



Portage County Board of Commissioners  
Meeting Minutes

449 South Meridian Street  
Ravenna, OH 44266  
<http://www.co.portage.oh.us>

Amy Hutchinson, Clerk  
330-297-3600

Tuesday, February 23, 2021

9:00 AM

Commissioners' Board Room

*The Commissioners' meeting minutes are summarized; Audio recordings and backup material are available.  
Please contact the Commissioners' Office for specific details.*

The Portage County Board of Commissioners' meeting came to order with the following members present:

Attendee Name	Title	Status
Sabrina Christian-Bennett	President	Present
Anthony J. Badalamenti	Vice President	Present
Vicki A. Kline	Board Member	Absent

**REGIONAL PLANNING COMMISSION INFORMATIONAL WORKSHOP SUBDIVISION REGULATIONS**

Present: Director Todd Peetz; Larry Jenkins, County Engineer; Tia Rutledge, Water Resources; Mary Helen Smith, Health Department; Eric Long, Portage Soil and Water Conservation and Attorney David Garnier.

Zooming: Director Chris Craycroft, Park District, Director Leslie Froelich, Tax Map, Mickey Marozzi, County Engineer; Mike Hlad, Brimfield; Jordan Michael, Rootstown Township

**SUBDIVISION REGULATION UPDATE**

- Created in 1984 with no major updates since
- Multiple attempts to update in 2004 & 2007
- Start/stop major update since 2012

**ARTICLES 1 & 2**

- Article 1 Title, Scope, and Jurisdiction Amendments:
  - Minor grammatical changes and changes for current jargon and code citations
- Article 2 Definitions:
  - Significant changes: None, purpose was to use current jargon and clarify pre-existing gray areas in the current subdivision's regulations in the code.

**ARTICLE 3: PROCEDURES FOR SUBDIVISION APPROVAL:**

- **Section 301:**
  - Strongly encourage pre-application meetings.
  - Creates a pre-application committee of the primary review agencies and local jurisdiction.
- **Section 302:**
  - Requires a Preliminary Plan (optional before);
  - Expands list of reviewers;
  - Requires the conditions of the preliminary plan to be completed and approved prior to any construction;
  - Preliminary Plans are good for 3 years, plus a couple extra years for extensions (no described time limit before).
- **Section 303:**
  - Includes phasing requirements upfront, not listed currently.
- **Section 305: Surveys and Easements**
  - Require easements to be clearly marked;
  - Open space statement on the plat (open space is for the whole development);
  - Covenants and restrictions to be recorded with the plat.
- **Section 306**
  - Plat extensions up to 12 months
- **Sections 309 and 310**
  - Five (5) acres or greater and exchanges between owners
  - Replaced language to be more consistent with the Ohio Revised Code.

#### ARTICLE 4: OPEN SPACE REQUIREMENTS

- **Section 408.1**
  - Enhance open space requirements on smaller lot subdivisions, affects subdivision lots less than an acre. (Subdivisions less than 20 acres are exempted from requiring open space).
- **Section 408.3**
  - Sliding scale open requirements for lots averaging between and acre and .46 of an acre 7% open space and .46 acre and smaller lots would be 10% open space.
- **Section 408.4**

- Set minimum standards for open space.
- **Section 408.5**
  - Provides a fee in-lieu of option, where the developer can pay into an open space fund designated for the home Township use of providing new recreation opportunities. Must be used within five years. Funds must be used for Open Space functions.

#### OHIO DEPARTMENT OF HEALTH SEWAGE TREATMENT SYSTEM STATUTES & REGULATIONS

- Ohio Revised Code (ORC) 3718
- Ohio Administrative Code (OAC) Ohio Department of Health Sewage Treatment System
  - <http://codes.ohio.gov/oac/3701-29>
  - Major update effective January 2015
    - Incorporates best available technology in sewage treatment system designs
    - Requires all new construction to have on-lot soil-based sewage treatment
- Minor change to Technical Advisory Committee equipment approval schedule effective September 2019
  - Does not affect the subdivision rules

#### OAC 3701-29-08 NEW LOTS AND SUBDIVISIONS

- (A) The board of health review required in paragraph (C) of this rule shall be coordinated, as applicable, with authorities having responsibility for the requirements established in Chapter 711 of the Revised Code, zoning, recording of parcels of land, or other land use authorities....
- (B) Any person proposing a subdivision or new lot(s) for review by the board of health shall submit an application and sufficient information to determine compliance with the requirements of this chapter
- <http://codes.ohio.gov/oac/3701-29-08>

#### PORTAGE COUNTY HEALTH DISTRICT CLARIFICATIONS

- **Section 303 Preliminary Plan Information**
  - Define both private water supply and public water supply
- **Section 305 Plat Contents**
  - Add the revised code and administrative code references to make it easier for the developer to locate the requirements
- **Sections 309 Division of Land Five (5) Acres and Larger**

- Recommend reiterating the language set forth in Section 310 Transfers of Land Between Adjoining Property Owners
  - However, if not, that language be added that states, "not reviewed for septic tank use or replacement area" as stated in section 310
- **Reminder:** regulations do NOT allow off-lot discharge for new construction
- **Section 405 Layout of Lots and Section 604 Water Supply**
  - Added the revised code and administrative code references
  - Specified the private water system isolation distances in accordance with OAC 3701-28

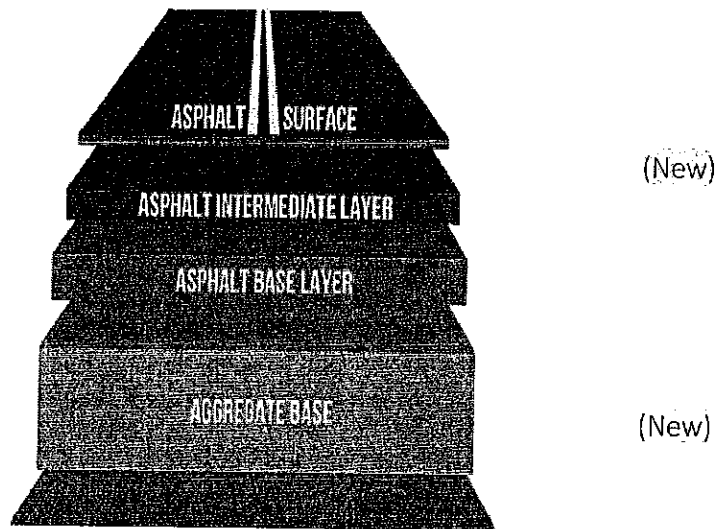
#### PORTAGE COUNTY ENGINEER

- **402 Road and Street Design**
  - Now spells out what is required for Traffic Studies.
  - Defined the need for the study based on number of trips generated or if the development may impact capacity or safety of any road and/or any intersection within 0.25 miles of the development.
    - One hundred (100) Peak Hour Trip Ends total.
    - No reduction in level of service at any intersection within ¼ mile of the development.
- **402.1 Dead End Streets**
  - Established parameters for Permanent and Temporary dead-end streets.
  - Requires termination of a permanent dead-end street to be a cul-de-sac. Defines what needs to occur on a temporary dead-end street.
- **402.2 Stub Streets**
  - New section.
  - Established parameters for stub street to allow t type turnaround to ensure adequate maneuverability on a temporary dead-end street.
  - Established parameters for future developers to be responsible to remove turn around and build road to prop line.
- **406.3 Schedule of Building Construction**
  - Clarified what utilities need installed prior to construction of buildings.
  - Installation of first asphalt layer prior to starting construction of homes.
- **407.2 Drainage Easements**

- Requiring drainage easements to be located within open space.
- Keeping storm sewer systems outside of private lots help with maintenance and ensure no homeowner improvements are placed overtop of the systems; i.e., sheds, fences, etc.
- **509.2 As-built Calculations of Storm Water Pollution Prevention Plan**
  - Added requirement to have developer As-built the stormwater management system and verify that the constructed system meets the original design calculations.
  - The Stormwater District will ultimately maintain these basins and it needs to be verified that the contractor built it in accordance with the design prior to turning over to the district.
- **511.1 Plan Review Fees**
  - New Section.
  - Added requirement to have developer be held responsible for the cost of plan review for subdivisions.
- **512.3 Failure to Construct or Complete Improvements**
  - Modified the 18-month time frame for construction.
  - Now includes review at one (1) year after approval of the final plat, to ensure construction has begun and then a final deadline of two (2) years. Clarified the options to remedy incomplete subdivisions by utilizing the performance guarantee or the commissioners have the option to vacate the plat.
- **513 HAUL ROAD PERFORMANCE GUARANTEE**
  - New requirement.
  - Added requirement to hold developer responsible for any damage to previous phase subdivision roadways being used for construction access of the current phase.
- **516.1 Conditional acceptance procedure**
  - New Section to clarify the conditional acceptance.
  - The steps involved to achieve conditional acceptance have now been written out to eliminate confusion.
- **516.2 Monument Inspection at Conditional Acceptance**
  - In order to minimize the disturbance of the subdivision property pins and right of way monuments, this section has been added.
  - The surveyor will need to set the minimum state required amount at the time of platting and all the rear pins at time of Conditional Acceptance.

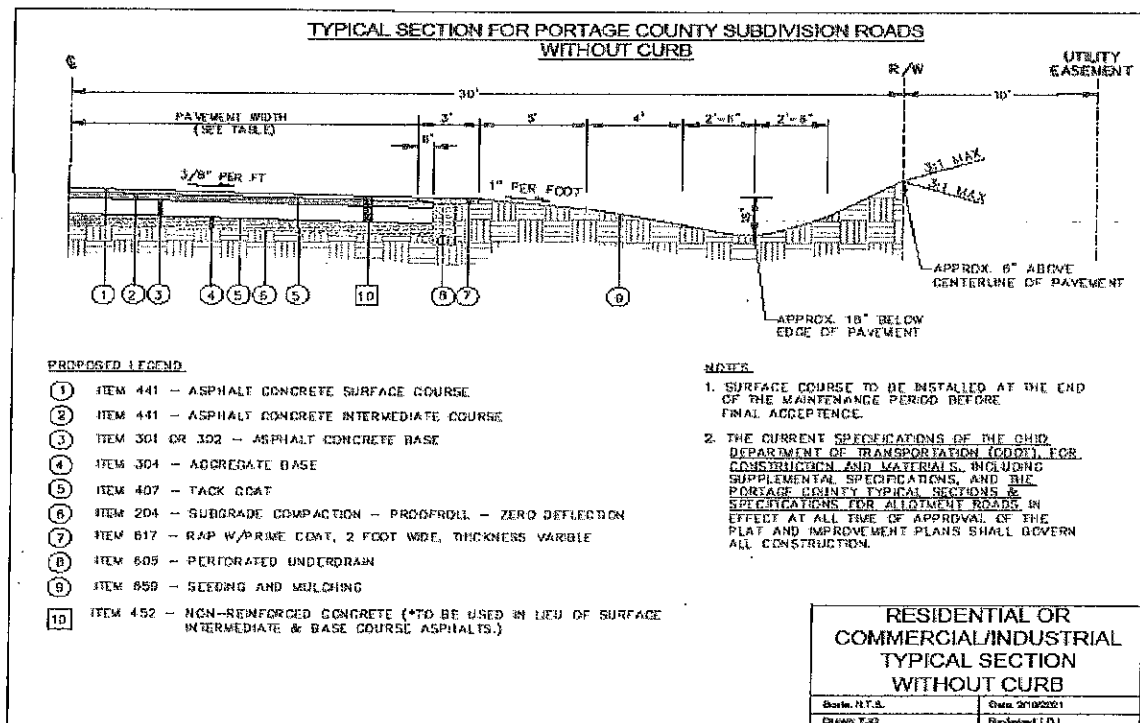
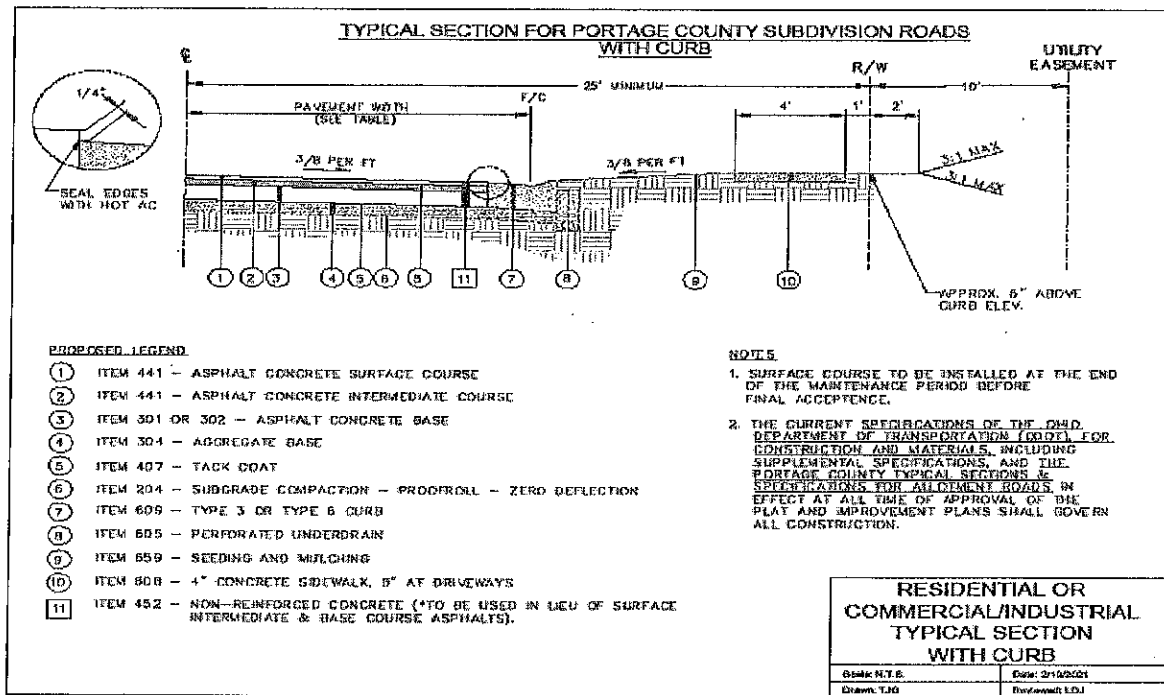
- The surveyor will then set the remaining pins at the end of the maintenance period.
- **518.5 Street Surface Course**
  - The surface course of asphalt was referenced in the 1984 Regulations to be installed upon completion of all other items.
  - We are revising this by requiring the surface course of asphalt to be installed at the end of the maintenance period in order to turn over a new paved surface to the township for maintenance.
- **519.1 Monument Inspection at Final Acceptance**
  - New Section that follows Section 516.2.
  - To ensure that any monuments at lot corners and on the right of way that were disturbed or destroyed during construction are in place at the time of Final Acceptance.
  - The surveyor will be required to set and mark all remaining right of way pins and property pins that were not verified at time of platting.
- **519.3 Final Inspection**
  - Updated the section to explain the final inspection procedures before the Engineer recommends acceptance of the improvements and turns over maintenance to the township.
  - The inspection requires compliance with ODOT 611 spec-cleaning and video taping of the storm sewer system.
  - The inspection also includes post construction stormwater controls.
- **521 Minimum Road Pavement Specifications and Road Cross-Sections**
  - Updated the Asphalt and Concrete Pavement Specifications.

<u>Asphalt Section</u>	Ex. Typ.	Prop Typ.
Surface	1.25"	1.25"
Intermediate	---	1.75"
Base	6.0"	6.0"
Aggregate Base	---	4.0"



COMPACTED EX. SUB-GRADE

- Added the ability to provide an alternate pavement section utilizing cement stabilization as long as it meets or exceeds the current structural strength of the standard typical section.





## SECTION 520.1 MINIMUM ROADWAY SPECIFICATIONS FOR SUBDIVISIONS

ROAD CLASSIFICATION	PAVEMENT WIDTH		PAVEMENT THICKNESS							
	CURBS	OPEN DITCH NO CURBS	NON-REINFORCED CONCRETE		FULL-DEPTH ASPHALT				AGGREGATE	
			304* CHEMICALLY STABILIZED SUBGRADE PERMITS	441 CONCRETE PAVEMENT	306* CHEMICALLY STABILIZED SUBGRADE PERMITS	301 or 302 ASPHALT CONCRETE BASE	446 ASPHALT CONCRETE INTERMEDIATE COURSE TYPE 2	448 ASPHALT CONCRETE SURFACE COURSE TYPE 1	BASE	SUBGRADE
(FEET)	(FEET)	(INCHES)	(INCHES)	(INCHES)	(INCHES)	(INCHES)	(INCHES)	(INCHES)		
RESIDENTIAL, CURBS	26		0	0	0	6	1.75	1.25	4	TURF
RESIDENTIAL, NO CURBS		22	0	0	0	6	1.75	1.25	4	617 RAP
COMMERCIAL/INDUSTRIAL, CURBS	30		0	0	0	7	2.5	1.50	6	TURF
COMMERCIAL/INDUSTRIAL, NO CURBS		28	0	0	0	7	2.5	1.50	6	617 RAP

AN ALTERNATE PAVEMENT SECTION, INCORPORATING THE USE OF CHEMICALLY STABILIZED SUBGRADE, MAY BE SUBMITTED TO THE COUNTY ENGINEER TO REVIEW FOR USE ON A PROJECT. SUCH ALTERNATE DESIGNS SHALL HAVE A STRUCTURAL NUMBER NO LESS THAN THE ABOVE MINIMUM PAVEMENT SECTION AS CALCULATED PER THE ODOT PAVEMENT DESIGN MANUAL.

COMMERCIAL AND INDUSTRIAL PARK ROADS ARE ROADS IN SUBDIVISIONS HAVING COMMERCIAL AND/OR INDUSTRIAL ENTERPRISES SERVED BY TRUCKS.

IN CASE OF QUESTION, THE COUNTY ENGINEER WILL DECIDE ON THE ROAD CLASSIFICATION FOR CONSTRUCTION PURPOSES.

COMMERCIAL/INDUSTRIAL - ODOT TYPE 2 OR 6 ONLY. ALL CURB CUTS MUST BE FORMED AT TIME OF CURB PLACEMENT OR SAWED.

### MINIMUM ROADWAY SPECIFICATIONS FOR SUBDIVISIONS

Revised: 11/1/01  
Drawn: LJO

Date: 2/15/02  
Reviewed: LJO

### STORM WATER AMENDMENTS:

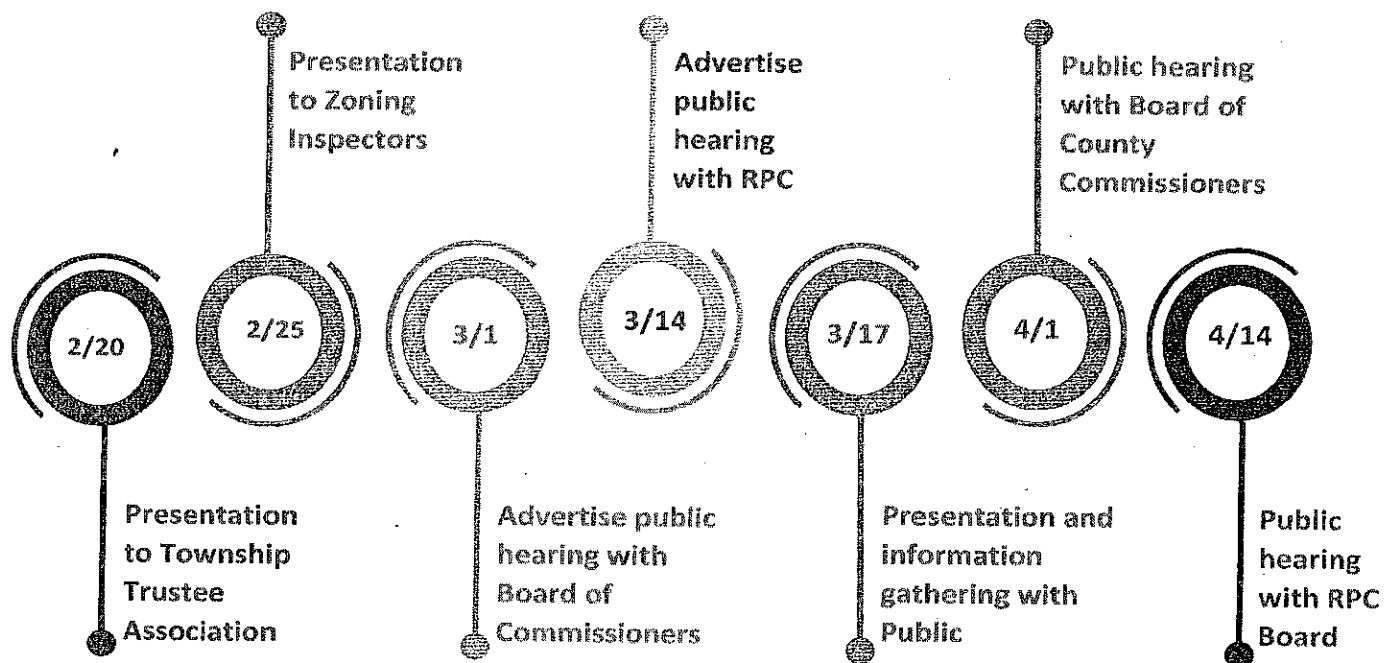
- Primarily Section 509
- Outdated storm water design standards removed.
- Defined three primary regulatory documents.
  - Portage County Construction Site Sediment, Erosion and Storm Water Management Rules.
  - Ohio EPA NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
  - Ohio Rainwater and Land Development Manual.
- As-Built drawings requirement
- Requires the submittal of as-built drawings and a certification that standards have been met.

- Wetland impacts procedure defined.
  - Individual permit vs Nationwide permit.
- Residential Storm Water Maintenance Program
  - Post-construction Best Management Practices (BMP)s in new residential subdivisions will be maintained by the Storm Water District.
  - Long-term maintenance plan required for post-construction BMPs.
  - Runoff from all new impervious area must be conveyed to post-construction BMPs and directed to centralized conveyance systems when possible.

#### WATER RESOURCES: SECTION 600-612

- **Article 6 Specific to Sewer and Water Improvements**
  - Streamline the Document.
- **Standardized Acronyms, Terms & Names**
  - Reduce Confusion For Users.
- **Sewer and Water Design Criteria's Updated**
  - Match Department Design Criteria.
- **Escrow Account Performance Guarantee**
  - Ensure Project Completion.
  - Reduced Contingency From 12% to 10%.
- **Increased Maintenance Guarantee From 5% to 10%.**
  - Ensure Adequate Funds are Available to County.
- **Added Ability to Extend Maintenance Guarantee Period Beyond One Year and/or Percentage**
  - Site Conditions, Construction Methods or Materials Used May Justify Increases.
- **Increased Liability Insurance Limits.**
  - Match Current County Limits.

## TIMELINE



Commissioner Christian-Bennett received a call from the Township Association, requesting an extension of the timeline so the Township has time to properly review the changes. Director Peetz understands the concern but pointed out the goal is to try to have the rules amended before additional subdivision are constructed under old regulations.

Commissioner Christian-Bennett suggests the hearing be pushed out a month and Commissioner Badalamenti agreed.

County Engineer Marozzi touched on the issue of bonds and approximately 15 years ago, a decision was made to allow a developer to put up a bond in lieu of cash and the practice has been done many times. At least a half of dozen times, the developer did not finish the improvements and when the County tried to cash the bond to access the funding to build the improvements, nothing was available and the Commissioners were responsible for completing the improvements. The only way Engineer Marozzi can ensure this won't happen is to hold cash in lieu of a bond.

Engineer Marozzi commends the Committee for doing a tremendous job on the regulations and he hopes the Board will consider approving the upgrades.

Director Peetz stated he will move the public hearing date to the first Thursday in May and he will work with the Township Association to set up an additional meeting to ensure everyone is on the same page.

### STABLE DIRECT DEPOSIT PRESENTATION

Present: Rebecca Armstrong and Nicholas Hancart

The STABLE Director Deposit program is an opportunity for Portage County to partner with the Ohio Treasurer's Office to assist Ohioans who have a disability. The STABLE program is a

specialized savings and investment account for people with disabilities that allows them to save and invest money without losing eligibility for certain means-tested benefits, such as Medicaid and Supplemental Security Income. Anyone can contribute to an individual account beyond the person with a disability, such as a parent, grandparent, sibling, extended family member or friend. This program is a cost-free option from the Ohio Treasurer of State's Office and will allow employees to directly deposit their wages into their own STABLE account or a loved one's account.

The Board is in support of the program and asked that the County Auditor's office is contracted for input and Ms. Armstrong will reach out and report back to the Board via email.

## **BUDGET & FINANCE DEPARTMENT**

Present: Todd Bragg

### **Discussion**

#### **1. County Operating Budget**

Director Bragg presented a listing of items the Board should keep on its radar:

- For 2021, current estimates are at \$48,800,000 in expenses and \$48,300,000 in revenues just on the operating side.
- The Board will go through \$500,000 of its cash to operate.
- There's also \$5-\$6 million in Capital expense that is not listed on the Operating Budget.
- Cash balance should be reduced \$5.5-\$6.5 million, depending on where Capital projects come in.
- Projections into 2022 show the County breaking even, but that does not include Capital projects.
- Ideally, both Operating and Capital requests should fit within the current year's collection.
- The County should be spending \$1-\$1.5 million in Capital every year, so there's still \$1-\$1.5 million off balance based on current operations.
- The following list is Operating issues which exacerbate the issue unless we find somewhere else to save.

#### **Sheriff's Labor Contract**

- There have been different ways the Board handled labor union in the past.
- For this year, Water Resources and Job and Family Services were told they must keep their whole package within a certain amount (ie. if awarding a monetary somewhere, they need to find a savings elsewhere).
- As the Sheriff negotiates his contract, a 1.5% has already been added to his appropriations this year.
- The question becomes does his total contract additions have to fit within that amount we've already added or does the Board intend to add more depending on negotiations.
- Other unions were instructed to keep the total within that amount.
  - Water Resources came back at the end of December with a 1.13%.
  - Due to Job and Family Services being short money didn't meet the 1.5% and they came in under that amount.
  - The Dog Warden fit within the 1.5%, as well.

- Commissioner Christian-Bennett would like to see the Sheriff within the same 1.5% and if they go above that amount, he will need to find the additional funding.
  - This would be an option and something the Board would need to talk with Mr. Esposito about when he comes in.
- Commissioner Christian-Bennett asked if the Board officially granted the contract to Mr. Esposito and Director Bragg believes the Sheriff's Office is under the impression Mr. Esposito will be negotiating the contract, but the Board may want to check with Human Resources Director Janet Kovick.
  - Commissioner Christian-Bennett noted Mr. Wilkins also understands that Mr. Esposito will be representing the Sheriff's Office and Director Bragg will check with Director Kovick.

### **Sheriff Pay Comparison**

- This is the largest issue on the list and could be held for a future year discussion.

### **Sheriff's Vehicle Fleet Size and Turnover Rate**

- Increasing the fleet size is a little bit more expense, but it's when you try to increase the turnover rate that you'll see significant changes (\$250,000-\$300,000/year).
  - Road Patrol vehicles are scheduled to be turned over every 4 years and a normal vehicles every 8.
  - If you want the mileage to be decreased, vehicles need to be turned over more quickly.
- When utilizing Enterprise, there are certain vehicles that do better turn-in wise than others, but many Elected Officials prefer to stick with vehicles they like, but it's important to note that a specific vehicle may not generate the most value.
- Medina County has used Enterprise but they doesn't follow the vehicle policy 100%.
- Portage County has saved a lot of money by using Enterprise in maintenance and is doing as well as we every did with gas, but we are still waiting to see results from the turnover.
- Of the few vehicles we used Enterprise to sell, the County hasn't done any better than what sold at auction.
- The Board will need to explore whether it wants to jump completely into the experiment or whether it continues to do a smaller experiment.
- Commissioner Badalamenti mentioned the Chief Deputy has spoken with Enterprise and wondered if it's feasible to schedule a meeting to clear up some of the issues and Commissioner Christian-Bennett suggests the meeting is held with the entire Board./Clerk will schedule.

### **Building Department Staff Compensation**

- Director Roberts had 3 existing job descriptions rewritten and refactored and 1 refactored at a higher range and the other 2 came back at the same range the employees were already in. Director Roberts then created a promotional job and that factored higher and he would like to promote staff to the next job class resulting in a pay raise.

- Director Roberts indicated the job descriptions were not accurate when he became Director of the department and that's the reason for the change.
- How the Board proceeds with this type of issue needs to be consistent for all Commissioners' staff.

#### **General Commissioners' Office Staff Changes / Pay Scale Issues**

- When the pay scale adjusted, an employee at the top of the scale was moved to the minimum of the new scale and even though they fit within the pay scale, people hire in at the exact same pay that a current employee is making after many years of service.
- Director Bragg has presented the Board with a breakdown of costs to get 25+ year employees to the mid-range.
- Now that everyone is at the minimum pay range, the Board will need to provide direction on how employees move through the scale.
- Director Kovick is coming in March to discuss the pay scale and that may be the time to discuss how employees progress.

#### **Airport Non Capital Needs**

- The Airport Capital side has been discussed, but there's an Operating side that needs more discussion.
- The Commissioners' staff will need to have a discussion with Airport personnel and Mr. Bonner so that if the Airport is taken over by the County it is a smooth transition.
- There will be additional expense with the takeover of the Airport because the County cannot utilize some of the methods the current Board uses and there will be a deficit for several years.
- The goal on the Capital side is to have its revenues equal expenses and that will take approximately 2-3 years.
- If the Board is not taking over the Airport, it needs to let them know and also advise what type of support they have or don't have coming so they can begin making decisions.
- Commissioner Christian-Bennett met with PACA, which are owners on the opposite side of the Airport for their feedback.
- Commissioner Christian-Bennett pointed out it may be beneficial to hire a consultant.
  - Director Bragg believes the Commissioners would be spending an extraordinary amount of money for someone to tell them the majority of what they already know. He suggests the Board work with staff and decide realistically what the County can do, what it can afford, and then move forward.
- Commissioner Christian-Bennett would like to try and get the Airport to sustain itself and Commissioner Badalamenti explained there first step is to find someone who knows how to run an Airport.
- Director Bragg explained in terms of the day-to-day operations, the Airport is taken care of by current staffing and it will continue on the day it's taken over by the County.

#### **County Administrator**

- There has been talk about making the County Administrator's position full time, which is a significant increase from what we were previously spending, and it could happen this year.

- Commissioner Christian-Bennett pointed out that the Board has appointments scheduled on March 11<sup>th</sup> with several County Administrators to talk about what works for them and specific challenges they are facing.

#### **IT Part Time Staff**

- Commissioner Christian-Bennett asked what did IT do with the funding provided last year and Commissioner Badalamenti noted there was no discussion on the issue.

#### **Court IT Staff**

- Gordon Fischer, who was the Court's former IT person, transferred to the Prosecutor's Office and they hired another individual and there are some funding issues within that move and the end result is that they can't find \$10,000.
- If the Courts cannot come up with the additional funding, they may need to come before the Board for General Fund money.
- Commissioner Christian-Bennett noted the Courts raised their fees to cover this position as the County has IT services they could utilize.

#### **Commissioners' Boardroom Streaming**

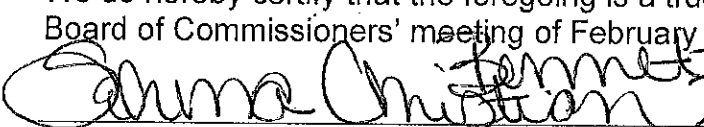
After the Administration Building reopened from COVID and staff started meeting again in person, there have been many complaints about the sound quality of the live stream. The largest contributing factors are face masks and the protective plexiglass. Commissioner Christian-Bennett noted in the past, the Board has always recorded its meetings. Commissioner Badalamenti believes a better alternative for the press is to end the streaming so listeners get a good quality audio and the public is welcome to physically come to the meetings. Commissioner Christian-Bennett suggests when the minutes are posted online, the audio could be posted, as well.

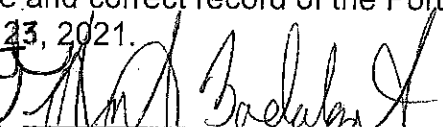
**Motion:** by Commissioner Christian-Bennett, seconded by Commissioner Badalamenti that the Board adjourn the Meeting of **February 23, 2021 at 11:45 AM**

All in Favor: Commissioner Badalamenti, Yea; Commissioner Christian-Bennett, Yea; Commissioner Kline, Absent;


**Motion Carries**

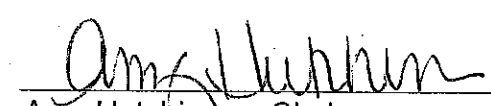
We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting of February 23, 2021.

  
Sabrina Christian-Bennett, President

  
Anthony J. Badalamenti, Vice President

--- ABSENT ---

  
Vicki A. Kline, Board Member

  
Amy Hutchinson, Clerk