

Regular Meeting #30 - 2020
Fairfield County Commissioners' Office
July 14, 2020

Review

The Commissioners met at 9:03 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Joshua Horacek, Tom Lininger, Eric McCrady, Aunie Cordle, Chief Lape, Ray Stemen, and Bennet Niceswanger. Joining via teleconference were Staci Knisley, Tony Vogel, Amy Brown-Thompson, Lisa McKenzie, Jon Kochis, Jeff Porter, Elisa Dowdy, Nikki Drake, Dave Burgei, Tiffany Nash, Larry Hanna, and Rick Szabrak.

- Welcome

Commissioner Davis welcomed everyone to the meeting.

- COVID-19 Update

Jon Kochis, EMA Director, updated the Board of Commissioners.

Mr. Kochis reported that there was a significant increase over the weekend with three days' worth of data. He suspects there was an increase in numbers due to the combination of increased testing and increased positive results.

Mr. Davis asked if there would be another test site open for the county.

Mr. Kochis replied they were working on that for August 6th. They have a site confirmed and are waiting to confirm with the National Guard. They are also beginning to support Hometown Urgent Care. Mask compliance is increasing, and they are encouraging everyone to wear a mask to be kind to others.

Mr. Davis asked about the test supply.

Ms. Nash replied they have 150 tests on site and another 400 are in route.

Mr. Hanna added that they will be increasing their contact tracers by adding another six or seven soon. He stated the message everyone needs to convey is that everyone needs to wear a mask to protect themselves, others, and the community. Wearing a mask is the right thing to do.

Mr. Levacy asked how many COVID patients were in ICU beds at FMC.

Mr. Kochis replied they did not have those numbers.

Mr. Fix asked if they could expect to bounce back and forth between the orange and red advisory levels.

Mr. Kochis replied that they could bounce back and forth, but he does not see the county leaving two of the four categories for data points that put the county in the red level. He does not have access to the information for the other two data points that were met for the red level. He expects the county will stay at the red level at this time.

Ms. Nash added that overnight 32 cases were added to the count. While there could be fluctuation to the orange level, she does not see that happening this week.

Mr. Fix asked about the schools reopening. Are the schools in contact with the Health Department?

Ms. Nash replied that they had a meeting with the schools on Friday and are preparing guidance.

Mr. Davis stated he was given two hours' notice from state officials about Fairfield County moving to the red level, and while he is not worried about the red level, he is

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worried about moving to the purple level. He stated he would appreciate any heads up the Health Department can provide if this were to happen.

Ms. Nash replied she was on a conference call yesterday where many counties expressed the same desire.

Mr. Davis asked if there was any concern of entering the purple level for Fairfield County right now.

Ms. Nash replied she is very concerned with the increase in cases but is not sure about entering the purple level.

Mr. Kochis noted that the governor typically gives a week of warning if a county is approaching the purple level.

Mr. Levacy asked with the increase in testing, was there an increase in ICU beds dedicated to COVID-19 patients? He thought the numbers seemed flat and asked what FMC's numbers were.

Mr. Kochis replied that he receives a daily update about COVID-19 patients from FMC. Yesterday, they had six probable patients and five confirmed. Last week they had one patient. It is hard to track ICU beds as they do not have access to that information on a local level. There is an indication of increased cases.

Dr. Brown reported that over time, we have communicated about how we are strongly encouraging people to wear masks or facial coverings. We have reviewed articles and information on the efficacy of wearing masks. The advisory system draws attention to the importance of the precautionary measures.

Additionally, information regarding masks is posted throughout the Administrative Courthouse and other county buildings. The review packet contained updated signage for buildings.

When thinking about children and masks, with the latest guidance we have received, we understand that children under 10 are not required to wear masks, but they can. Children under 3 should not wear masks. Children between the age of 3 and 10 can wear a mask, but again, are not required.

- Legal Update

Mr. Witt asked Mr. Horacek to mention SB 3 that downgrades low level crimes and places costs on the county. There were last minute revisions that would allow TCAP funds to help with that. It is currently under consideration in the House.

At 10:30 am, Joshua Horacek will provide an update about the process to place speed limit signs on roads as well as to line the roads for safety.

- Administration and Budget Update/Carri's List

- a. Announcements & Date Reminders

Anyone can email or text a question anytime:
Carri.Brown@FairfieldCountyOhio.gov
(740) 777-8552

Date Reminders and Calendar Review

August 5 – Wear green for Child Support Awareness

August 6 – Elected Official and Department Head Roundtable Meeting –
Workforce Center

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b. Highlights of Resolutions

Dr. Brown highlighted the 15 resolutions planned for the voting meeting.

The County Engineer proposed a resolution to approve the contract with Bituminous Pavement Systems for the 2020 Crack Sealing Project and a resolution to approve the contract with Dura Mark, Inc. for the 2020 Pavement Markings Project, as well as resolutions to approve the notices to commence for these two projects (four resolutions).

The County Engineer also proposed two resolutions relating to failed collector tile in Forest Green Estates Subdivision and in Greenfield Estates Subdivision, Lot 7.

Eric McCrady updated the Board of Commissioners on the next actions the County Engineer would take to address the collector tile.

JFS proposed two resolutions for child protective placement in network.

Ms. Cordle provided a high-level overview about how placement costs were increasing for the county. Ms. Cordle stated there is not a huge increase in the number of kids, but rather, the costs for the kids continues to rise.

Mr. Davis asked for an update on placements with a one-page summary.

The group discussed this a bit more. There will be an update dedicated to this specific topic.

There were *financial and grant related resolutions* to approve, such as:

- Approval of the tax budget;
- Transactions relating to the approved uses of the CARES Act (HB 481) funds; looking at the categories of expenses that the US Treasury uses, we will show expenditures of \$6,210 for public health expenses, \$1,555,774.23 for payroll support of public health and safety, and \$10,940 to improve telework capabilities, as of the approval of this resolution; the remaining \$104,925.29 of our allocation is expected to be used for public health expenses, improving telework capabilities, and/or match money for the Stafford Act grant;
- Memo transactions for the GIS base mapping program;
- Appropriations from unappropriated funds for FCFACF (two resolutions); and
- Account to account transfers of appropriations for JFS and Juvenile Court.

In queue, there were financial and contracting resolutions at various stages of progress.

c. Administrative Approvals, Program, & Budget Update

Administrative Approvals and Update

The review packet contained a list of administrative approvals. There were no questions posed.

Budget Update

The deadline for level 3 budget entry is September 3.

The tax budget (level 2) is on the voting agenda today and will be filed once approved with the County Auditor.

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Initial CARES Act expenditures have been documented. As stated before, we will be flexible with any adjustments. We reviewed notes to the file for the CARES Act funding, and we discussed the five-year period for records retention.

We plan to support expenditures for the County Parks District (sanitation stations) and will support REA employees (technology to improve teleworking) which were not listed on the planning tool originally. There were other adjustments to make. We will report on the special revenue fund each week.

Looking at the categories of expenses that the US Treasury uses, we will show expenditures of \$6,210 for public health expenses, \$1,555,774.23 for payroll support of public health and safety, and \$10,940 to improve telework capabilities, as of the approval of resolution on the voting agenda today; the remaining \$104,925.29 of our allocation is expected to be used for public health expenses, improving telework capabilities, and/or match money for the Stafford Act grant.

In addition, we learned that the state funding for the Coronavirus Supplement was awarded at a level lower than originally communicated, and we therefore need to make an adjustment for technological equipment expenditures. We want the courts to be able to get what they need, of course, and we will adjust to use the funding appropriately, looking at all sources known at this time to address the pandemic.

With Stafford Act funding, we have expenses within the general fund about just over \$100,000 through July 9, 2020, for which we are in the process of submitting for reimbursement. There will also be expenses from EMA, DD, and JFS to add to this, as well as additional expenses through the end of the year. With the Stafford Act funding, we can submit for reimbursement periodically.

We are on track for closing for the refinancing and Airport bond by the first week of August (this deadline was extended from the original deadline based on time bond counsel requested). Savings are similar to what was projected. Bond counsel is in process of preparing multiple documents.

Non-auto sales tax for May retail sales (to be received in August) is estimated to be \$1,509,489.71. That is 4% above last year's non-auto sales tax number. Our planning tool shows \$1,120,497 for all sales tax for this time period. We will get preliminary data on auto sales tax soon.

Mr. Davis stated he and Dr. Brown discussed the overall financial situation for the county earlier in the day. There are more factors impacting the financial situation than usual. There are some scenarios in which the county comes through in a viable way, but it is also dependent on the future of the virus and the responses to it. He does not think they can be faulted for feeling pretty good for where they are today, but they cannot carry that too far forward. He called Representative LaRe for some insight on the State's timeline for a potential second round of CARES Act related funding. He does not sense this is an optional step, but rather a required one.

Returning to the tax budget process, Mr. Davis stated that the fact that the County continues to go through the tax budget process is arcane.

Dr. Brown stated the polite request to alter the process was mentioned during the tax budget hearing again. It is the process itself that is inefficient and costly; there are formal steps that are not needed. It is the decision of the Budget Commission to waive or not waive the process.

Mr. Davis stated that they have indications from the County Auditor that there is a point in the future where he may look favorably on eliminating that process. This is not expected soon but is expected down the road.

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Dr. Brown stated that some County Budget Commissions have waived the process during the pandemic.

Mr. Davis stated that there have always been other things more important to argue about than this issue. It just has not be come to the top of the pile of issues yet.

COVID-19 Update – Additional information

Returning to issue of the pandemic, Mr. Davis stated that he just received a text from Mr. Janoso from Fairfield Medical Center. In the text, Mr. Janoso stated that the pandemic in the community is getting worse not better. Mr. Davis stated he did not believe Mr. Janoso was one to exaggerate and he took the text to be a good indicator of the health condition being experienced in the county relative to the pandemic.

d. BRAVOs

Bravo to Christina Foster for volunteering to serve on the Board of Revision for a time when Rick Szabrak was unable to do so. Thanks for multiple leaders in the Commissioners' Office for serving in this capacity.

Thanks, again, to everyone that worked so hard on the Records Center project. The conference room is well used; the offices are very useful; and the records are stored neatly.

Thanks to Rick Szabrak and his team for organizing the Revolving Loan Fund program to help area businesses. Doug Durrett, our new addition to the Economic and Workforce Development Department, is available to answer any questions about this program. A press release about the opportunity was issued on July 8th.

Bravo to DD for holding virtual engagement meetings for employees. I enjoyed providing a presentation on July 9th about how to stay positive and flexible during the pandemic and during any challenging time.

Bravo to Branden Meyer and his team. A local attorney provided the following feedback: "You and your team have adjusted exceptionally well to the COVID restrictions and concerns. I have been so impressed with everyone in the office, their patience, professional responses, and your excellent leadership to rapidly step through the creation of an e-file system--remarkable accomplishments. Please pass along my appreciation for all of the successful efforts."

- Old Business

- a. Major Crimes Unit Governing Board Annual Meeting

The Major Crimes Unit has a stated purpose is to provide additional police protection to the citizens of Fairfield, Hocking, and Athens counties to reduce the influence and effects of illegal drug trafficking activities, as well as other major crimes activities. Their Council has a seven-member Governing Board that consists of one County Commissioner or designee from each county, and the Mayor, City Manager, or designee from the cities of Lancaster, Pickerington, Logan, and Athens. (The Council also has an eleven-member Operating Board that handles the daily operations and reports to the Governing Board. The Operating Board is made up of the Fairfield, Hocking, and Athens County Sheriffs and Prosecuting Attorneys, as well as the Chiefs of Police from the four cities listed above, and the Chiefs of Police from the City of Nelsonville and of the Ohio University.) The MCU held an annual Governing Board meeting on July 8th, and Commissioner Davis attended that meeting. He stated he was appreciative of the Major Crimes Unit and its work.

- b. Traffic Issues on Horns Mill Road

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Mr. Davis stated that he read a response from ODOT about the Horns Mill Road question and sensed from it that the state had some wiggle room for a five mile an hour reduction.

Mr. McCrady replied he did not sense that, but he would reread it prior to the 10:30 a.m. meeting. Mr. McCrady stated the study showed 50 mph was appropriate; he would like to see if it could be 45 mph. It is currently 55 mph, which is where Mr. Davis was probably thinking about the 5 mph change.

- New Business (none)
- General Correspondence Received (none)
- Calendar Review/Invitations Received (none)
- FYI
 - a. Jail Population – 240
 - b. MORPC (virtual) Meeting on July 30th – Commissioner Fix will provide the welcoming comments.
 - c. Anytime, a public records request or a question can be posed to:

Rachel.Elsea@fairfieldcountyohio.gov or Carri. Brown@fairfieldcountyohio.gov

- Open Items

Commissioner Davis stated at 9:56 a.m. that the Commission would be in recess until the 10:00 a.m. Regular Meeting.

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, July 14, 2020 beginning at 10:02 a.m., with the following Commissioners present: Steve Davis, Jeff Fix and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Joshua Horacek, Tom Lininger, Chief Lape, Aunie Cordle, Eric McCrady, Ray Stemen, Ed Laramee, and Bennett Nicewonger. Joining via teleconference were Staci Knisley, Amy Brown-Thompson, Lisa McKenzie, Jon Kochis, Jeff Porter, Dave Burgei, Rick Szabrak, and Jeff Barron.

Pledge of Allegiance

Commissioner Davis led everyone in the pledge of allegiance.

Announcements

Commissioner Davis asked if there were any announcements.

There were no announcements.

Public Comment

Commissioner Davis asked if anyone from the public who would like to speak or offer comments.

Mr. Ray Stemen on 2444 West Point Road in Lancaster stated everyone needed to reach out to everyone they know about how to re-elect our President. He believes it is very important the President gets back into office as he is doing what is right and the Democrats are not.

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Approval of Minutes for July 7, 2020

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the minutes for the July 7, 2020 Regular Meeting.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Auditor's Office Resolution

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the Auditor's Office resolution authorizing a memo expense memo receipt for reimbursement of agency share of Fairfield County Base Mapping Program 2020-2025 for fund 2443 – GIS Department; see resolution 2020-07.14.a.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Commissioners' Resolutions

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Commissioners' Office resolutions:

2020-07.14.b A resolution approving the adoption of Tax Budget for Fiscal Year 2021
[Commissioners]

2020-07.14.c A resolution to approve memo receipts to the General Fund# 1001 and
memo expenditures for the County Coronavirus Relief Fund #2868
[Commissioners]

Discussion: Mr. Fix asked why they had to do a tax budget. Mr. Davis replied that the Commission has lobbied the County Auditor to discontinue the tax budget hearings, but the Auditor does not wish to do so. The Commission will continue discussions.

Mr. Fix asked how the process could be changed. Dr. Brown replied that the Budget Commission could vote on a waiver, and the County Auditor must agree to such a waiver. The Budget Commission is comprised of the County Prosecutor, County Auditor, and County Treasurer.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Engineer's office Resolutions

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Engineer's Office resolutions:

2020-07.14.d A Resolution to Approve the Contract with Bituminous Pavement Systems
for the 2020 Crack Sealing Project. [Engineer]

2020-07.14.e A Resolution to Approve the Notice to Commence for the 2020 Crack
Sealing Project [Engineer]

2020-07.14.f A Resolution to Approve the Contract with Dura Mark, Inc. for the 2020
Pavement Markings Project. [Engineer]

2020-07.14.g A Resolution to Approve the Notice to Commence for the 2020 Pavement
Markings Project [Engineer]

2020-07.14.h A resolution to address a failed collector tile in Forest Green Estates
Subdivision. [Engineer]

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2020-07.14.i A resolution to address a failed collector tile in Greenfield Estates Subdivision, Lot 7. [Engineer]

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Family, Adult, and Children First Council Resolutions

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Family, Adult, and Children First Council resolutions:

2020-07.14.j A resolution to appropriate from unappropriated funds in a major category expense for the Fund# 7521, subfund#8232 – Family Adult Children First [Family, Adult and Children First Council]

2020-07.14.k A resolution to appropriate from unappropriated funds in a major category expense for the Fund# 7521, subfund#8232 – Family Adult Children First [Family, Adult and Children First Council]

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Job and Family Services Resolutions

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Job and Family Services resolutions:

2020-07.14.l A resolution regarding Network Placement and Related Services Agreement between Unk's Place, and Job and Family Services, Child Protective Services Department [JFS]

2020-07.14.m A resolution approving an account to account transfer Fund 2843 Ohio Start, Fairfield County Job and Family Services [JFS]

2020-07.14.n A resolution regarding Network Placement and Related Services Agreement between A New Leaf and Job and Family Services, Child Protective Services Department [JFS]

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Juvenile/Probate Court Resolution

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the Juvenile/Probate Court resolution approving an account to account transfer; see resolution 2020-07.14.o.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Review Continued

Dr. Brown mentioned the Commission received a very nice thank you note from Gene Wood. She encouraged everyone to stay in touch with Mr. Wood.

Commissioner Davis stated at 10:10 a.m. that the Commission would be in recess until the 10:30 a.m. Traffic Control discussion.

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Traffic Control Discussion – Meeting with Joshua Horacek, Assistant County Prosecutor

The Commissioners met at 10:30 a.m. for a Traffic Control Discussion. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Joshua Horacek, Jeremiah Upp, Eric McCrady, Ray Stemen, Bennett Niceswanger, Jon Slater, and Roger Huston representing the area homeowners.

Mr. Horacek presented the attached relevant statutory provisions for traffic control concerns on Horns Mill Road. The packet of information also included excerpts from manuals of the Ohio Department of Transportation.

The group discussed the concerns that were raised by area residents regarding Horns Mill Road. A traffic study was conducted, and the group was examining what could be done to answer the concerns.

In addition, Mr. Davis stated that the circumstance gave rise to an opportunity to hear about the processes that were available for changing a speed limit.

Mr. Horacek reviewed the materials he provided in the packet.

There was a potential of using a form 1296-15 (documentation for speed zones on unimproved roads in residential and commercial subdivision streets) was discussed. This is not a form that had been used for a county road in the past, but it did appear to be an avenue for this case because there was an old plat that had been filed for the residential area.

Mr. Davis asked what the other side of the argument would be to not lower the speed.

Mr. Upp replied it is a collector road which makes it a higher status road. Many Hide-A-Way Hills residents use the road to get to the highway. He is not aware of any substantial businesses using the road; general residents utilize the road to get to and from work.

Mr. Davis asked if everyone was favorable to the change in speed limit if it would be prudent to post the potential change to allow those who are opposed to the change to have an opportunity to educate the Commissioners on their point of view.

Mr. Horacek replied a hearing was not necessary.

Mr. Upp added that if there is a speed limit change, it would not be for much of the road. He does not think the change would be that big of an effect on those who use the road. Changing the limit on the entire road would be a different story.

Mr. Fix asked what the length of road was that they were proposing to reduce.

Mr. McCrady replied the minimum was 560 feet.

Mr. Fix asked if they could reduce the limit without ODOT's approval.

Mr. Horacek stated the form seems to indicate they can fill out the form and post signs, and the form seems to be more of a notification tool.

Mr. Upp replied that is what they do for residential areas otherwise. They normally do not receive anything back from ODOT acknowledging receipt.

Mr. Fix stated he thought it would make sense to complete the form without jumping through the hoops of a hearing and going through all the rigamarole of another process.

Mr. Davis stated they want to be cognizant of ODOT as a funding source for the Engineer. The second issue regarding the hearing is that it could bolster the change in the information from when ODOT denied the change to when the Commissioners went ahead and did it. He

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understands there is time and some risk in going this direction, but he wondered if a hearing would be a bolstering factor in the submission that would outweigh the time and risk.

Mr. Fix stated he thought that the form submission had not ever been denied or sent back saying they cannot make the change in the past.

Mr. Upp replied that was correct, but it has never been submitted in a case like this as they are always in residential developments. This is an unusual case with a very old plat.

Mr. Davis added that this form would be sent in right after the County sent a study in that ODOT reviewed and denied a speed limit change.

Mr. Horacek added that ODOT had been asked for their input, but they did not technically deny a change.

Dr. Brown stated that a resolution from the Board of Commissioners would be needed for any formal action.

Roger thanked everyone for being so open-minded. He also mentioned larger trucks were using the road in addition to residents.

Mr. Davis asked Mr. Horacek about no passing zones.

Mr. Horacek replied that no passing zones are regulated in the Uniform Traffic Control Devices Manual. No passing zone requirements are determined by the physical location and engineering judgment.

Mr. Davis asked if the Engineer's Office had looked at the no passing zone issue.

Mr. Upp replied he did look at it and had Mr. McCrady look into it.

Mr. McCrady replied the last study was in 2015, and the area is a passing area. That is without looking at the access points or density. He knows there are other roadways they have made no passing zones to err of the side of safety. He stated they could write something up justification stating that it would be best to do a no passing zone for the area.

Mr. Upp stated he has no problem making it a no passing zone as there is precedent there to do it.

Mr. Davis asked Mr. Upp if he were completing the form for a change in the speed limit, what speed limit would he place on the form?

Mr. Upp replied he would request 35 mph because they are leaning on that subdivision plat. He thinks it falls in line with the density and the subdivision that is there.

Mr. Levacy stated that they obviously do not want to upset ODOT, but he thinks there is enough legal authority to move ahead without having a public meeting, but he did suggest including supporting documents and requests from the homeowners in that area.

Mr. Upp stated they had a petition with all the signatures requesting it be lowered.

Mr. Davis stated it was not new information though.

Mr. Upp believes the relationship with ODOT is not as much of a concern as Mr. Davis believes it could be due to County Engineer's positive relationship with ODOT.

Dr. Brown stated that sometimes a hearing can slow things down, so they could do a virtual hearing online and/or by telephone. That information could be presented to the Board in the normal course of operations. In this way, people can participate anytime without having to come to a meeting.

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Mr. Fix suggested that if they make a big deal out of it, then it would have to be a big deal to ODOT, but if they simply submit the form, it will probably never hit their radar.

Mr. Davis stated that if they hit a snag they could circle back.

Mr. Upp replied they deal with this situation about requests for changes all the time; this is just one case before the Commission.

Mr. Davis suggested that the Engineer and Prosecutor come up with a strategy or solution and advise the Commissioners in one week as to the proposed strategy and how the Commission can be helpful.

Mr. Horacek stated that a resolution would need to be passed. The Engineer and Prosecutor's Office representatives stated they would report back with a sensible strategy.

Mr. Davis thanked everyone for the collaboration and professionalism.

Review Continued

Mr. Davis informed Mr. Slater that because there was a resolution regarding the approval of a Tax Budget, the Commissioners once again, expressed a degree of animosity for that process. The Commission has not made it a hill they are going to die on, but they maintain that for the county as an entity, the process is not meaningful to the Commission.

Mr. Slater replied that they want it to be a meaningful process for entities. He stated for other entities it is meaningful. He stated the Budget Commission has reviewed the issue from time to time. It could be waived for the County. He does believe it is a good opportunity to have the treasurer, auditor, and prosecutor in the room to have sidebar conversations. They have not waived the process for the county. They are concerned about equity because others will want the waiver, too. Mr. Slater stated he would bring the issue before the Budget Commission again when they meet.

Dr. Brown stated that the side bar conversations and other positives about meeting do not have to go away if formal process is waived and the inefficiency of the process goes away. If anything, the informal meetings can happen more efficiently.

Adjournment

With no further business, on the motion of Jeff Fix and a second of Dave Levacy, the Board of Commissioners voted to adjourn at 11:20 a.m.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

The next Regular Meeting is scheduled for Tuesday, July 21, 2020 at 10:00 a.m.

Motion by: _____ Seconded by: _____
that the July 14, 2020 minutes were approved by the following vote:

YEAS: 10 NAYS: None

ABSTENTIONS: None

*Approved on July 21, 2020

11

Steven A. Davis
Commissioner

Seconded by:

that the July 14, 2020 minutes were approved by the following vote:

NAYS: None

100

Wm. L. L.

Dave Levacy
Commissioner

Jeff Fix
Commissioner

Blue Lake

Rachel A. Elsea, Clerk



RELEVANT STATUTORY PROVISIONS

R.C. 5543.01:

(A) * * * the county engineer shall have general charge of the following:

(1) Construction, reconstruction, improvement, maintenance, and repair of all bridges and highways within the engineer's county, under the jurisdiction of the board of county commissioners, except for those county roads the board places on nonmaintained status pursuant to section 5541.05 of the Revised Code;

R.C. 4511.01:

As used in this chapter and in Chapter 4513, Of the Revised Code:

* * *

(AA): "Local authorities" means every county, municipal, and other local board or body having authority to adopt police regulations under the constitution and laws of this state.

Notes:

The County Engineer is not a "local authority" under R.C. 4511.01(AA). *Royce v. Smith*, 68 Ohio St.2d 106, 114, 429 N.E.2d 134, 139 (1981).

R.C. 4511.07:

(A) Sections 4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code do not prevent local authorities from carrying out the following activities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power:

(1) Regulating the stopping, standing, or parking of vehicles, trackless trolleys, and street-cars;

(2) Regulating traffic by means of police officers or traffic control devices;

(3) Regulating or prohibiting processions or assemblages on the highways;

(4) Designating particular highways as one-way highways and requiring that all vehicles, trackless trolleys, and streetcars on the one-way highways be moved in one specific direction;

(5) Regulating the speed of vehicles, streetcars, and trackless trolleys in public parks;

(6) Designating any highway as a through highway and requiring that all vehicles, trackless trolleys, and streetcars stop before entering or crossing a through highway, or designating

nating any intersection as a stop intersection and requiring all vehicles, trackless trolleys, and streetcars to stop at one or more entrances to the intersection;

(7) Regulating or prohibiting vehicles and trackless trolleys from passing to the left of safety zones;

(8) Regulating the operation of bicycles; provided that no such regulation shall be fundamentally inconsistent with the uniform rules of the road prescribed by this chapter and that no such regulation shall prohibit the use of bicycles on any public street or highway except as provided in section 4511.051 of the Revised Code;

(9) Requiring the registration and licensing of bicycles, including the requirement of a registration fee for residents of the local authority;

(10) Regulating the use of certain streets by vehicles, streetcars, or trackless trolleys.

(B) No ordinance or regulation enacted under division (A)(4), (5), (6), (7), (8), or (10) of this section shall be effective until signs giving notice of the local traffic regulations are posted upon or at the entrance to the highway or part of the highway affected, as may be most appropriate.

(C) Every ordinance, resolution, or regulation enacted under division (A)(1) of this section shall be enforced in compliance with section 4511.071 of the Revised Code, unless the local authority that enacted it also enacted an ordinance, resolution, or regulation pursuant to division (A) of section 4521.02 of the Revised Code that specifies that a violation of it shall not be considered a criminal offense, in which case the ordinance, resolution, or regulation shall be enforced in compliance with Chapter 4521. of the Revised Code.

Notes:

"The language used in R.C. 4511.07 does not, at first glance, appear to be an affirmative delegation of authority. The words '[these statutes] do not prevent local authorities from carrying out the following activities' might be construed merely as a statement that the general statutes were not intended to be exclusive. A reading of the entire section, however, indicates that it was the intent of the General Assembly to grant local authorities the power to carry out the activities listed therein." 1979 Ohio Atty.Gen.Ops. No. 2-196.

R.C. 4511.11:

(A) Local authorities in their respective jurisdictions shall place and maintain traffic control devices in accordance with the department of transportation manual for a uniform system of traffic control devices, adopted under section 4511.09 of the Revised Code, upon highways under their jurisdiction as are necessary to indicate and to carry out sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, local traffic ordinances, or to regulate, warn, or guide traffic.

* * *

(D) All traffic control devices erected on any street, highway, alley, bikeway, or private road open to public travel shall conform to the state manual.

Notes:

Passing zones are addressed in Section 3B.02 of the Ohio Manual of Uniform Traffic Control Devices (attached as Exhibit A)

R.C. 4511.21

* * *

(B) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to this section by the director of transportation or local authorities, for the operator of a motor vehicle, trackless trolley, or streetcar to operate the same at a speed not exceeding the following:

* * *

(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section, highways as provided in divisions (B)(9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B)(12), (13), (14), and (16) of this section;

* * *

(I)(1) Except as provided in divisions (I)(2), (J), (K), and (N) of this section, whenever local authorities determine upon the basis of criteria established by an engineering study, as defined by the director, that the speed permitted by divisions (B)(1)(a) to (D) of this section, on any part of a highway under their jurisdiction, is greater than is reasonable and safe under the conditions found to exist at such location, the local authorities may by resolution request the director to determine and declare a reasonable and safe prima-facie speed limit. Upon receipt of such request the director may determine and declare a reasonable and safe prima-facie speed limit at such location, and if the director does so, then such declared speed limit shall become effective only when appropriate signs giving notice thereof are erected at such location by the local authorities. The director may withdraw the declaration of a prima-facie speed limit whenever in the director's opinion the altered prima-facie speed limit becomes unreasonable. Upon such withdrawal, the declared prima-facie speed limit shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

* * *

(K)(5) As used in division (K)(5) of this section:

* * *

(b) "Residential subdivision" means any platted territory outside the limits of a municipal corporation and fronting a highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business.

Notes:

Criteria for engineering study is found in Section 1200 of the ODOT Traffic Engineering Manual (attached as Exhibit B.)

Per Ohio Department of Transportation:

When setting speed limits it is important to have speed limits that the majority of drivers consider reasonable. Studies have shown that most drivers tend to drive at a speed they are comfortable with. Raising or lowering the speed limits does not have a significant effect on speed. However, when the speed limit is set at a level that most drivers consider reasonable the speed of vehicles is more uniform. It is considered safer to have all the vehicles traveling at approximately the same speed. Also the Ohio Department of Transportation (ODOT) does not want to set unreasonably low speed limits that would make the average driver a law breaker.

When doing speed zone studies ODOT considers various factors such as the development of the area, roadway features including traffic volume, accidents, and the speed vehicles are traveling. Both the 85 percentile speed and the 10 mph pace are very important factors. The 85 percentile speed is the speed at which 85 percent of the vehicles are traveling at that speed or lower. The 10 mph pace is the ten mile per hour range of speeds containing the greatest number of observed speeds.

Ohio Manual of Uniform Traffic Control Devices



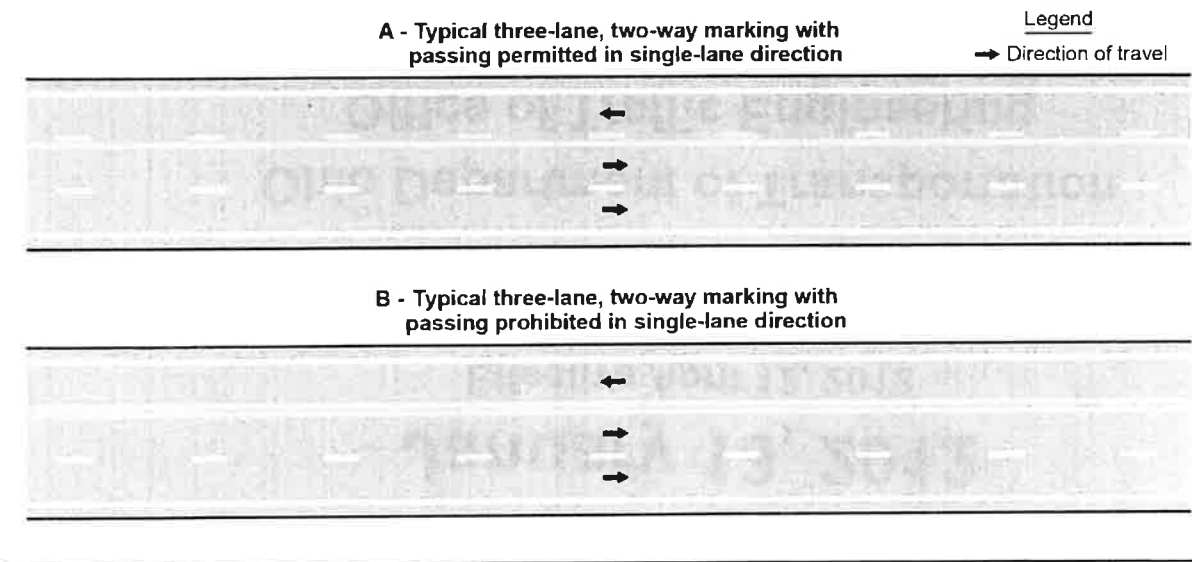
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**Ohio Department of Transportation
Office of Traffic Engineering**

Figure 3B-3. Examples of Three-Lane, Two-Way Marking Applications



an ADT of 3,000 vehicles per day or greater. Center line markings should also be placed on other traveled ways where an engineering study indicates such a need.

12 Engineering judgment should be used in determining whether to place center line markings on traveled ways that are less than 16 feet wide because of the potential for traffic encroaching on the pavement edges, traffic being affected by parked vehicles, and traffic encroaching into the opposing traffic lane.

Option:

- 13 Center line markings may be placed on other paved two-way traveled ways that are 16 feet or more in width.
- 14 If a traffic count is not available, the ADTs described in this Section may be estimates that are based on engineering judgment.

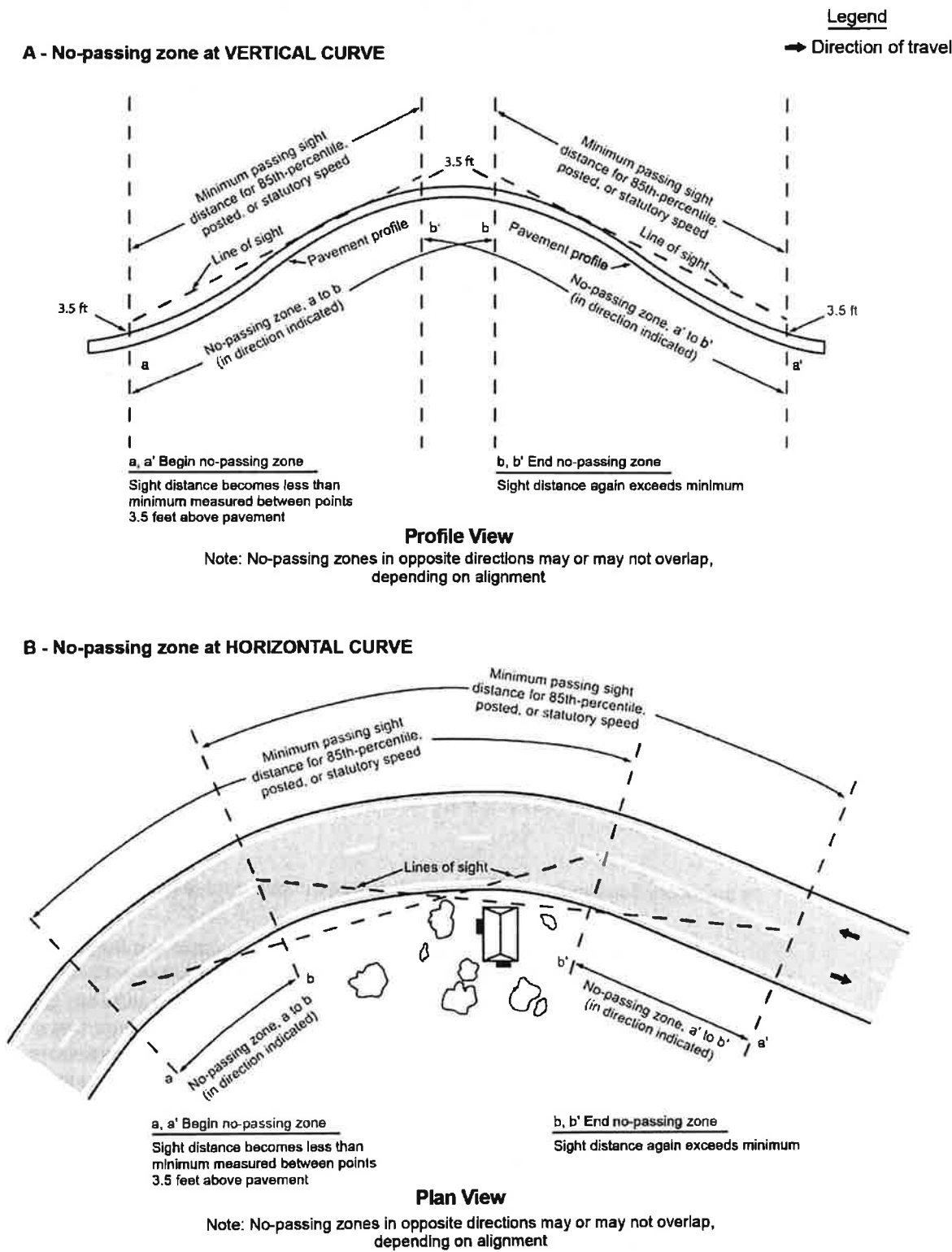
Section 3B.02 No-Passing Zone Pavement Markings and Warrants

Standard:

- 01 No-passing zones shall be marked by either the one direction no-passing zone pavement markings or the two-direction no-passing zone pavement markings described in Section 3B.01 and shown in Figures 3B-1, 3B-2 and 3B-3.
- 02 When center line markings are used, no-passing zone markings shall be used on two-way roadways at lane reduction transitions (see Section 3B.09) and on approaches to obstructions that must be passed on the right (see Section 3B.10).
- 03 On two-way, two- or three-lane roadways where center line markings are installed, no-passing

| Table 3B-1. Minimum Passing Sight Distances for No-Passing Zone Markings | |
|--|--------------------------------|
| 85th-Percentile or Posted or Statutory Speed Limit | Minimum Passing Sight Distance |
| 25 mph | 450 feet |
| 30 mph | 500 feet |
| 35 mph | 550 feet |
| 40 mph | 600 feet |
| 45 mph | 700 feet |
| 50 mph | 800 feet |
| 55 mph | 900 feet |
| 60 mph | 1,000 feet |
| 65 mph | 1,100 feet |
| 70 mph | 1,200 feet |

Figure 3B-4. Method of Locating and Determining the Limits of No-Passing Zones at Curves



zones shall be established at vertical and horizontal curves and other locations where an engineering study indicates that passing must be prohibited because of inadequate sight distances or other special conditions.

- 04 On roadways with center line markings, no-passing zone markings shall be used at horizontal or vertical curves where the passing sight distance is less than the minimum shown in Table 3B-1 for the 85th-percentile speed or the posted or statutory speed limit. The passing sight distance on a vertical curve is the distance at which an object 3.5 feet above the pavement surface can be seen from a point 3.5 feet above the pavement (see Figure 3B-4). Similarly, the passing sight distance on a horizontal curve is the distance measured along the center line (or right-hand lane line of a three-lane roadway) between two points 3.5 feet above the pavement on a line tangent to the embankment or other obstruction that cuts off the view on the inside of the curve (see Figure 3B-4).

- 05 There is explicitly no requirement under this Manual that no-passing zones shall be marked at intersections, notwithstanding the provisions of any other section of this Manual.

Option:

- 06 No-passing zones may be marked at rural and urban intersections when engineering judgment so dictates.

Support:

- 07 The upstream end of a no-passing zone at point “a” in Figure 3B-4 is that point where the sight distance first becomes less than that specified in Table 3B-1. The downstream end of the no-passing zone at point “b” in Figure 3B-4 is that point at which the sight distance again becomes greater than the minimum specified.

- 08 The values of the minimum passing sight distances that are shown in Table 3B-1 are for operational use in marking no-passing zones and are less than the values that are suggested for geometric design by the AASHTO Policy on Geometric Design of Streets and Highways (see Section 1A.11).

Guidance:

- 09 *The decision as to whether or not a no-passing zone should be marked at intersections is a matter of engineering judgment. When used, the no-passing zone should start at least 100 feet in advance of the intersection.*

- 10 *The no-passing zone marking should not be less than 500 feet in length, except in advance of an intersection, or as a result of a special engineering study. If the actual no-passing zone distance is less than 500 feet, an additional length of marking should be added at the beginning of the zone. The distance between successive no-passing zones should be no more than 400 feet for speeds less than 50 mph and no more than 600 feet for speeds 50 mph or greater. When the distances are less than these, the single or double no-passing lines should be extended to connect the zones.*

- 11 *No-passing markings should be used on approaches to other locations where passing should be prohibited.*

Standard:

- 12 In locations where there are dips or undulations in the profile of the pavement which create areas where the actual pavement surface is more than 3.5 feet below the line of sight, the no-passing line shall be extended as required.

- 13 Where center line markings are used, no-passing zone markings shall be used on approaches to grade crossings in compliance with Section 8B.27.

Option:

- 14 In addition to pavement markings, no-passing zone signs (see Sections 2B.28, 2B.29, and 2C.45) may be used to emphasize the existence and extent of a no-passing zone.

Support:

- 15 In Ohio, Sections 4511.25, 4511.26, 4511.27, 4511.29, 4511.30, and 4511.33 of the Ohio Revised Code (ORC) address no-passing zone markings and paved medians.

Standard:

16 On three-lane roadways where the direction of travel in the center lane transitions from one direction to the other, a no-passing buffer zone shall be provided in the center lane as shown in Figure 3B-5. A lane-reduction transition (see Section 3B.09) shall be provided at each end of the buffer zone.

17 The buffer zone shall be a flush median island formed by two sets of double yellow center line markings that is at least 50 feet in length.

Option:

18 Yellow diagonal crosshatch markings (see Section 3B.24) may be placed in the flush median area between the two sets of no-passing zone markings as shown in Figure 3B-5.

Guidance:

19 For three-lane roadways having a posted or statutory speed limit of 45 mph or greater, the lane transition taper length should be computed by the formula $L = WS$. For roadways where the posted or statutory speed limit is less than 45 mph, the formula $L = WS^2/60$ should be used to compute taper length.

Support:

20 Under both formulas, L equals the taper length in feet, W equals the width of the center lane or offset distance in feet, and S equals the 85th-percentile speed or the posted or statutory speed limit, whichever is higher.

Guidance:

21 The minimum lane transition taper length should be 100 feet in urban areas and 200 feet in rural areas.

Section 3B.03 Other Yellow Longitudinal Pavement Markings**Standard:**

01 If reversible lanes are used, the lane line pavement markings on each side of reversible lanes shall consist of a normal broken double yellow line to delineate the edge of a lane in which the direction of travel is reversed from time to time, such that each of these markings serve as the center line markings of the roadway during some period (see Figure 3B-6).

02 Signs (see Section 2B.26), lane-use control signals (see Chapter 4M), or both shall be used to supplement reversible lane pavement markings.

03 If a two-way left-turn lane that is never operated as a reversible lane is used, the lane line pavement markings on each side of the two-way left-turn lane shall consist of a normal broken yellow line and a normal solid yellow line to delineate the edges of a lane that can be used by traffic in either direction as part of a left-turn maneuver. These markings shall be placed with the broken line toward the two-way left-turn lane and the solid line toward the adjacent traffic lane as shown in Figure 3B-7.

Guidance:

04 White two-way left-turn lane-use arrows (see Figure 3B-7), should be used in conjunction with the longitudinal two-way left-turn markings at the locations described in Section 3B.20.

05 Signs should be used in conjunction with the two-way left-turn markings (see Section 2B.24).

Standard:

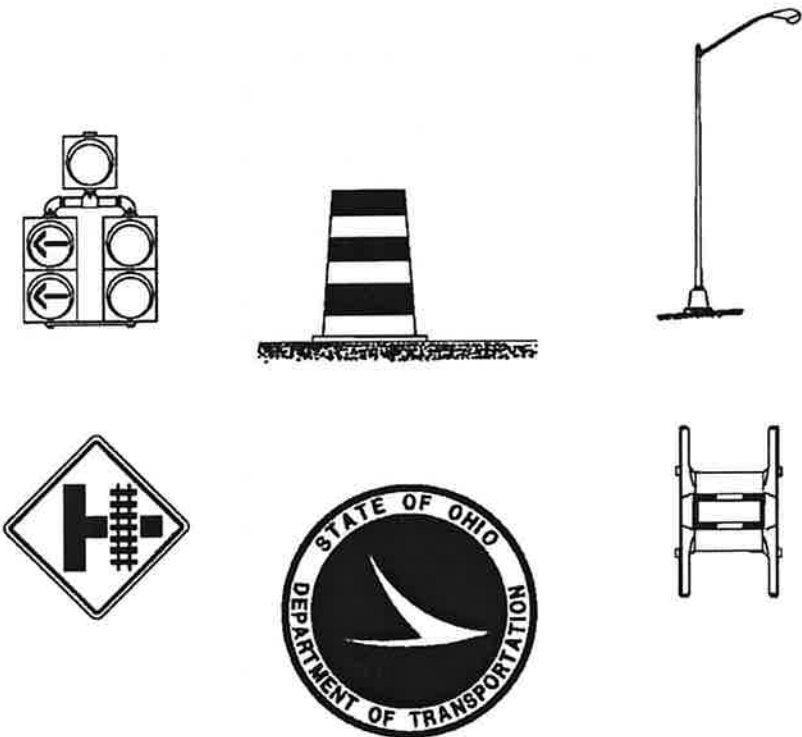
06 If a continuous flush median island formed by pavement markings separating travel in opposite directions is used, two sets of solid double yellow lines shall be used to form the island as shown in Figures 3B-2 and 3B-5. Other markings in the median island area shall also be yellow, except crosswalk markings which shall be white (see Section 3B.18).

Section 3B.04 White Lane Line Pavement Markings and Warrants**Standard:**

01 When used, lane line pavement markings delineating the separation of traffic lanes that have the same direction of travel shall be white.

02 Lane line markings shall be used on all freeways and Interstate highways.

Traffic Engineering Manual



**Office of Roadway Engineering
Ohio Department of Transportation**

Mike DeWine
Governor
State of Ohio

Jack Marchbanks
Director
Ohio Department of Transportation

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Once a determination has been made to alter a speed limit, the **District** should forward the proposed speed limit reduction to the appropriate **Ohio State Highway Patrol (OSHP) District Office** for review and comment. **Form 1296-19** is a sample form that can be used to help expedite this review. The information at the top of the form would be completed by the **District** as appropriate for the specific zoning proposal, so that the form just has to be signed and returned to the **District** after **OSHP** review.

Following resolution of the **OSHP** comments, if any, the **District** shall prepare a description of the Speed Zone for the **Director's** approval using **Form 1296-6** (Speed Limit Revision).

The revised speed limit is not in effect until the appropriate signs have been erected. Therefore, erection of the new Speed Limit signs, and their removal if/when the zone is withdrawn, must be documented to verify when the Speed Zone is in effect. See **Section 1203-5** for further details on the documentation process.

1203-2.3 Local Roads – General Procedure

As noted in **Section 1203-1**, a **Board of Township Trustees** may, by resolution and based on "an engineering and traffic investigation," declare a prima-facie speed limit on unimproved highways and also on highways under their jurisdiction which are within residential and commercial subdivisions. The terms unimproved highway, and residential and commercial subdivision are defined in **ORC Division 4511.21(K)**. It is recommended that the **Townships** document the reasons for these Speed Zones and when the Speed Limit signs are erected. **Form 1296-15** is an example of a form that can be used for such documentation.

Except as provided in **ORC 4511.21(K)** for Township Roads, all requests for reduced speed limits on local roads (i.e., roads under the jurisdiction of a highway authority other than **ODOT**) shall be submitted to the **District** using one of the forms described herein. The request shall be accompanied by the appropriate resolution or ordinance from the local authorities. The appropriate Speed Zone Study, as outlined in **Section 1203-3**, shall be included with all such requests unless the request qualifies for one of the abbreviated processes or forms described in **Section 1203-2**. Concurrence from the appropriate enforcement agency should be included with the study. All requests shall be acknowledged, and the local authorities shall be notified whether additional data will be necessary to substantiate their request.

For temporary traffic control situations (WZSZs), see **Subsection 1203-2.9**.

Based on the information received and a field review conducted by **ODOT** personnel (if appropriate), the **District** shall determine a reasonable and safe speed limit. If this determination is substantially different from that which was requested, the local authorities may be asked to further substantiate their original request, and a new determination may be made.

Following resolution of any comments, the **District** shall prepare a description of the Speed Zone for the **Director's** approval using **Form 1296-6** (Speed Limit Revision).

The **District** shall notify the local authorities of **ODOT's** final action on the proposed Speed Zone.

The revised speed limit is not in effect until the appropriate signs have been erected. Therefore, erection of the new Speed Limit signs, and their removal if/when the zone is withdrawn, must be documented to verify when the Speed Zone is in effect. See **Section 1203-5** for further details on the documentation process.

1203-2.4 Split Jurisdictions

ORC Division 4511.21(N) addresses situations where the boundary of two local authorities rests on the centerline of a highway and both authorities have jurisdiction over the highway. Aside from **Division 4511.21(N)** and the speed zoning process, there is currently no provision to address the inconsistency and confusion caused when responsibility for a section of highway

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is split between different jurisdictions. The speed limit on the road may differ depending on which side of the road you are traveling. This can be confusing to motorists. When this occurs on **ODOT**-maintained highways, using the speed zoning process, the **District** should work with the local jurisdiction(s) to try to address the differences. This may involve:

1. Raising the lower speed limit to match the higher statutory speed.
2. Lowering the higher speed limit to match the lower statutory speed.
3. Determining an altered speed limit in between the existing speed limits that both jurisdictions can agree is appropriate.
4. Leaving the statutory speed limit on each highway section.

Although this process will usually involve the **District** reviewing a speed zoning request submitted by the local jurisdiction, the **District** should periodically review sections where this split jurisdiction situation occurs on **ODOT**-maintained highways to consider making a change in the speed limit on the **ODOT** portion of the highway. The **District** may also initiate discussions with the local jurisdiction about jointly determining an appropriate altered speed limit for the section of highway.

If a local jurisdiction is going to submit a speed zoning request for a roadway section that involves split jurisdictions, the jurisdiction initiating the request shall first contact the adjacent jurisdiction(s) to see if a compromise request can be developed. The speed zone request submitted to the **District** shall include copies of the related Resolutions (or Ordinances) from all jurisdictions involved.

1203-2.5 Speed Zone Tracking Application

When the Speed Zone Study has been properly prepared the review process should take no more than 90 days from the date the **District** received the request to the date the **District** notifies the local jurisdiction of **ODOT**'s final determination on the proposed Speed Zone. The **District** will notify the local jurisdiction upon receipt of the Speed Zone Study. The local jurisdiction will also receive a progress report from **ODOT** after 45 days. If the initial request is incomplete or if the **District** later in the review process requires additional information, this 90-day period begins again when the **District** receives the information.

A software application was implemented in January 2008 to track the status of Speed Zoning requests from local authorities as they are processed by **ODOT**. Each **District** enters the required data as requests are received and updates the records as each request is processed. As the 90-day deadline approaches for each request, email reminder notices are sent to key **District** personnel.

1203-2.6 Narrow and Low-Volume Rural Roads (*Form 1296-1*)

For rural roads with a width of 16 feet or less or an ADT of 400 or less, **Form 1296-1** may be used to request a reduced speed limit. The data required for a Speed Zone Study for roads in these categories has been reduced and the form has been streamlined. A Speed Check is not required. The form was developed as a Microsoft Excel program; however, it may also be completed by hand.

The first sheet of the short form for Narrow and Low-Volume Roads is basically for data input. In the Excel file, when the mouse cursor hovers over the characteristics designations A1, B1, etc. a text description of that category pops up. There are also links to graphic examples of the characteristics categories and crash data samples. The second sheet in the file is a more traditional version of the warrant form: it includes the formulas and makes the calculations, based on the data entered on the first sheet. The third sheet provides a graphic illustration of the roadway characteristics information; and the last sheet provides a sample crash diagram for the roadway section showing which types of crashes should be included when performing a speed study.

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Table 1297-6 provides additional information about the Roadway Characteristics categories used with this form, and **Figures 1298-3 through 1298-5** provide aerial view illustrations to help describe these categories.

If the Excel software isn't available, sheet 1 or 2 may be copied, completed by hand and submitted.

A Comments section has been provided on the form in case there is additional information the requesting agency wants to bring to the reviewer's attention (**see Section 1203-3.5**).

1203-2.7 Unimproved Highways and Residential and Commercial Subdivision Streets (Form 1296-15)

As noted in **Sections 1203-1 and 1203-2.3**, the **Ohio Revised Code** allows **Townships** (based on "an engineering and traffic investigation") to alter by Resolution the speed limit on unimproved highways and residential and commercial subdivision streets to less than 55 miles per hour, but not less than 25 miles per hour. **ODOT** has established an abbreviated speed zoning request form to allow the **Counties** to do the same, by submitting a copy of **Form 1296-15** to the **ODOT District** with a Resolution from the **Board of County Commissioners**. The definitions for "unimproved highway," "residential subdivision" and "commercial subdivision" shall be as shown in **ORC Division 4511.21(K)**, except that they will apply in this case to County Routes.

The Comments portion of the form can be used to document information from the study made to support the speed reduction.

As noted in **Section 1203-2.3**, it is recommended that **Townships** document the reasons for the Speed Zones they establish on unimproved highways and residential and commercial subdivision streets, and when the Speed Limit signs are erected. **Form 1296-15** is an example of a form that can be used for such documentation.

1203-2.8 Freeways and High-Speed Multi-Lane Divided Routes

Since the basic Speed Zone Warrant Sheet (**Form 1296-2**) is not set up to address situations involving speed limits over 60 miles per hour, other methods have been developed for reviewing situations involving freeway and other high-speed multi-lane divided highways when they arise.

For freeways and rural expressways, **Form 1296-14** may be used to submit requests for changes in the speed limit. The ADT/lane is intended to be vehicles per continuous lane.

Generally, 65 miles per hour is considered appropriate for expressways with no driveways. For controlled access non-expressways with no driveways, 60 miles per hour is generally considered a more appropriate speed limit; and 55 miles per hour is considered more appropriate when there is no access control and driveways are present. However, these guidelines are not intended to be rigid. It is recognized that there may be cases where exceptions are appropriate. For example, a single drive added in a several mile section of an expressway would not be considered sufficient by itself to warrant lowering the speed limit to 60 miles per hour. Also, for a non-expressway section with no driveways between two expressway sections, it may be appropriate to consider a 65 miles per hour speed limit. As with other speed zoning situations, there may be a need to go 5 miles per hour one way or the other to address other considerations, such as those noted in **Section 1203-3.5**.

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* * *

Exhibit B

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congestion that occur on all or portions of I-670, I-275 and I-90 (at the intersection with I-71 and continuing to the Ohio-Pennsylvania border).

1203-3 Speed Zone Studies**1203-3.1 General**

Generally, a Speed Zone Study used to support a request for alteration of a speed limit should include **Forms 1296-2** (Speed Zone Warrant Sheet), and **Form 1296-5** (Speed Check Form) and a scaled area map, sketch, or aerial view to identify the location of the proposed zone. Alternative abbreviated study procedures have been developed to address certain situations involving: narrow or low-volume rural roads, unimproved County Roads, residential and commercial **County** subdivision streets, freeways, rural expressways and high-speed divided highways, and temporary traffic control zones on high-speed (≥ 55 mph) multi-lane highways. These are addressed in **Sections 1203-2.6, 1203-2.7, 1203-2.8 and 1203-2.9**, respectively.

If conditions are not relatively consistent throughout the section under study, consideration should be given to splitting the study area into shorter sections. Turning lanes, or other special lanes, are not normally used in this calculation.

FHWA's USLIMITS2 is a web-based tool used to conduct speed studies for setting appropriate speed limits. It can be useful in checking or comparing the results obtained via the speed zoning process described herein. Information regarding this tool can be found at the following website:

<https://safety.fhwa.dot.gov/uslimits/>

1203-3.2 Field Review

A field review of the roadway section shall be made noting various physical conditions along and adjacent to the highway and identifying where crashes have occurred. The Speed Study Data Sheet (**Form 1296-3**) or a similar document may be useful in consolidating this information. (**Form 1296-4** provides a completed sample of this form, using symbols from **Table 1297-1**.) The field review should consider:

1. Roadway width, width of lanes, width of berm, setbacks of the buildings, distances to any fixed objects within 10 feet of the pavement edge, and type and condition of the pavement surface should also be shown.
2. On **ODOT**-maintained routes, SLM log points shall be used. A 1 inch = 0.1 mile scale should be used along the centerline of the roadway. Lateral dimensions need not be scaled.
3. The review should consider features 500 feet beyond each end of the proposed zone.
4. Pavement marking or restricted sight distances less than 600 feet, signals and flashers, and Warning and Regulatory Signs.
5. The number of, and point at which, more than five pedestrians per hour cross or walk on the pavement.
6. The number and type of crashes that occurred in the last three years.
7. Test run(s) should be made; however, these will also be conducted by the **District** personnel reviewing requests submitted to **ODOT**. Test run(s) should be made by driving as fast as it is comfortably safe.
 - a. Test run(s) should be made in such a way that other traffic will not delay the test car.
 - b. The speed should be recorded at a range of 0.10 to 0.25 mile interval or more.
 - c. The average speed of the run(s) should be determined in each direction.

1200 ZONES AND STUDIES**Traffic Engineering Manual****1203-3.3 Speed Check (Form 1296-5)**

Except when using one of the abbreviated study procedures described in **Sections 1203-2.6 through 1203-2.9**, or a summary sheet resulting from a mechanical speed check device and its associated software, a speed check using **Form 1296-5** (Speed Check Form) or a similar form, shall be included in the study.

1. Speed checks may be taken with any device that will indicate vehicle speed with an accuracy of ± 10 percent.
2. Record speeds of 100 vehicles for each direction of travel (observation need not exceed one hour even if less than 100 vehicles are recorded traveling in each direction).
3. Speed checks should be taken at the 1/3 points (total of four checks) for zones 0.25-1.00 mile in length, and at 0.5-0.75 mile intervals for zones over 1 mile in length.

1203-3.4 Speed Zone Warrant Sheet (Form 1296-2)**1203-3.4.1 General**

Form 1296-2 should be used in analyzing speed reduction requests that do not fall into the categories discussed in **Sections 1203-2.6 through 1203-2.9** for the abbreviated Speed Zone request procedures. The data collected from the field review of the location and the information discussed in **Subsection 1203-3.4.2** are used to complete **Form 1296-2**.

The current form was developed as a **Microsoft Excel** file; however, it may also be completed by hand.

The first sheet of **Form 1296-2** is basically for data input. In the Excel file, when the mouse cursor hovers over the characteristics designations A1, B1, etc. a text description of that category pops up. There are also links to graphic examples of the characteristics categories and crash data samples. The second sheet in the file is a more traditional version of the warrant form: it includes the formulas and makes the calculations, based on the data entered on the first sheet. The third sheet provides a graphic illustration of the roadway characteristics information; and the last sheet provides a sample crash diagram for the roadway section showing which types of crashes should be included when performing a speed study.

The roadway characteristics information and "types of crashes" illustration used with this form are the same as those introduced with the Narrow and Low-Volume Roads short form in 2008. **Table 1297-6** provides additional information about the Roadway Characteristics categories used with this form, and **Figures 1298-3 through 1298-5** provide aerial view illustrations to help describe these categories.

If the Excel software is not available, sheet 1 or 2 may be copied, completed by hand, and submitted.

A Comments section has been provided on the form in case there is additional information the requesting agency wants to bring to the reviewer's attention (**see Subsection 1203-3.5**).

1203-3.4.2 Information Used in Completing Form 1296-2

The following data is used in completing the Warrant Sheet:

1. **Highway Development** consists of evaluating the extent of building development and classification of intersections. These components are described in **Table 1297-2**. Intersections at the end of the study area should not be counted.

The building development and intersection classification calculations are added and then the total is divided by the length (in miles) of the zone.

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2. **Roadway Features** consists of evaluating the roadway design characteristics including lane width, shoulders curves and grades. **Table 1297-3** defines the Roadway Feature components.

It is recognized that shoulder features may not be consistent throughout the roadway section under study. A judgment will need to be made to determine the most prominent design, unimproved or improved, and width.

The names of the crossroads should be noted in the Comments section.

3. **85th-Percentile Speed** can be determined by taking spot speed observations during weekday off-peak periods. Spot speed checks should be taken to reflect only free-flowing vehicles. A vehicle is considered free flow if there is a minimum of five seconds gap (headway) from the other vehicle ahead of it, and it is not accelerating or decelerating for other reasons. If it is not possible to observe free-flow conditions, then the 85th-percentile speed of all vehicles should be increased 5 to 10 miles per hour to approximate the free-flow 85th-percentile speed. If the 85th-percentile speed of several speed checks varies considerably and is in more than one range in the warrant analysis, average the speed or select the most representative speed.

Another option for determining 85th-percentile speed involves the use of probe-based data. Traffic information is collected from ODOT-maintained roads, then data analytics is used to determine the 85th-percentile speed. The **Office of Traffic Operations (OTO)** has created detailed instructions for downloading the data and calculating the 85th-percentile speed using an **OTO** developed program. This information is available from the "Regulations" web page on the **OTO** website.

4. **Pace** is the ten mile per hour range of speeds containing the greatest number of observed speeds. If the paces of several speed checks vary considerably and are in more than one range in the warrant analysis, average the pace or select the most representative pace.
5. **Crashes/MVM** - intersection crashes not on the approach to the section under study should not be included in the evaluation; and crashes at horizontal curves should be considered only after all appropriate Warning and Advisory Speed signs are in place.

Caution needs to be exercised in applying the crash experience if there is an over representation of crashes caused by situations essentially independent of the permanent speed limit. Therefore, in determining a permanent speed limit, crashes caused by animals, impaired drivers, vehicle defects, load shifts, construction and environmental conditions, such as snow and ice, should not be included in the crash experience.

It is desirable to consider a review of crashes over a three-year period; however, crash data for one year is acceptable if more is not available. Copies of the crash reports, or a list documenting the location and type of each crash, shall be submitted with the request.

6. **Test Run** data is recorded by the **District** when reviewing the speed zoning request and the information is shown on the form because the average test run speed is beneficial in supporting the spot speed data as reflecting free-flow conditions. Also it is beneficial in comparing or matching the fit of the spot speed data to the full length of the section under study.

1203-3.5 Additional Information/Considerations

There may be a need to consider adjusting the speed limit more than normal rounding to the nearest five miles per hour of the calculated speed as reflected in the speed study. Therefore, each Speed Zone request form includes a provision for noting "Comments/Additional Information." This space has been provided for the requestor to note any additional information that might be of interest to the reviewer in considering the request. Items to consider or additional information to provide when recommending a speed limit different than the calculated value may include:

(January 18, 2019)

October 23, 2002

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Exhibit B

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1. A study area near or adjacent to an incorporated area or other warranted speed reduction(s).
2. Maintaining uniformity of speed limits within a contiguous section of highway.
3. Truck volumes along with the lane width should be considered, i.e., Volumes:

| | |
|-----------|-------------------------------|
| < 5% | Low impact/consideration |
| 5% to 10% | Moderate impact/consideration |
| > 10% | High impact/consideration |

An effective width of 20 feet is considered adequate only for low-volume roads where meeting and passing are infrequent and the truck volumes are low.
4. Land along the study area is generally fully developed based on local zoning and/or local subdivision regulations.
5. Other conditions:
 - a. A large number of driveways with limited visibility.
 - b. The results of the test runs are not representative of the 85th-percentile or calculated speed.
 - c. Abnormal traffic volume flows.
 - d. A large number of horizontal and vertical curves requiring speed reductions.
 - e. The use of the road as related to access vs. mobility (e.g., functional classification).
 - f. An unincorporated area that looks to the driver the same as an incorporated area.
 - g. Large number of items that affect the assured clear stopping distance of the driver.
 - h. Volume of pedestrian traffic and/or official signed bike routes.
 - i. Proximity to a school.
 - j. Extreme geometric or other rare or unique work zone feature(s) that cannot otherwise be modified or mitigated and are not otherwise taken into consideration elsewhere in the process (for Work Zone Speed Zones that are on facilities other than high-speed, ≥55 mph, multi-lane highways).
6. Photographs may also be helpful in describing features of particular concern.

1203-4 Withdrawal of Authorization

The withdrawal of the authorization for a Speed Zone requires a traffic engineering study/investigation and, insofar as is applicable, shall be accomplished in the same manner in which it was established. **Form 1296-7a** (Withdrawal of Issued Speed Zone Authorization) is used to document the withdrawal of any Speed Zone approved by ODOT. **Form 1296-7b** is used for withdrawal of work zone speed zones established in accordance with **Table 1297-7**, described in **Section 1203-2.9**.

When an unimproved highway is improved, any Speed Zones established for it based on it being "unimproved" shall be withdrawn, basically using the same process by which the zone was established. **Form 1296-15** can be used, with the explanation noted in the Comments section. If a road is improved so that it no longer qualifies as a "narrow road" for speed zoning purposes, any Speed Zones established on it as a "narrow road" shall be withdrawn. The fact that the speed limit had been lowered previously because it was a narrow road, can be noted in the Comments portion of the Speed Zone request form if a speed reduction is requested for the improved highway. This would also apply if the ADT on a road increases to where it would no longer be classified as a low-volume road.

See **Section 1203-5** for additional information on documentation of the withdrawal of an authorized Speed Zone.

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Form 1296-1. Speed Zone Request for Narrow and Low-Volume Rural Roads (Sheet 2 of 4)

Ohio Department of Transportation
WARRANTS FOR SPEED ZONES
For Improved County and Township Roads with ADT of 400 or less; or Roadway Width of 16' or less
Rev. 6/20/08 (with 6/10/09 minor correction)

ROAD NAME: 0

ROAD No. 0

DATE:

COUNTY: 0

TOWNSHIP: 0

BEGIN STUDY AT: 0

END STUDY AT: 0

LENGTH: 0.00

ADT: 0

(End Log minus Begin Log)

I. ROADSIDE DEVELOPMENT

(A) BUILDING DEVELOPMENT

(B) INTERSECTION INVOLVEMENT (Only include crashes within the section under study, excluding animal and side street crashes)

No. of HOUSES OR FARM 0

X 1 = 0

No. OF INTERSECTIONS 0

X 3 = 0

No. of BUSINESSES 0

X 2 = 0

TOTAL TYPE (A) 0

TOTAL CLASS (B) 0

HIGHWAY DEVELOPMENT = (A) 0 + (B) 0 = #DIV/0!
0 (Length)

II. ROADWAY FEATURES

FACTORS 8 9 10 11 12

1) ROAD WIDTH, FEET 0 < 12 12 - 14 15 - 17 18 - 20 > 20 8
(Average or dominant road width)

2) SHOULDER WIDTH, FEET 0 < 2 2-4 > 4 8
(Average width of improved shoulder, including compacted gravel)

CRASH RATE, ACC/MVM (from calculation below) > 11.0 8.2 - 11.0 5.3 - 8.1 2.8 - 5.3 < 2.8 #DIV/0!
TOTAL ROADWAY FEATURES = #DIV/0!

CRASH RATE CALCULATION: 2740 X 0 ACC. ACC./MIL. VEH. MILES = #DIV/0!
0 ADT X 1 YR. X 0.00 MILES =

Speed Limit Factors Summary

| | | | | | | | | |
|--------------------------------|-----|-------|-------|-------|-------|-------|-------|---------|
| Factors | 45 | 55 | 64 | 73 | 82 | 91 | 100 | |
| I. ROADSIDE DEVELOPMENT | >60 | 51-60 | 41-50 | 31-40 | 21-30 | 10-20 | <10 | #DIV/0! |
| II. ROADWAY FEATURES | 24 | 25-26 | 27-28 | 29-30 | 31-32 | 33-34 | 35-36 | #DIV/0! |
| III. ROADWAY CHARACTERISTICS 0 | C | B3 | B2 | B1 | A3 | A2 | A1 | No Data |

(Hold cursor over cell for description)

TOTAL FACTORS = #DIV/0!

CALCULATED SPEED = TOTAL FACTORS X 55
3 X 100 = #DIV/0! X 183 = #DIV/0! MPH

TEST RUN, AVERAGE = MPH

Existing Speed Limit = MPH

Approved Speed Limit = MPH

Study by: Requested Speed Limit

Additional considerations and comments:

12-48

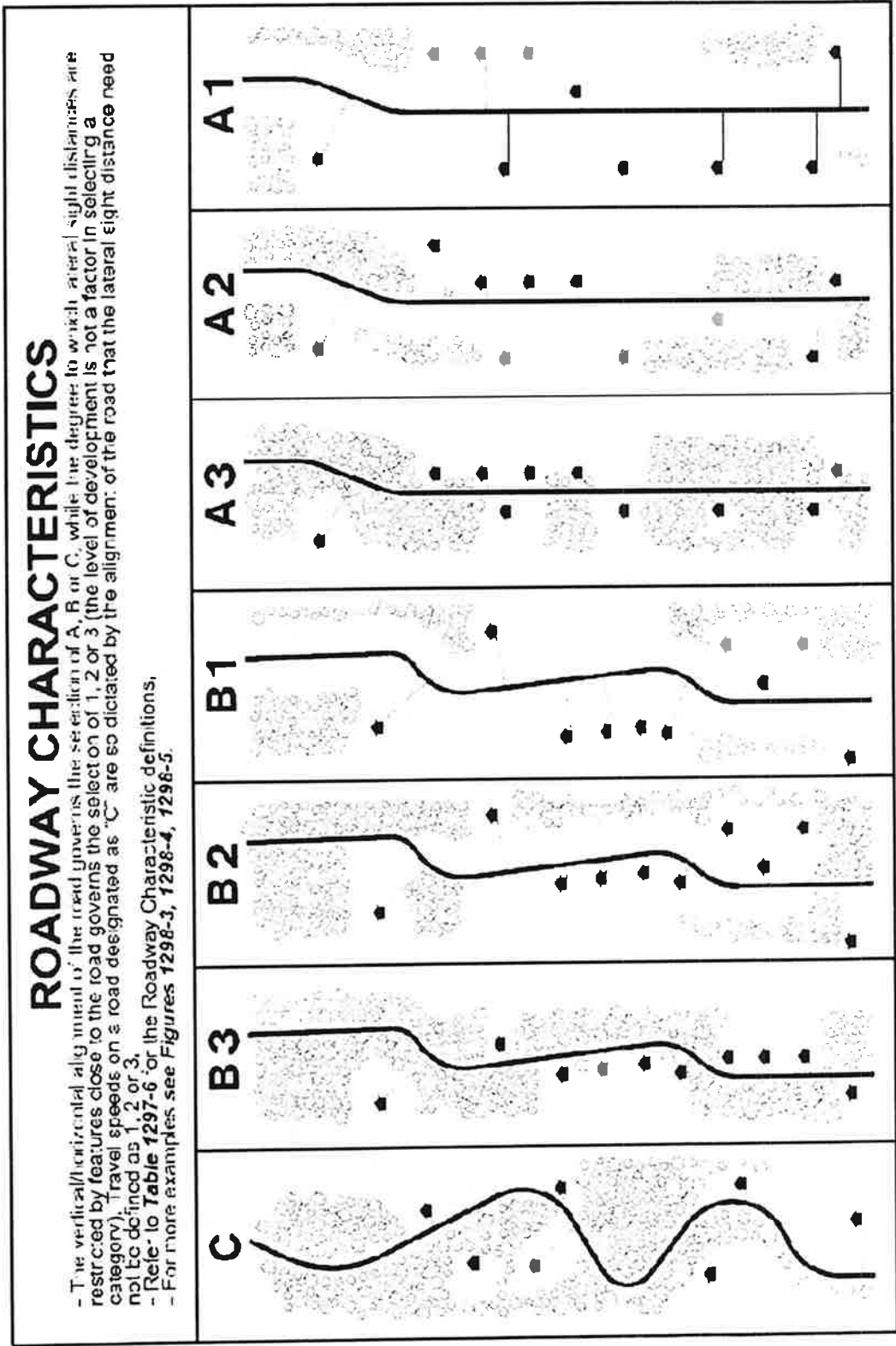
October 23, 2002

(July 17, 2015)

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Form 1296-1. Speed Zone Request for Narrow and Low-Volume Rural Roads (Sheet 3 of 4)



Form 1296-1. Speed Zone Request for Narrow and Low-Volume Rural Roads (Sheet 4 of 4)

CRASH INCLUSION DIAGRAM



DI = Do Not Include.

- Intersection crashes not on the approach to the section under study should not be included in the evaluation, and crashes at horizontal curves should be considered only after all appropriate Warning and Advisory Speed signs are in place.
- Caution needs to be exercised in applying the crash experience if there is an over representation of crashes caused by situations essentially independent of the permanent speed limit. Therefore, in determining a permanent speed limit, crashes caused by animals, impaired drivers, vehicle defects, load shifts, construction and environmental conditions, such as snow and ice, should not be included in the crash experience.

Note revised 1-16-15

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Form 1296-2. Speed Zone Warrant Sheet (Sheet 2 of 4)

Click Here to Return to 'Full Study Warrant Form' (Data Input Page)

OHIO DEPARTMENT OF TRANSPORTATION
SPEED ZONE CALCULATION SHEET

LOCATION

| | | | | | |
|-----------------------|--|-----------------|--|----------------------|--|
| Road Name | | Road Number | | County | |
| Begin Study At | | Begin Log Point | | Jurisdiction | |
| End Study At | | End Log Point | | Divided Highway | |
| Average Daily Traffic | | Length | | Existing Speed Limit | |

HIGHWAY DEVELOPMENT

| A) BUILDING DEVELOPMENT | | | INTERSECTION INVOLVEMENT (B) | | |
|-------------------------|-------|--|------------------------------|-------|--|
| Houses or Farms | X 1 = | | Minor Street Intersections | X 2 = | |
| Small Buildings | X 2 = | | Major Street Intersections | X 3 = | |
| Medium Business | X 3 = | | Signalized Intersections | X 4 = | |
| Major Business | X 4 = | | Interchange Ramps | X 1 = | |
| TOTAL TYPE (A) | | | TOTAL CLASS (B) | | |

TOTAL HIGHWAY DEVELOPMENT: (A) + (B) =
Length miles

ROADWAY FEATURES

| CRITERIA | FACTORS | | | | | | | TOTAL |
|----------------------------|---------|------|-------------|-------------|-------------|-------------|-------------|-------|
| | 7 | 8 | 9 | 10 | 11 | 12 | 13 | |
| Lane Width (feet) | | +8 | 8' to +9' | 9' to +10' | 10' to +11' | 11' to +12' | +12 | |
| Shoulder Width (feet) | | | +1 | 2' to +4' | 4' to +6' | 6' to +8' | +8 | |
| Crash Rate (Crashes/MV/Mi) | | +6.2 | +5.1 to 6.2 | +4.0 to 5.1 | +3.4 to 4.0 | +2.6 to 3.4 | +2.2 to 2.3 | +2.2 |

TOTAL ROADWAY FEATURES:

CRASH RATE (Crashes/MV/Mi):
Crashes A 1,000,000
ADT X .365 X 3 YR X miles

SPEED CALCULATION

| CRITERIA | FACTORS | | | | | | | | | TOTAL |
|-----------------------|----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|----------|-------|
| | 25 | 30 | 35 | 40 | 45 | 50 | 55 | 60 | 65 | |
| Highway Development | +70 | +60 to 70 | +50 to 60 | +40 to 50 | +30 to 40 | +20 to 30 | +10 to 20 | +5 to 10 | 55 | |
| Roadway Features | 24 | 25 | 26 to 28 | 29 to 31 | 32 to 33 | 34 to 35 | 36 to 37 | 38 | 39 | |
| 85th Percentile (mph) | 62.7 | 64 to 67 | 68 to 69 | 70 to 72 | 73 to 75 | 76 to 78 | 79 to 81 | 82 to 84 | 85 to 87 | |
| Post Speed | 13 to 17 | 18 to 20 | 21 to 23 | 24 to 26 | 27 to 29 | 30 to 32 | 33 to 35 | 36 to 38 | 39 to 41 | |
| Clearance Width | C | 60 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | |

TOTAL SPEED FACTORS:

CALCULATED SPEED: $\frac{\text{Total Speed Factors}}{\text{No. of Speed Criteria}}$ = 5 = MPH
REQUESTED SPEED LIMIT: MPH

ADDITIONAL INFORMATION AND COMMENTS:

STUDY BY: DATE:

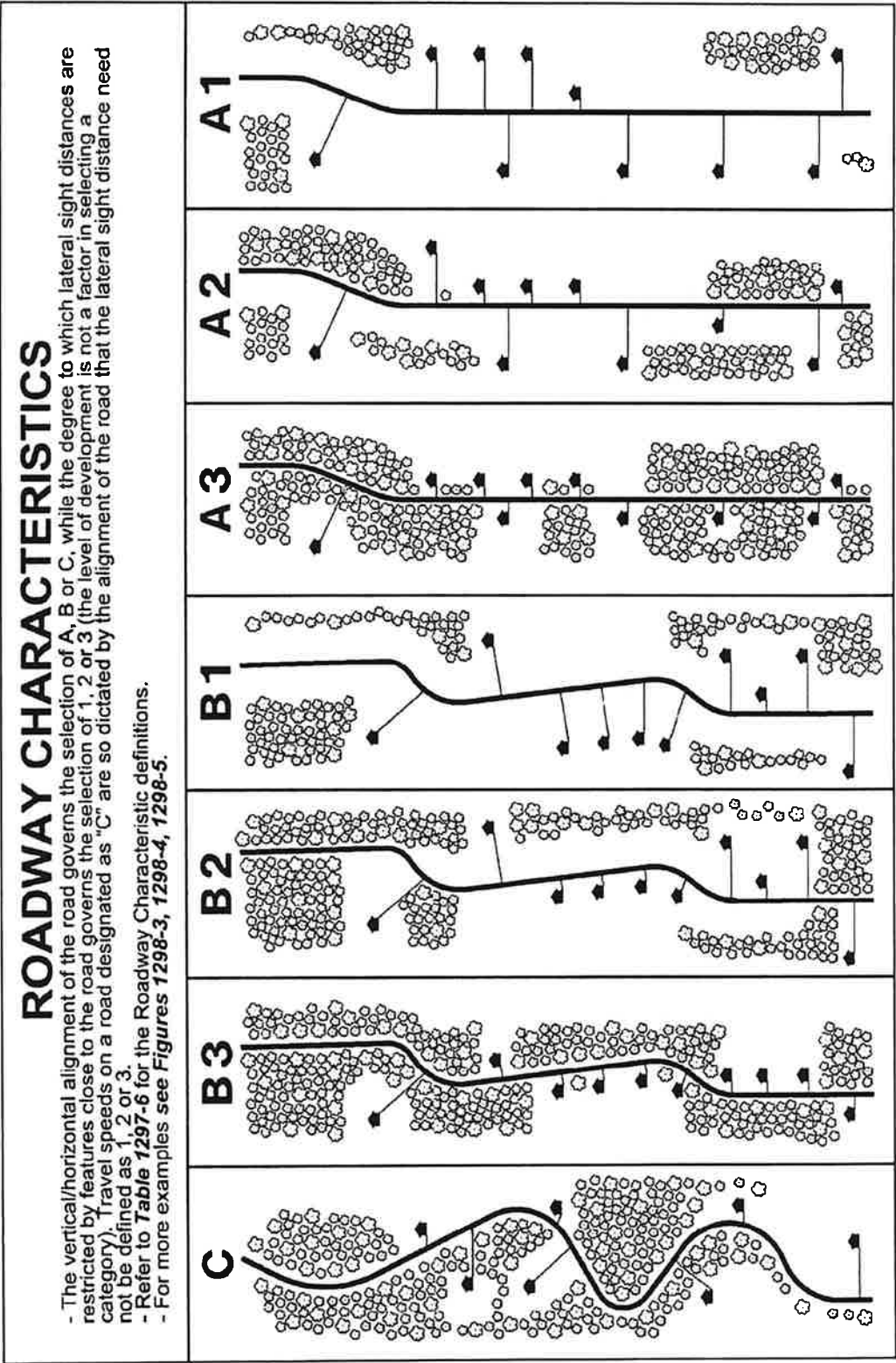
BELOW FOR ODOT USE ONLY

CHECKED BY: TEST RUN SPEED: MPH APPROVED SPEED: MPH

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12-52 October 23, 2002 Revised July 15, 2016 Exhibit B

Form 1296-2. Speed Zone Warrant Sheet
(Sheet 3 of 4)



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Form 1296-5. Speed Check Form
Speed Check

Location: _____
Date: _____ Day: _____ County: _____
Observer: _____
Type Pavement: _____ Dry: _____ Wet: _____ Condition: _____ Width: _____
Weather: _____ Temperature: _____

| Bound, Time: _____ M to _____ M | | | | | mph | Bound, Time: _____ M to _____ M | | | | |
|---------------------------------|------------|-----|----------------|------------|--------|---------------------------------|------------|-----|------------|--------|
| Com. % | Cum. Total | No. | Vehicles | | | Vehicles | | No. | Cum. Total | Com. % |
| | | | Passenger Cars | Commercial | | Passenger Cars | Commercial | | | |
| | | | | | Over | | | | | |
| | | | | | 90.0 | | | | | |
| | | | | | 88.0 | | | | | |
| | | | | | 86.0 | | | | | |
| | | | | | 84.0 | | | | | |
| | | | | | 82.0 | | | | | |
| | | | | | 80.0 | | | | | |
| | | | | | 78.0 | | | | | |
| | | | | | 76.0 | | | | | |
| | | | | | 74.0 | | | | | |
| | | | | | 72.0 | | | | | |
| | | | | | 70.0 | | | | | |
| | | | | | 68.0 | | | | | |
| | | | | | 66.0 | | | | | |
| | | | | | 64.0 | | | | | |
| | | | | | 62.0 | | | | | |
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| | | | | | 28.0 | | | | | |
| | | | | | 26.0 | | | | | |
| | | | | | 24.0 | | | | | |
| | | | | | 22.0 | | | | | |
| | | | | | 20.0 | | | | | |
| | | | | | 18.0 | | | | | |
| | | | | | 16.0 | | | | | |
| | | | | | 14.0 | | | | | |
| | | | | | Below | | | | | |
| | | | | | Totals | | | | | |

NOTE:
Minimum recorded observations per direction is 100 or one hour duration, whichever comes first
Free flow speeds during off-peak weekday hours are to be recorded
Minimum headway for free flow is five seconds; there should be no acceleration or deceleration
For zones 0.25 miles in length, observations should be near the center
For zones 0.25 miles to 1.00 miles in length, observations should be near the one third points
For zones over 1.00 miles in length, observations should be taken at 0.50 to 0.75 mile intervals

Form 1296-5.

* * *

