

# COMMISSIONER'S JOURNAL

Wednesday

Regular

June 25, 2014

The Coshocton County Commissioners met in Regular session on Wednesday, June 25, 2014 with Mr. Gary Fischer, Mr. Dane Shryock, and Mr. D. Curtis Lee. Also in attendance was Ms. Beth Scott, The Beacon, Mr. Ken Smailes, WTNS and Mrs. Mary Beck, Administrator/Clerk.

## Approve Minutes

Mr. Lee made a motion, second by Mr. Shryock to approve the minutes for the Monday, June 23, 2014 meeting as presented.

Vote:	Fischer	yea
	Shryock	yea
	Lee	yea

## Public Hearing/Resolution 2014-37 – Brine Application – Michael E. Porcher

At 9:00 a.m. a public hearing was opened for the Brine Application request submitted by Mr. Michael E. Porcher for the surface application of salt brine to be applied to the Porcher Trailer roadways. There being no persons present to voice any opinions, Mr. Shryock made a motion, seconded by Mr. Lee to sign Resolution 2014-37 for the surface application of salt brine to be applied to Porcher Trailer roadways.

Vote:	Fischer	yea
	Shryock	yea
	Lee	yea

## Resolution 2014-38 – Auditor Certification for the a 1 mill Renewal of the Children Services Levy

Mr. Lee made a motion, seconded by Mr. Shryock to sign Resolution 2014-38 requesting the County Auditor Certify the renewal of the 1 mill Children Services Levy for the period of 5 years.

Vote:	Fischer	yea
	Shryock	yea
	Lee	yea

## Approve Bills

Mr. Shryock made a motion, seconded by Mr. Lee to approve the bills per computer printout dated June 25, 2014.

Vote:	Fischer	yea
	Shryock	yea
	Lee	yea

## Employee Hired EMS

Mr. Lee made a motion, seconded by Mr. Shryock granting permission to hire Mr. Gary Green as a paramedic at the Coshocton County Emergency Medical Services effective June 25, 2014 as requested by Mr. Bernie Minet, EMS Director.

Vote:	Fischer	yea
	Shryock	yea
	Lee	yea

## Dog Wardens Report

Received the Dog Wardens Report for the week ending June 23, 2014 with 8 dogs picked up by the warden, 3 dogs brought in as strays, 22 citations issued, 21 calls handled, 15 dog licenses sold, 7 late fees paid, 7 dogs sold, 4 dogs redeemed, 1 dog per owner surrender, \$20.00 in boarding fees collected for a total of \$479.00 in fees collected.

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## Transfers/Additional/Reductions

Mr. Shryock made a motion, seconded by Mr. Lee to approve the following Transfers/Additional/Reductions which have been certified by the county Auditor.

### Additional – EMS

FROM	TO	AMOUNT
Unanticipated Revenue	120-0100-5400.02 ODPS Train/Equip.	\$4,750.00

### Transfer – EMS

120-0100-5900.00 Trns. Ems Cap.	353-0100-4009.00 Trns. In EMS Cap.	\$100,000.00
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### Transfer – Juvenile Court

211-0400-5260.00 Contract Services	211-0401-5260.00 Contract Services	\$50,000.00
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### Transfer – Common Pleas Court

001-0220-5260.00 Contract Services	001-0220-5400.00 Other	\$4,000.00
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### Transfer – Clerk of Courts

001-0250-5113.00 Health Insurance	001-0250-5103.00 Ins. Bonus	\$400.00
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Vote: Fischer	yea
Shryock	yea
Lee	yea

### FacilityDude Agreement

Mr. Lee made a motion, seconded by Mr. Shryock to sign a twelve month agreement with FacilityDude to provide the CORSA Preventative Maintenance Program with an initial cost of \$1,550.00 and an annual renewal amount of \$962.50.

Vote: Fischer	yea
Shryock	yea
Lee	yea

### Resolution 2014-39 Authorizing the Purchase of Food

Mr. Shryock made a motion, seconded by Mr. Lee to sign Resolution 2014-39 authorizing the purchase of food for the County Safety Training on June 26, 2014.

Vote: Fischer	yea
Shryock	yea
Lee	yea

### Public Hearing – Amendment to the Coshocton County Commissioners Subdivision Regulations

At 10:00 a.m. Mr. Fischer opened the meeting to the public hearing for the proposed amendment to the Coshocton County Subdivision Regulations. The following persons attended: Mr. Gary L. Fischer, Mr. Dane R. Shryock, Mr. D. Curtis Lee, Mrs. Mary Beck, Ms. Beth Scott, The Beacon, Mr. Ken Smailes, WTNS, Mrs. Tiffany Swigert, Mr. Don Wells, Mrs. Dorothy Skowrunski, Mr. Fred Wachtel, Mr. Rod Lindsey, Mrs. Sarah Jane Lindsey and Mr. Paul Golden. Mr. Fischer turned the meeting over to Mrs. Swigert and Mrs. Swigert then reviewed the current standards and she also presented everyone in attendance with the proposed standard amendment.

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## Public Hearing Continued

Mrs. Swigert further explained that it is the responsibility of the Board of County Commissioners to set these regulations. She also explained that although we are lessening the standards by some, we are making several requirements to help with any issues that may arise. These private road subdivisions will still come before the Regional Planning Board. Mr. Fischer opened the floor for any comments. Mrs. Lindsey stated that she lives on a road that was built with no standards and at some times it is almost impassable. She stated that she does not think the Commissioners want to have this for the future. Mrs. Swigert asked if when they purchased their home, were they aware that it was a private road. Mrs. Lindsey stated that yes, but she did not expect this. Mrs. Swigert explained that there are provisions within this amended document to alleviate her issue. Mrs. Lindsey stated that the county should not condone such situations to perpetuate. We were young and naive when they purchased their home and she feels the county should make sure something like this does not happen again. Mr. Lee stated that he understands this and feels that maybe we should put a limit on the number of houses being allowed to be built on a private road. Mr. Lindsey stated that they have tried to work with their landowners on their road but was never able to get anything done. Mr. Shryock stated that he understands the Lindsey's comments. However, in the past, you were able to have a private road; we are not creating something new here. We are wanting to amend what is in place. Mrs. Lindsey stated that the County wants to lessen the standards that are in place at this time and they don't feel that is a good thing. Mrs. Swigert stated that the amendment would lessen some of the standards, but it still sets in place requirements that would help her issue. Mr. Paul Golden stated that he asked the Lindsey's to attend today because he understands their issue. He asked if the Commissioners looked at the County Comprehensive Use Plan. He then stated that there are issues of drainage and other things that are not maintained and cause issue with other residents. He feels that there are many things that need to be considered when allowing a private road and he does not feel these amended standards are restrictive enough. He feels that maintenance agreements make the issue become a civil matter. It will still adversely affect adjacent landowners. He then stated that Mrs. Swigert stated that the public says that it is too expensive to utilize the old standards. He stated that there are none of those individuals here today to state this. He asked where they are. He then stated that on May 12<sup>th</sup> in the executive committee meeting that Mr. Shryock stated that the Commissioners have decided on the amendment for the private road standards and so he is questioning why even have this public hearing. Mrs. Swigert stated that she wrote those minutes and it was the way she wrote them and she would hope that he would not hold that against the Commissioners. There has been no decision made. He would hope that these three Commissioners would not do something like this. Mr. Shryock stated that if he said that maybe he misspoke and he will be the first to admit he does not always speak correctly. Mrs. Swigert stated that she feels Mr. Shryock presented this fairly to the Executive Committee and Mr. Wells and Mr. Wachtel can both attest to that fact. Mr. Shryock then stated that he appreciates everyone's attendance here today and understands their stance. He also stated that we were all young once and can feel for the Lindsey's. He reviewed what some other counties are doing with roads and he feels we need to look at making an amendment to these regulations. He asked Mr. Golden if he supported the relaxed standards when he was on the executive committee for Regional Planning. Mr. Golden stated that he would agree to the previous amendment as long as they addressed the drainage issue. Mrs. Lindsey asked the Commissioners to bite the bullet and keep the standards they have in place. Mr. Lee stated that he lives on a Township Road that if he meets a vehicle anywhere on this road he has to pull into a ditch or driveway, but if he wants to split off his property, he has to build a road that is at least 16 feet wide. Mr. Golden then stated that Mr. Shryock once told him that it was the responsibility of government to protect the citizens and not overburden them. Mr. Fischer stated that this is what we are looking at now, and that is not overburdening a citizen. Mr. Fischer then stated that as to Mr. Golden's questions about where are the citizens who want these changes. He stated that if we would have solicited them to this meeting, this room would have been full. Mrs. Swigert stated that in the past there was a specific resident that was required to make many changes as well as requesting many variances from Regional Planning just to be able to have this private road. The cost for this was excessive and that was a burden on the resident. Mr. Wells stated that in reality, what they are providing would be fine, but this is not the type of subdivisions we are seeing in Coshocton County. We are seeing additions to private roads at the end of already developed private roads. He feels that in his opinion it is the responsibility of the government to make certain we have these standards in place and then be able to request a variance to those standards. Mr. Lee stated on that issue, it should be noted that there has never been a variance on a private road denied. Mr. Golden stated that he understands that

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the Commissioners have the ability to give their authority for the roads standards to Regional Planning. Mr. Shryock stated that it is the responsibility of the Board of County Commissioners to set these standards, but if they choose to delegate that authority they could do so. He then stated that as a responsibility as defined by the revised code he feels the Commissioners should keep that. Mr. Golden then stated if they felt that Regional Planning did not follow through the way the Commissioners wanted, couldn't they take that back from them then. Mr. Golden stated that he does not feel that because someone complains about the way things are done, then Mrs. Swigert should make changes to the standards. He questioned again who are these people with complaints. Mrs. Swigert stated that there are many residents who do feel the standards in place cause a burden to residents. Mr. Golden stated that he feels the standards in place should remain and residents should request variances. Mr. Fischer asked if the variance went through Regional Planning, wouldn't the drainage issued still exist. Mr. Golden stated that the variance would only be granted if that issue would be addressed. Mr. Golden stated that he feels you shouldn't grant variances for everything it should be each standard. He stated that he just can't understand why they want to make a change to the standards in place. Have there been any issues on those roads. Mrs. Swigert stated that to her knowledge there have been none. Mr. Fischer stated that we hear both sides of the coin of people who feel burdened by the standards as well as those who do not want the standards to change. Mrs. Swigert stated that one of the things that got us looking into this was the fact that she went to look at a subdivision and had to travel on 2 township roads that were subpar and then we were requiring that the private road be built to standards which was in much better shape than the township roads. It seems wrong to do that. Mr. Golden stated that two wrongs don't make a right. Mrs. Skowrunski asked why were the standards adopted originally in 2008. Mr. Golden stated that they were adopted because it was determined that a private road did not have the traffic as other roads and therefore the base did not need to be as significant. Mr. Wachtel stated explained the history of the private road that goes back very many years. He explained the development of and reasoning behind a private road. Then he explained how and why those standards were relaxed. He explained that they tried to get everyone on the same playing field. It was an attempt to try to build a system that was equal to all residents. By having this process, it gives us some ability to make sure issues that could arise in the future are addressed. Mr. Lee asked if Access Management was the driving factor in the 2008 regulations. Mrs. Swigert stated that no, we had to take a look at our process here in Coshocton, and move forward with that. Mr. Wachtel stated that this has been an ongoing process of trying to protect the residents and allowing John Q. Public the ability to make some changes that benefit him. Mr. Wells stated that one resident doing this, he doesn't really have an issue with, but when you start with 2, 3 or 4 then he feels this is not right. Mr. Golden stated that Regional Planning is not a variance committee. They are a planning commission. He stated that he is not on Regional Planning anymore, but he voted no on variances when he was on Regional Planning. Mr. Shryock brought up several instances that were private roads built off of an easement. These rules were not in place and all of those subdivisions were in place and sometimes government does get in the way. Mr. Golden stated that all those roads are now public roads on the subdivisions that Mr. Shryock mentioned. Mr. Lee stated that all private roads can then be made into public roads if they choose to follow the process that is required. Mr. Fischer thanked everyone for coming in and stated that he wanted to make certain that everyone understands that no decision has been made and we hold this meeting to get input from everyone. We take all comments into consideration and hope to come up with a solution. At 11:17 a.m. Mr. Fischer closed the public hearing.

Adjourn

At 12:00 p.m. Mr. Fischer adjourned the meeting.

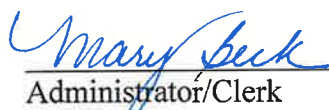


Gary L. Fischer

Dane R. Shryock



D. Curtis Lee



Administrator/Clerk