterial roads and the process where the city handles traffic at a different step in the process. The city will require the developer to do a traffic study and to pay the cost of whatever improvements are necessary to handle increased capacities. A large portion of this property is contiguous – on the north and along the east side, which is SR 94. All of the properties will receive various city services including police, water, electric, cable, fire protection, EMS and trash collection. Some of these services are already provided through contractual agreements but by being in the city they would be better able to be sure the services are available and uninterrupted. Many of the properties in the annexation do not have those services available right now, particularly the water.

Mr. Bennett stated that this annexation is about uncontrolled urban sprawl. The city's position on this annexation puzzles him. The situation appears to be a property owner that wants to profit off their land and is going forward regardless of the consequences to the city and township. It was Mr. Easton that said there was a possibility with this annexation of 600 homes and that's what the city was looking at. This Board has to determine the general good of that territory as well as the general good of the surrounding territory. The desires of the residents, those that live there and their reasons why they live there, can be considered. It is reasonable to consider the desire of these people not to live in the city and that they are being forced into this annexation. This petition was filed by 32% of the property owners. It is important to consider the fact that 32% of the property is dictating what is beneficial to the remaining 120 acres. It has clearly been set forth that it is unknown of the position of the biggest property owner and the one it affects the most. It is unknown whether they feel this will benefit them in anyway. The agent's planner talked about the benefits of the territory as a whole but he doesn't know how General Clay feels. It is their burden to show that this is for the general good of the territory and that the benefits to this property and surrounding property outweigh the detriments. They haven't shown that it's for the general good when they can't bring in the property owners of 120 acres that say it's a benefit. There are 19 property owners who say it is not beneficial. There are 19 owners saying no even though they have deed restrictions, have been given promises, and even offered money to sign on. Northstar's report says it is deemed to be benefited because a majority of property owners signed on, but it has to be deemed not beneficial if the 120 acres didn't sign on. Mr. Easton and Mr. Witschey said the General Clay and Seville road properties were added for geometric shape. The geometric shape doesn't benefit the property or the surrounding properties and is irrelevant to whether or not there is any benefit. Mr. Easton and Mr. Witschey said it's being added for geometric shape and the desires of the city. All of the

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services that are a benefit are already provided in the area whether it's from the city, First Energy or another provider. It's not a benefit to pay more for these services by being in the city. It's beneficial to the city and they want to support this annexation because they can charge more for the services these properties already have and they get more taxes. The only legitimate issue is that there are some residents that need water, and if the property is developed it will need water. The problem is the city can't provide that water. The city's report says they are at or near capacity for their water system and that's before they add 600 more homes. He questioned whether the city's plan is to draw up to 3 million gallons/day from Chippewa Township to service Wadsworth City and presumably these annexed properties, noting that that is 3 years out. There are problems associated with that plan – easements and EPA approval that haven't been obtained, Chippewa Township passing a moratorium resolution on these facilities or wells being built, and promises to provide these services within 3 years. Information was presented challenging Mr. Easton's opinion. Their report came out before they got the Burgess & Niple report that said they are at or near capacity and definitely before they heard the criticism by Mr. Gould of their studies. Mr. Easton said he hadn't even heard of the problems they were having with the water and yet Mr. Gould said the entire time they were pumping the aquifer went down and never stabilized. They can't say that 3 million gallons/day is a safe yield. It might be but they can't say that it is at this stage, and because of that this isn't the appropriate time to be thoughtless, inconsiderate and aggressive with acquisitions of land. This is a time for careful planning and supporting infrastructure prior to any additional annexations. The law does say that the fact that a school cannot provide services shouldn't be considered because state law requires a school to provide education to any child in the area. The superintendent indicated that whatever students are there are their students and they'll provide for them. It does become an issue with the affect it will have on the surrounding properties as well as the properties within this territory. The superintendent said the schools in the area can't support this number of kids and they'd have to be bussed to another school. Students from the same neighborhood and same households will have to go to different schools. With an annexation of this size the schools will have to go to the voters for more taxes, and more taxes are certain a detriment. The fact that the schools don't have the facilities to provide for all the kids within this territory, the need to raise taxes, and sending kids into a less ideal education system are considerations this Board should take. Obtaining signatures by misrepresentation or undue influence does not mean a bold faced lie. There is no requirement for these people to indicate they want their names removed from the petition before their names can be removed. He feels it was clear that for whatever reason people were under a misrepresentation as to what was going on; they misunderstood what their signatures meant, what the situation was, and what property was being annexed. Some were unduly influenced into signing when they were told they would be annexed regardless of whether they wanted to but if they signed they would be \$8,000 worth of improvements. This is somebody that has no choice; they're told they can't oppose this and then they're given an agreement to support the annexation and they'll be given \$8,000 in improvements. Wadsworth Township is urging the Board to reject this petition.

Mr. Witschey stated that the terminology being used about his client, Mr. Saga, is that he doesn't care what the community thinks and he's doing this for his own profit. Mr. Saga is in the business of building homes and it's a good business. Profit is not a dirty work. He is not barreling forward and doing anything unlawful. The law dictionary defines undue influence as "undue, more than necessary, not proper, illegal; it denotes something wrong according to the standard of morals which the law enforces in relations of men and in fact illegal"...Not one thing done was illegal or unlawful. Annexation agreements are recognized by the law as valid and they're enforceable. Nothing was done to lead anybody to be unduly influenced because nothing was done unlawful. They were honest with these people. It was true they had enough signatures to bring people in. They were told the truth. At one point in the conversations he only needed 1 more signature and Mr. Minor and Mr. Ryan wanted to make sure the offer was left on the table so they could both take it. Relative to the Wadsworth Brick Corporation, and the 120 acres involved there, he knows they were sent a notice about the annexation. They didn't show up and he feels it should be assumed they don't have a problem with it. There was no testimony from the 19 property owners on this issue. He questioned whether they were even approached. One owner that hadn't signed called his office and asked why she hadn't been called to sign and that she wanted to be a part of the annexation so it's unknown how those people feel. They have

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done what the law requires and that is a majority of the property owners have signed and they have various reason why they want to annex. Relative to the geometric shape and bringing in the brick yard property, there are a lot of functionality issues with making sure you get a rectangular geometric shape nestled into the corner of the city. It allows for street and service configurations that otherwise couldn't be done and that would benefit the property. The services are not more if they are in the city. Mr. Hilton said he pays more for water than he would if he were in the city. So he would get lower rates and that would be a benefit. There is a Supreme Court case that simply says the school system is off limits with respect to the Commissioners' decision making process regarding annexations.

There were no further comments.

Mrs. Geissman moved to adjourn the public hearing; Seconded by Mr. Hambley.

Mr. Hambley presented a copy of the resolution regarding the 1975 contract for Medina County Sewer District 2 that he would like as part of the annexation record.

Mr. Bennett added that they will be submitting a drawing to the Board for the record as well.

There was no further discussion.

Roll Call on the motion and second to close the annexation public hearing showed all Commissioners voting AYE.

Ms. Ray noted that the Commissioners will be reviewing this at the 10:00 discussion session on August 23.

Mr. Hambley moved to adjourn the meeting at 4:11 p.m.; Seconded by Mrs. Geissman. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

- 04-0737 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

- 04-0738 RESOLUTION COMMENDING MATTHEW W. TESAR ON EARNING THE EAGLE SCOUT AWARD

- 04-0739 RESOLUTION ACCEPTING AND AWARDDING THE BID FOR RESURFACING OF FIRESTONE ROAD WITH MEDINA COUNTY SPECIFICATION 402 FOR THE MEDINA COUNTY HIGHWAY DEPARTMENT

- 04-0740 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN EAGLEWOOD SUBDIVISION PHASE 1 IN MEDINA TOWNSHIP, MEDINA COUNTY, OHIO

- 04-0741 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN RESERVE SUBDIVISION PHASE I IN MEDINA TOWNSHIP, MEDINA COUNTY, OHIO

- 04-0742 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOW SUBDIVISION PHASE 1 & 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO

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- 04-0743 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN GLENMOORE FARMS SUBDIVISION PHASE 1 & 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO
- 04-0744 RESOLUTION APPROVING THE FINAL PLAT FOR THE COBBLESTONE PARK SUBDIVISION PHASE 1A LOCATED IN MONTVILLE TOWNSHIP LOTS 21 & 22
- 04-0745 RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 04-0746 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS SANITARY ENGINEERING FUNDS TO THE COUNTY GENERAL FUND
- 04-0747 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND FOR INDIRECT COST ALLOCATION
- 04-0748 RESOLUTION AUTHORIZING COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT FUND TO THE JUVENILE COURT IV-D FUND
- 04-0749 EXPENDITURE ADJUSTMENTS FOR VARIOUS FUNDS
- 04-0750 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
- 04-0751 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 04-0752 RESOLUTION WAIVING THE FIVE YEAR MEDINA COUNTY SERVICE REQUIREMENT FOR PAYMENT UNDER THE BOARD'S ENHANCED PAYMENT SCHEDULE OF ACCRUED AND UNUSED SICK TIME
- 04-0753 RESOLUTION APPROVING AND AUTHORIZING THE SUSPENSION OF ONE (1) DAY WITHOUT PAY FOR ERIC SQUIRE MEDINA COUNTY SANITARY ENGINEER'S OFFICE
- 04-0754 RESOLUTION APPROVING AND AUTHORIZING REMOVAL OF ERIC SCOTT, DEPUTY DOG WARDEN
- 04-0755 RESOLUTION ACCEPTING AND REJECTING BIDS FOR IMPROVEMENTS TO PARKING LOTS AT VARIOUS COUNTY BUILDINGS AND AUTHORIZING THE MEDINA COUNTY ADMINISTRATOR TO REBID
- 04-0756 RESOLUTION AUTHORIZING THE MEDINA COUNTY ADMINISTRATOR TO ADVERTISE FOR BIDS FOR THE ROOF REPLACEMENT AT THE MEDINA COUNTY PROSECUTOR'S

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OFFICE

- 04-0757 AUTHORIZING THE SANITARY ENGINEER TO OBTAIN EASEMENTS FOR VARIOUS
SANITARY SEWER IMPROVEMENT PROJECTS
- 04-0758 RESOLUTION AUTHORIZING FINAL ADJUSTING CHANGE ORDER NO. 1 FOR THE BOSTON
ROAD SANITARY SEWER REPLACEMENT PROJECT FABRIZI TRUCKING & PAVING CO.
INC. MCSE #SR-300/00-27.1
- 04-0759 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

MEDINA COUNTY COMMISSIONERS:

Sharon A. Ray

Respectfully submitted,

Patricia G. Geissman

Pamela J. Terrill, Clerk

Stephen D. Hambley