

COMMISSIONERS MEETING – MONDAY, JUNE 7, 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.

There were no minutes for review and approval today.

Doug King, Administrative Assistant in the County Engineer's Office, presented resolutions authorizing the County Engineer to manage the issuance of storm water permits and conduct on site inspection for major subdivision construction projects in the unincorporated areas of Medina County and approving the use of Subdivision Drainage Maintenance Fund for repair work in Fox Meadow Subdivision Phase 2 in Montville Township. Mrs. Geissman moved to approve the 2 resolutions; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Bev Valentine, Finance Department, presented and reviewed resolutions amending the appropriations resolution by transferring appropriations, various transfers of funds, revenue adjustments for various funds, purchasing fuel for the Engineering Center, declaring county property as excess property for a public auction, authorizing the advertisement for bids for a software system for the Recorder's Office, and the weekly bills in the amount of \$359,966.29. Mrs. Geissman moved to approve the 7 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.

John Stricker, County Administrator, presented a resolution amending the Table of Organization for Job & Family Services – Eligibility Services. This adds an Eligibility Specialist position that will help alleviate some of the backlog of people that are applying for assistance. Mrs. Geissman moved to approve the amendment; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

John presented a resolution approving the transfer of four properties to the Village of Gloria Glens. This finalizes the process that was started by Buck Adams, EMA Director, to obtain 3 different federal and state funds to purchase the properties that repeatedly flooded, which constantly costs the federal flood program. The properties were purchased and put into the name of the Board of Commissioners. There are deed restrictions in giving the land to the Village for development of a community park. Mrs. Geissman moved to approve the transfer; Seconded by Mr. Hambley.

Through questioning, John agreed the properties are under water. He is not sure if they are bringing in fill dirt and how they are going to develop the park. The cost to purchase them is a lot less than the money that has already been put into them over the years for repairs.

There was no further discussion.

Roll Call on the motion and second to approve the transfer of 4 properties showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, had no resolutions today.

Judy Hardesty, Job & Family Services, presented 2 resolutions dealing with the recent flooding, which are similar to resolutions passed after last year's flooding in July and August. The first is for assistance under the PRC Plan for families with children to receive up to \$1500. There is a total of \$200,000 available and families are eligible that are within 200% of poverty.

COMMISSIONERS MEETING – MONDAY, JUNE 7, 2004

The second program is for non-TANF families and the total available is \$25,000. This is for people over 55 or disabled. They also must be within 200% of poverty and if eligible can receive up to \$750. Mrs. Geissman moved to approve the 2 resolutions; Seconded by Mr. Hambley.

Through questioning, Judy stated that last year they approved funding for less than 10 people. JFS is working with the Red Cross and Buck Adams for certification as to damage. JFS then will certify their eligibility for funding. People interested in this funding need to contact JFS by June 25.

There was no further discussion.

Roll Call on the motion and second to approve the 2 funds for flood damages through JFS showed all Commissioners voting AYE.

Debra Radecky, Office for Older Adults Director, stated that they had 93 exhibitors and over 500 attend Senior Day. Upcoming events include their monthly craft project, presentations on macular degeneration, alternative medicines, the movie “Big Fish”, a magic show, health talk and a trip.

Joyce Farnsworth, County Home Administrator, stated that they have new carpet on the first and second floors. She thanked Tom Maupin, Maintenance Superintendent, and John Stricker for getting in touch with the carpet guy, noting that he installed good carpet and did a good job. They lost one resident to the new ADAMH facility and there were mixed emotions about his move. They are down to 49 residents. The nurses have been doing very good in filling in for Mona and she should be returning next month.

Ms. Ray presented a resolution setting a hearing to consider the adoption of revisions to the Subdivision Regulations. Mrs. Geissman moved to approve setting the hearing; Seconded by Mr. Hambley. The hearing will be July 12 at 2:00 p.m. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Ms. Ray presented a resolution establishing viewing and hearing dates as necessitated by receipt of a petition from landowners seeking the relocation of a portion of White Road (T.H. 92) in Westfield Township. Mrs. Geissman moved to approve setting the viewing and hearing dates; Seconded by Mr. Hambley. The viewing will be at 10:15 a.m. on June 28 with the hearing being held at 2:00 p.m. on the 28th. There was no further discussion. Roll Call showed all Commissioners voting AYE.

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.

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

Commissioners recessed the meeting at 9:46 a.m.

The meeting reconvened at 10:00 a.m. for the continued hearing on the petition for annexation of 139.6204 acres from Wadsworth Township to the City of Wadsworth.

Ms. Ray noted that the hearing was continued to accept new information and not to rehash what was presented at the original hearing. She added that a letter was received from the Township Trustees objecting to the annexation and that the *Petitioner’s Brief in Support of the Annexation* was also received.

Mr. Hambley noted that he had asked the Department of Planning Services to research additional information on mine subsidence and presented the information to be included in the

COMMISSIONERS MEETING – MONDAY, JUNE 7, 2004

record. This is general information from the websites of the ODNR and ODOT for review and is not specific to this site.

Rick Strong asked if he could review the *Petitioner's Brief*.

John Stricker left the hearing to make copies of the *Petitioner's Brief* for interested parties in attendance.

Mrs. Geissman asked about the difference between Medina abandoned mines and the abandoned mines.

Rob Henwood, Planning Services, stated that the information he has reviewed is the bright red area and the lighter red in reference to the Medina mines he is not sure of their information.

Mr. Hambley stated that information in the map coincides with the ODNR information that Mr. Strong had previously submitted. In accessing the information he reviewed an 1897 atlas of Medina County that shows the site of this mine, but is not specific as to the area that was mined.

Mrs. Geissman stated that she would like to see information showing the depth of the mine.

Rick Strong stated that he talked with the gentleman at ODNR that is in charge of that website and he is a good source of information and had said he knows the depths.

There was a review by several individuals of the *Petitioner's Brief*.

Mrs. Geissman asked the Township Trustees why they are against the annexation.

Dennis Kreider, Wadsworth Township Trustee, stated that although the trustees didn't sign the petition by neighboring property owners he believes there is reference that the Township objected. The major concern is that the Township reviewed their developmental plan in 2001 and sent out a mailing to 1500 residents. The results were overwhelming that the residents want to keep the rural atmosphere with the larger lot sizes and lower density. The Township re-wrote their development in accordance with the wishes of the residents. Relative to being a detriment to the general area, the Township just lost all of its commercially zoned land in an annexation and there is a hearing in July on another annexation petition. These 3 annexations are for over 700 acres of township land and that is unreasonably large. The Township is getting smaller in a hurry. It is not the township residents themselves that are annexing but developers that don't want the people of the township to have a say. The main concern is losing the rural atmosphere in which their zoning was written to protect. The majority of the area to be annexed can be served with sewer but does not have access to water.

Virgil Mochel, Wadsworth Township Trustee, agreed with Mr. Kreider and added that 87% of the respondents to their survey wanted to keep the rural atmosphere and the City is encroaching on this. He is not against development but would like to see more acreage in it. Even though the City has open space development their zoning will allow 2-4 homes per acre and that will be set against the rural setting. The people that annex should live in the City if they want that and the Township should have the right to keep their rural atmosphere.

Mr. Hambley stated that he would like to follow up with Chris Easton, Wadsworth City Service Director, relative to statements regarding the design for City zoning standards regarding mines. He noted that the City examines a potential site with an existing mine during the time the site plan is submitted and asked if those issues are also considered for zoning density.

Mr. Easton stated that they are not, adding that the specifics about the geology are considered at the time of development. Through further questioning, he stated that there have

COMMISSIONERS MEETING – MONDAY, JUNE 7, 2004

been some mine shafts that were filled. In the past if there is a known or suspected mine a geological study is required at the time of development and an expert opinion is required for the type of load that is proposed for the land. One recommendation that happens very often is for the acquisition of insurance, and in some cases there were discussion of requiring that it be on the deeds of the property so there is knowledge of the mine. In the commercial environment the developer often has a higher standards specific to this issue. The existence of mines has been known about but has never been put into the planning code, but it became a regular part of the development review process. One instance of subsidence involved the Lube Stop that had an unknown mine shaft on the site that caused damage to their parking lot. They discovered the mine shaft after their parking lot experienced subsidence. That shaft was filled and the parking lot was repaired. He has experienced where an ODNR map indicated there was a mine and upon investigation there was none. They have determined that there are some mapping errors and that mine maps have been interpreted incorrectly in the past.

Ms. Bruggeman stated that she is sympathetic with the township's rural nature, adding that much of that is agricultural and the owners have to sell at some point for retirement or for support. The Vance's do plan to remain on a portion of this property. The code has given very little discretion in considering annexation petitions and she feels it's well defined. On balance, which is the new test, she believes the benefits will outweigh the detriments.

Mr. Strong stated that he is glad the Vance's are staying. He believes that if the on-balance test is the issue of whether or not the Vance's will benefit from the sale of the property, everybody knows the property will fetch a bundle as township property versus annexed property. If they're trying to establish the benefit based upon the financial aspects, perhaps that should have been part of the evidence at the hearing. Everybody knows township property in an area like this would sell for a lot of money. He feels there is a failure in the burden of proof to establish that annexation is a higher benefit to the Vance family versus selling it as township property.

There were no further comments.

Ms. Geissman moved to close the public hearing on the petition for annexation; Seconded by Mr. Hambley.

Mr. Hambley noted that the Commissioners have 30 days from this hearing to make a decision.

There was no further discussion.

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

It was noted that the discussion session for today is cancelled.

Mrs. Geissman moved to adjourn the meeting at 10:20 a.m.; Seconded by Mr. Hambley. There was no discussion. Roll Call showed all Commissioners voting AYE.

RESOLUTIONS PASSED:

04-0488 RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS

04-0489 RESOLUTION...AUTHORIZING THE MEDINA COUNTY ENGINEER TO MANAGE THE ISSUANCE OF STORM WATER PERMITS & CONDUCT ON SITE INSPECTIONS FOR MAJOR SUBDIVISION CONSTRUCTION PROJECTS IN THE UNINCORPORATED AREAS OF MEDINA COUNTY

COMMISSIONERS MEETING – MONDAY, JUNE 7, 2004

- 04-0490 RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR REPAIR WORK IN FOX MEADOW SUBDIVISION PHASE 2 IN MONTVILLE TOWNSHIP, MEDINA COUNTY, OHIO
- 04-0491 RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
- 04-0492 TRANSFER OF COUNTY GENERAL FUNDS TO THE MEDINA COUNTY ALCOHOL, DRUG ADDICTION & MENTAL HEALTH BOARD
- 04-0493 RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE PUBLIC ASSISTANCE FUND (0120) TO THE JFS BUILDING DEBT PAYMENT FUND (0300)
- 04-0494 REVENUE ADJUSTMENTS FOR VARIOUS FUNDS
- 04-0495 RESOLUTION AUTHORIZING THE PURCHASE OF 4,000 GALLONS OF PREMIUM UNLEADED AND 4,000 GALLONS OF REGULAR UNLEADED GASOLINE FOR THE ENGINEERING CENTER
- 04-0496 RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
- 04-0497 AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR A SOFTWARE SYSTEM FOR THE MEDINA COUNTY RECORDER'S OFFICE
- 04-0498 RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
- 04-0499 RESOLUTION AMENDING THE TABLE OF ORGANIZATION FOR THE DEPARTMENT OF JOB & FAMILY SERVICES - ELIGIBILITY SERVICES
- 04-0500 RESOLUTION APPROVING THE TRANSFER OF FOUR PROPERTIES TO VILLAGE OF GLORIA GLENS
- 04-0501 RESOLUTION AMENDING THE PREVENTION, RETENTION & CONTINGENCY (PRC) PLAN FOR THE MEDINA COUNTY JOB AND FAMILY SERVICES TO INCLUDE DISASTER RELATED PROGRAMS
- 04-0502 RESOLUTION ALLOWING FOR THE EXPENDITURE OF FUNDS FOR CERTAN ELDERLY AND DISABLED INDIVIDUALS WHO ARE NON-TANF
- 04-0503 RESOLUTION SETTING A HEARING TO CONSIDER THE ADOPTION OF REVISIONS TO THE MEDINA COUNTY SUBDIVISION REGULATIONS

COMMISSIONERS MEETING – MONDAY, JUNE 7, 2004

04-0504 RESOLUTION ESTABLISHING VIEWING AND HEARING DATES AS NECESSITATED BY RECEIPT OF A PETITION FROM LANDOWNERS SEEING THE RELOCATION OF A PORTION OF WHITE ROAD (T.H. 92) IN WESTFIELD TOWNSHIP

04-0505 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