

REGULAR SESSION

TUESDAY

APRIL 9, 2019

The Board of Huron County Commissioners met this date in Regular Session. Roll being called found the following members present: Terry Boose, Joe Hintz, Bruce Wilde.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the March 21, 2019 and March 26, 2019 meeting(s) were presented to the Board. Terry Boose made the motion to waive the reading of the minutes of the March 26, 2019 meeting(s) and approve as presented. Joe Hintz seconded the motion. Voting was as follows:

Aye – Terry Boose
Aye – Joe Hintz
Aye – Bruce Wilde

19-107

**IN THE MATTER OF CERTIFYING CLAIMS SCHEDULES TO THE HURON COUNTY
AUDITOR FOR PAYMENT**

Terry Boose moved the adoption of the following resolution:

WHEREAS, as per Ohio Revised Code 305.10, a resolution must be made by the Board of Huron County Commissioners to accompany the Claims Schedule to the Huron County Auditor's Office for payment; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners does hereby approve Claim Schedule 04/09/19 and authorizes the Huron County Auditor to make the necessary warrants; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose
Aye – Joe Hintz
Aye – Bruce Wilde

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g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 19 **by 12:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose
Aye – Joe Hintz
Aye – Bruce Wilde

19-109

**IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO HOLD MEMBERSHIPS
IN THE COUNTY AUDITOR ASSOCIATION OF OHIO AND OHIO DEPUTY REGISTRAR
ASSOCIATION**

Terry Boose moved the adoption of the following resolution:

WHEREAS, Roland Tkach, Auditor has asked for approval to hold membership in the County Auditor Association of Ohio in the amount of \$2,600.00; and Ohio Deputy Registrar Association in the amount of \$400.00; and

WHEREAS, the Board of Huron County Commissioners recognizes that membership in these organizations would be beneficial; now therefore

BE IT RESOLVED, that the Huron County Auditor is hereby endorsed for membership in the above listed associations and dues will be paid from funds appropriated to the County Auditor; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose
Aye – Joe Hintz
Aye – Bruce Wilde

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19-110

IN THE MATTER OF PURCHASING A CASE SV185 SKID LOADER FOR THE HURON COUNTY TRANSFER STATION

Terry Boose moved the adoption of the following resolution:

WHEREAS, Pete Welch, Director of Operations has submitted a request to purchase a Case SV185 Skid Loader for the Huron Count Transfer Station; and

WHEREAS, Mr. Welch presented a State Terms Schedule quote in the amount of \$27,577.30 from Southeastern Equipment Co., Inc. 1500 Industrial Parkway, Brunswick, OH 44212 (Index #STS515 - Contract #800585); now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the purchase of a Case SV185 Skid Loader for the Huron Count Transfer Station from Southeastern Equipment Co., Inc. in the amount of \$27,577.30; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio, relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion.

***Discussion:** Mr. Boose asked if we were replacing one, and if so what are we doing with the old one. Ms. Ziemba said Mr. Welch was trading in the old one and would receive \$12,000 on the trade in.

The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose
Aye – Joe Hintz
Aye – Bruce Wilde

19-111

A RESOLUTION AUTHORIZING THE HURON COUNTY COMMISSIONERS TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE CITY OF NORWALK AND THE CITY OF WILLARD AND TO FILE A PY 2019 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) GRANT WITH THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT

Terry Boose moved the adoption of the following resolution:

WHEREAS, the State of Ohio, Development Services Agency, Office of Community Development has established the Program Year ("PY") 2019 Community Housing Impact and Preservation Program ("CHIP") Guidelines; and

WHEREAS, the Ohio Development Services Agency, Office of Community Development's filing guidelines for the PY' 2019 CHIP encourages communities to partner with other eligible communities in their respective county by increasing the amount of funding available for each member community in the partnership and making the application more competitive; and

WHEREAS, the Huron County intends to partner with the City of Norwalk and the City of Willard, with Huron County being the Grantee, in applying for the PY' 2019 Community Impact and Preservation Program. Grant (CHIP) in order to maximize funds available for each community in the partnership; and

WHEREAS, by partnering, Huron County, the City of Norwalk and the City of Willard are eligible for up to \$400,000, \$350,000 and \$300,000 in CHIP Funding respectively for a total maximum grant request of \$1,050,000; and

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WHEREAS, to fulfill the Program Guidelines of OCD, a Partnership Agreement must be executed by the participating jurisdictions; and

WHEREAS, Huron County agrees to commit any otherwise not committed HOME and CDBG Housing Program Income as of December 31, 2018 to the PY'2019 CHIP; now therefore

BE IT RESOLVED, by the Huron County Commissioners:

SECTION I That the Huron County Commissioners are hereby authorized and directed to enter into a Partnership Agreement with the City of Norwalk and the City of Willard and to file an application on behalf of the Partnership with the Ohio Development Services Agency for a PY'2019 Community Housing Impact and Preservation (CHIP) Grant. The funds from this grant will be used for housing improvements for low and moderate income homeowners in accordance with the Partnership Agreement and Housing Advisory Committee Recommendations and local determinations. Huron County acknowledges that it will be responsible for the entire CHIP grant award, if funded.

SECTION II That if the Grant is awarded to the County, the county is authorized to accept the grant and enter into an agreement with WSOS Community Action Commission, Inc., for its implementation and administration and execute any and all documentation associated with said grant with the Ohio Development Services Agency, Office of Community Development.

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion.

***Discussion:** Ms. Ziemba stated this was the agreement for the CHIP grant. She explained the State decided years ago to have all communities under one application. Mr. Wilde mentioned Huron County was up to \$400,000; City of Norwalk \$350,000 and Willard \$300,000, for a total of \$1,050,000.

The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose

Aye – Joe Hintz

Aye – Bruce Wilde

**Agreement on file*

At 9:10 a.m. Public Comment

Roger Hunker with Apex - Mr. Hunker wanted to thank Mr. Boose and Mr. Wilde for going to the open house they held the other night and see if there were any follow-up questions. Mr. Wilde said no questions, the meeting was well attended. Mr. Hunker wanted to keep them aware of the status of the project. He said they are currently doing some boring, so residents may see their white trucks. They started in Erie County and are moving into Huron County. Mr. Boose asked if the process was moving forward at the Power Siting Board now that they have had their hearing. Mr. Hunker said they are still waiting to hear the date for the Local Public Hearing, he thinks it will probably by sometime in June.

19-112

IN THE MATTER OF AMENDING THE HURON COUNTY PERSONNEL POLICY MANUAL

Terry Boose moved the adoption of the following resolution:

WHEREAS, an amendment is needed in the Huron County Personnel Policy Manual (PPM) to incorporate CORSA recommended changes and additional clarifications regarding sections:

- *Table of Contents*
- *Americans with Disability Act*
- *Unlawful Discrimination/Harassment*

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- *Medical Examinations/Disability Separation*
- *Drugs/Alcohol*
- *Hours of Work and Overtime*
- *Investigations/Discipline*
- *County Property*
- *Computer Use*
- *Social Media*
- *Concealed Carry*
- *Workplace Violence*
- *Bereavement Leave*
- *Vacation*
- *Unpaid Leave*

and

WHEREAS, it is the desire of this Board to make certain that the PPM is appropriate and in line with wise practices; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners does hereby approve modifying the above listed sections as recommended by CORSA and for added clarification as attached hereto and incorporated herein; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion.

***Discussion:** Mr. Boose asked how this affects the other departments. Ms. Ziemba said she would send it out to Mr. Brown and he would send it out to all departments and ask them to exchange the revised pages. Mr. Boose asked if everyone would receive it. Ms. Ziemba said that she thought everyone received a copy but it was up to them if they choose to adopt it. Mr. Strickler said the amendments were really just clarifications, there were no major changes.

The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose

Aye – Joe Hintz

Aye – Bruce Wilde

**PPM on file*

19-113

IN THE MATTER OF AMENDING JOB DESCRIPTIONS

Terry Boose moved the adoption of the following resolution:

WHEREAS, Resolution 19-009, adopted January 3, 2019, revised the Huron County Board of Commissioners' Office Table of Organization; and

WHEREAS, job descriptions for the Director-Emergency Management Agency, Director of Human Resources/Loss Prevention/Revenue Enhancement, Director of County Operations, Dog Warden, and Director-Department of Job and Family Services need to be amended to coincide with the Table of Organization; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the amended job descriptions for the positions listed above and as attached hereto and incorporated herein; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio, relating thereto were conducted in meetings open

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to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose

Aye – Joe Hintz

Aye – Bruce Wilde

**Job Descriptions on file*

At 9:15 a.m. Randy Strickler, Sheriff Todd Corbin, 911 Coordinator Tacy Bond -

Mr. Strickler indicated everyone has been asking him about a levy for 9-1-1. He said the problem is 9-1-1 is defined too narrowly for what they want to do. He indicated that 9-1-1 really only consists of the dispatch center, the radios in the dispatch center, and the employees. Our goal is to also be able to repair and/or replace radios, antennas and other items, but they aren't permitted to spend 9-1-1 money for those purposes. However, Mr. Strickler indicated there is another section of the Commissioner's Code, §307.63 - Establishing a County-Wide Public Safety Communications Systems. He read: . . . *"countywide public communications system" means a system of communications facilities, equipment and services that helps to provide immediate field exchange of police, fire and emergency medical services information between the county and participating states, political subdivisions and other public entities, without regard to which jurisdiction holds title to real or personal property used in the system . . .* Mr. Strickler thought the County was already doing this. He explained the Sheriff dispatches people and the police, fire and ambulances all have the ability to communicate with each other. He believed this had not been possible in prior administrations. Sheriff Corbin acknowledged this was the case.

Mr. Strickler said he had discussed the situation with Sheriff Corbin and Ms. Bond and thought they were both okay with what he was going to propose. He cited §5705.19(SS) of the tax levy law - *for both of the purposes set forth in divisions (BB) and (KK) of this section*. Mr. Strickler clarified Section (BB) is 9-1-1 and (KK) is the countywide public safety communications system. This would allow the two to be combined. Mr. Strickler said, as a legality and a formality, the Commissioners should adopt a Resolution to establish a countywide public safety communications system. He said according to the statute the Sheriff would manage it. If the Sheriff provided written notice that he does not want to run it, then it would fall to the Commissioners. Mr. Strickler indicated he had discussed this with Sheriff Corbin and was pretty certain the Sheriff wanted to run it.

Mr. Wilde questioned whether it could be a continuing levy or a five year levy. Mr. Strickler said because of the way the statute was written, it would only be five years. He thought if a levy could be passed there would be a large sum of money to use for 9-1-1 and the other things that need to be done. Mr. Strickler had talked to both Ms. Bond and Sheriff Corbin. Both had told him there are antennas that need replaced and/or maintained, there are radios that need to be repaired or replaced. Mr. Wilde suggested different Villages may also need assistance.

Ms. Bond said the money received from the State can only be used for the dispatch center. She said they have been arguing at the State level to get the wording changed to allow them to use the funds other ways, because everything is intertwined. For some reason the State refuses to let the funds leave the dispatch center. Ms. Bond said the funds will help cover the costs of taking a 9-1-1 call, but they can't use those funds to cover the costs of an officer receiving that call. She said what they are trying to do with 9-1-1 and emergency services is to set up a way to serve the entire system county-wide. So if, for example, Wakeman calls and they are really having problems with their radios, they can help take care of those needs. She said we are strengthening the entire County. Ms. Bond said one of the big things they will look at is where in the County they are having deficiencies as far as radio transmissions and what needs to be done. She thought possibly a lot of the repeaters might need tweaked, they might need some signal amplification. Ms. Bond said she and Sheriff Corbin had discussed it before. It would kind of encompass the entire emergency services realm as a whole. Mr. Strickler said the problem is the 9-1-1 money can only be used for receiving calls for help – send an ambulance, a fire truck or police. Mr. Wilde said, so even if there was an increase in that, it wouldn't do us any good. Mr. Strickler said no. Ms. Bond said that even if the State raised the fee, they still limit what you can and can't spend it on. Everyone agreed it would help, but it still would not solve the problem.

Mr. Strickler thought that, as far as a tax levy, subsection (SS) was the way to go because it allows the County to spend the money on the things they need to spend the money on. He explained, that, as Ms.

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Bond said, the 9-1-1 system is really intertwined with the Sheriff and all the other political subdivisions. He said this is why it makes sense to establish this County-wide public safety communications system, have the Sheriff run it, and have cooperation between the 9-1-1 staff and the Sheriff's department. In that way they can do the things that need to be done to improve, rather than call it the 9-1-1 system, it made sense to call it the Emergency Services Communication System.

Sheriff Corbin explained that, even if the 9-1-1 surcharge was increased, it is only going to raise the amount they receive to \$256,000. As Ms. Bond has said before, right now they are spending \$210,000 a year to maintain the system. So with that money being spent, the increase would only leave about 45,000 which is still not enough money to operate and maintain the system as it should be. Ms. Bond said this also does not include the necessary improvements. Mr. Hintz agreed it didn't do any good to receive calls and then not be able to get them out. Sheriff Corbin continued by saying they are dealing with a system that is over 30 years old, the infrastructure is not there. He said the updates necessary for just one tower would cost approximately \$60,000 – new antenna, coaxial wires, and different items like that, which have never been maintained. Sheriff Corbin noted this was by no fault of anybody in the room, it is just something that has always been put on the back burner. They are now looking to move forward and try to get ahead of the game a little bit. Mr. Hintz noted that we have to do a good job too of convincing the tax payer of the need for this. Everyone agreed. Ms. Bond said she thought a lot of the problem is people think the money comes from the General Fund or that they are already being taxed for it. She said what they don't realize is, it is only 25 cents and is limited to what it can be used for. She said a big portion of what they have been trying to do is get the word out of what money they do receive and what it does cover and what it doesn't cover. Mr. Hintz agreed they needed to educate the public.

Mr. Boose brought up that he has a major concern about the whole process - the five year compared to a continuous levy. Since they were looking at such a huge budget, over \$800,000, Mr. Boose wanted to know what would happen in year six if the levy was not renewed. Ms. Bond said what she would like to do, if the five-year levy does pass, is to strictly live off the levy money. She does not want to touch the \$128,000 received annually from the State. That way, if in year six the levy is not renewed, at least they would have over \$600,000 as a cushion to run it. She said the Commissioners know better than her, getting a levy passed is the hard part, usually renewals are a little easier to get through. Ms. Bond continued by saying she would hope if the levy does pass and people see they are actually doing what they said they were going to do with the money, it would be a selling point. If the public sees improvements, and she said in the last year they have made great strides just with improvements at the Sheriff's office. She thought if they get the voter's approval to move forward and they see such enhancements as Text to 9-1-1, which is the next big thing, and they see improvements to the communication system, they will be willing to renew the levy.

Mr. Hintz said they will have five years to prove themselves. Ms. Bond said the State is pushing next-gen 9-1-1, but with everything that is happening at the State level, they are not having much success. She said they are seeing communities that do have the money starting to take next-gen steps on their own to provide better service for their citizens.

Mr. Boose asked what percentage of the money that we are going to be spending per year will be paying for equipment versus operating. Ms. Bond said their operations budget is around \$210,000 per year to maintain. Mr. Strickler asked if that was to maintain equipment or if that also included salary. Ms. Bond said that was not salary, just daily operations. Her plan moving forward, if they can pass a levy, is to tackle one project at a time. For instance, she thought radios may be the first priority, as that is also an officer safety issue. Then in year two, possibly Text to 9-1-1. Mr. Boose said that, once again, his concern is future costs. He noted that if in year six there is an issue, operations can be cut back. However, equipment is going to be there forever and will require maintenance.

Ms. Bond explained the server would be a three year commitment on pricing as far as what they will be tied into for payments. She said after year three it will just be maintenance, which is a fraction of the cost. Equipment for next-gen will be up front, and Ms. Bond anticipated this will be purchased in years three to five. This would be a one-time purchase and then just maintenance fees, subscription and licensing fees moving forward. She is anticipating, once the system is in place, there shouldn't be much maintenance costs except down the road for replacement or any issues they may have after the warranty.

Mr. Boose wanted to know if the levy would bring in enough money to pay for everything or if we would have to bond it or have future payments? Ms. Bond said that we should be able to cover everything they looking at. She said what was laid out in the plan is an anticipated possibility of where they are headed. Because of the way everything is changing daily with 9-1-1 and the technology and where they are headed,

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they can't for sure say they are going to purchase this equipment, but they are definitely going to upgrade their equipment. Ms. Bond explained it could change by the time they get there – in a year things will be different, they are going to change. She noted that Sandusky County is doing a \$2,000,000 upgrade right now and just found out the CAD they went to merged with four other companies. This means the CAD they chose is no longer going to be supported. In other words, the brand new system they are putting in is going to need replaced in two to three years. She said we don't want to make that mistake, we want move ahead cautiously. Mr. Hintz thought that could happen anyway. Ms. Bond acknowledged it could. She said they are seeing companies like Motorola buying up a lot of companies, and then in a year or two they aren't going to support those smaller companies. She said they are anticipating they are going to proceed with caution but they plan to have up-front money. They may have \$858,000 available in the first year of the levy but decide to only spend \$200,000. This would give them a nest egg to roll into the next year so when they are ready to buy equipment it can be purchased outright.

Mr. Wilde mentioned she had shown them a five year plan with what they anticipated and he knew that was just that, a plan. Ms. Bond said those were also just goals, it doesn't mean they have to do those projects, it is just anticipated costs of what our possibilities could be if the money is available.

Sheriff Corbin said the goal is to actually upgrade the infrastructure because, again you have a system that is 30 years old and it has never been looked at, no one is going out to check the repeater, or doing simulcast or checking the coax cables. It was just something that had worked, the attitude has been if it's not broke don't fix it with upgrades and the moving forward process of it. He said if you really want to try to put a cost to it, for instance, right now they have three towers – one at the landfill, one in Wakeman, one in New London. The costs of the New London tower are shared with New London. So if we really had to replace just say two antennas and maybe put up a third or fourth one, they would be looking at \$60,000 per antenna, so the money that is coming in will far exceed what we are going spend in any given year. Because there three towers, it would be only \$180,000 that they would have to take care of. He said, once you get those up, as Ms. Bond said, it is the maintenance agreement that you would put in place to make sure it is covered and all the parts, you are still far enough ahead of the game to take care of business and not be a burden on the General Fund, and the County Commissioner's making those decisions.

Mr. Hintz understands what Mr. Boose was saying – in five years what is going to happen? But he understands what Ms. Bond is saying, that a renewal is going to be a lot easier to sell, especially if we have a past history and we have proven ourselves. Mr. Boose said there is a possibility of a recession and nobody wants to pay more taxes too. Mr. Hintz agreed. Sheriff Corbin said they said the same thing when they had the meeting. People don't understand but it is the cheapest life insurance policy you can have when you have a system that is in place and you can pick up the phone and dial 9-1-1 and get someone there. No one ever thinks about that until they are in that situation. They have to dial 9-1-1 and they are trying to figure out why isn't their call being routed to where it needs to go, why aren't people responding. Mr. Hintz said and we are presenting it to the taxpayer, it is going to be their call.

Mr. Wilde asked if this would be a Special Fund. Mr. Strickler responded that if it was a levy there would be a levy fund established and all that money would go into the levy fund. It would be a Special Revenue Fund because it is a tax levy. The monies can only be used for the enumerated purposes of 9-1-1 and the maintenance and operation of the County-wide public safety communications system. Mr. Wilde asked if he understands that the Sheriff will control all that money. Sheriff Corbin acknowledged he would. Mr. Wilde asked if it was only the Sheriff. Mr. Strickler said the Commissioners would control the money but the Sheriff operates the system. Ms. Bond said that, from what they had discussed, it would be similar to the 185 Fund that they have now. They would submit a budget request to the Commissioners each year for the projects they are planning. The Commissioners would appropriate the budget from the levy fund. It would be discussed with the Sheriff, Ms. Bond and probably the TAC Board, because that is where they run the big purchases through and our plan of what they would like to accomplish. But ultimately the County Commissioners would control it.

Mr. Strickler noted that the Sheriff would operate the system. Mr. Strickler read §307.63(C) that states “The board of county commissioners may construct, acquire or contract for communication facilities for the public safety communications system. In addition, the board may acquire or contract for computers *and other equipment in connection with the system, provide equipment to the users of the system, maintain the facilities and equipment, employee personnel or contract for personal services, and exercise other powers as necessary to operate the system. The board may adopt policies and rules for the administration, operation, and maintenance of the system. If the county sheriff is the operator, he may employ personnel in connection with the operation of the system.* He also read §307.63(D): . . . county commissioners may

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enter into agreements with this state, political subdivisions of this state, an adjoining state . . . or any other public entity concerning the use of the countywide public safety communications system. Mr. Strickler thought that once this is established, the County should enter into simple contracts with all the local villages and townships. Sheriff Corbin said that is what he currently does now.

Sheriff Corbin explained what he has been doing is putting the money into a special line item fund, then any work that needs to be done is submitted to the County Commissioners for review and to make sure that the money being allocated and used properly. Mr. Strickler clarified what he meant was to have contracts in place, then in the event there are upgrades to radios or other changes, they would be able to participate in that upgrade because they are part of the system via the contract. Sheriff Corbin indicated that is something he currently has in place now. For example, he has contracts with Fireland's Ambulance and Citizen's Ambulance - they sign the contract, he is responsible for their communications, etc. Mr. Strickler verified that the Sheriff does dispatching for some of the small villages – Wakeman, New London, Monroeville. Sheriff Corbin said he does dispatching for everyone except for Willard, Norwalk, Bellevue and North Central. Mr. Wilde said still a little unclear on details. Mr. Strickler said the Commissioners have control of the money - it is their system. The Sheriff is the operator under the statute.

Mr. Wilde asked if there were anything else. Sheriff Corbin said to contact him if they have any other questions, because there are already policies and procedures in place.

Mr. Hintz noted that this had been a challenge, as they had to have a Coordinator to get things going, but there hadn't been solid funding to do it. Sheriff Corbin said he thinks, when they talk to the Townships getting on board with the TAC Committee, he believes they get a true and fair assessment of everything that is going on. He indicated we are providing a better service countywide. He said it is their input, the County Commissioners get to hear from them. Sheriff Corbin said the Commissioners get to hear from them directly and make sure we are being financially responsible, and that we are taking care of their needs as well. Sheriff Corbin said that, without Ms. Bond he didn't think they would be as far in the process as they were. Mr. Hintz agreed.

Sheriff Corbin said the system has never really been addressed in the 20+ years he has been at the Sheriff's office. He said now we get a chance to get a head of it and we can find a way to fund it, that way it is not completely funded by the General Fund. He believes it is a good thing to do. Sheriff Corbin said that, at the end of the day, he believes every person that lives in Huron County is going to have better service. Mr. Hintz reminded him that they still have to sell this to the public. Sheriff Corbin agreed absolutely. And again he thinks the easiest way to sell it is reminding the public – they are putting their life at risk. They want us to be able to get there, they want us to be able to provide the service that they want, again not just for a select group of people, but for all the Townships, Fire Departments and areas within the County. Sheriff said that there had been discussion about the financial aspects of this before, people were complaining about how the money was assessed, but they don't realize the money has to come from somewhere. It is a service they are using and this will take the burden off of them. A lot of them don't have the money to be able to put up front and do that. Sheriff Corbin feels this will make up the difference.

Mr. Strickler said he believed the next step would be to do the Resolution in the next week or so to establish the system. Once that is done there would have to be an Auditor's Request Resolution for the levy. From there Mr. Strickler said it would be necessary to get a Certificate of what the levy will collect and what the tax values in the County are. Finally there needs to be a Resolution of necessity to put it on the ballot in November.

PROCLAMATIONS

Terry Boose moved to approve the proclamations. Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose

Aye – Joe Hintz

Aye – Bruce Wilde

PROCLAMATION

WHEREAS, high school athletic programs throughout the Huron County schools do much to promote our youth; and

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WHEREAS, such programs have produced championship teams and individuals in which all residents of the county may take much pride; and

WHEREAS, these teams and individual achievements shall not go unheralded in the public eye; and

WHEREAS, the Huron County Commissioners do desire to recognize an area student athlete for their achievements at the state swimming competition:

NOW THEREFORE BE IT RESOLVED; that the Board of Huron County Commissioners hereby honors and commends the swimmer listed below:

Willard	Nicholas Bauer	Division II	State Qualifier
St. Paul	Jared Schaffer	Division III	10 th Place – Breaststroke

for their achievements and wish them the very best of luck in all their future endeavors;

IN WITNESS WHEREOF We have hereunto subscribed our names this 9th day of April in the year of our Lord, Two Thousand Nineteen.

HURON COUNTY COMMISSIONERS

PROCLAMATION

WHEREAS, high school athletic programs throughout the Huron County schools do much to promote our youth; and

WHEREAS, such programs have produced championship teams and individuals in which all residents of the county may take much pride; and

WHEREAS, these teams and individual achievements shall not go unheralded in the public eye; and

WHEREAS, the Huron County Commissioners do desire to recognize several area wrestlers for their achievements at the state level of competition:

NOW THEREFORE BE IT RESOLVED; that the Board of Huron County Commissioners hereby honors and commends the wrestlers listed below:

Norwalk	Ethan Hernandez Gabe Phillips Alec Maloney Tche Leroux Ethan Phillips	Division II	2 nd Place 5 th Place 3 rd Place 6 th Place State Qualifier
Bellevue	Justin Mayes Gabe Alda Collin Corapi	Division II	3 rd Place State Qualifier State Qualifier
St. Paul	Cam Caizzo	Division III	8 th Place
Willard	DJ Slone	Division II	State Qualifier

for their achievements and wish them the very best of luck in all their future endeavors;

IN WITNESS WHEREOF We have hereunto subscribed our names this 9th day of April in the year of our Lord, Two Thousand Nineteen.

HURON COUNTY COMMISSIONERS

IN THE MATTER OF TRAVEL
Ms. Ziemba stated Art Mead, EMA requested the Board reconsider the Infrastructure Disaster Management Certification courses in Shelby County on April 17 and April 18, 2019.

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Terry Boose moved to table the request for travel for Art Mead. Bruce Wilde seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose
No – Joe Hintz
Aye – Bruce Wilde

Terry Boose moved to approve the following travel request this day. Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose
Aye – Joe Hintz
Aye – Bruce Wilde

Pete Welch and Dave Homan, SWMD/Landfill, to Mansfield, Ohio to tour the Rumpke Recycling Facility on April 9, 2019.

Commissioner Boose report

Mr. Boose would like to send a letter to R.J. Beck asking them not to do any work on the building security without the Commissioner's permission. Mr. Wilde agreed – it is our building.

At 9:47 a.m. the board recessed until 10:00 a.m.

At 10:00 a.m. Stieber Metro Parks Ditch Petition *continued*

HURON SOIL AND WATER CONSERVATION DISTRICT

in cooperation with

HURON COUNTY COMMISSIONERS

And

HURON COUNTY ENGINEER

Norwalk, Ohio 44857

PRELIMINARY INVESTIGATION REPORT

FOR

Stieber – Lorain Metro Parks District

involving

Ridgefield Township, Section 1 & 2

Huron County, Ohio

Prepared by

Huron S.W.C.D.

REGULAR SESSION

TUESDAY
Huron S.W.C.D. Norwalk, Ohio

APRIL 9, 2019

Date: April 8, 2019

APPROVED BY _____

PRELIMINARY INVESTIGATION REPORT

Stieber – Lorain Metro Parks District County Petition
Section 1 & 2; Ridgefield Township; Huron County, Ohio

This preliminary report for a drainage and improvement project is hereby submitted for your consideration in accordance with Chapter 6131 of the Ohio Revised Code.

The area and problems have been investigated by the Huron County Engineer and the Soil and Water Conservation District, and this report presents the information and data available to us at this time, along with our recommendations for solutions to improve the drainage problems being experienced.

After investigating the amount of fall and studying known problem areas of concern, it has been determined to be feasible and practical to commence the improvement at a point located 1,386 north of Washington Road. The area of concern upstream of this point consists of removal of excess surface and subsurface water from a watershed of **592.88 acres**.

Environmental Setting: A majority of the soils in the watershed are known as Kibbie loam. Kibbie is a deep, nearly level, somewhat poorly drained soil, and has a seasonal high water table ranging from 12 - 24 inches. The topography of the area is gently sloping. . Annual rainfall is about **36 inches per year**. The improvement will cross Halfway Road and continue upstream to the west along the south property line of the Lorain County Metro Park District ETAL property end approximately 3,870 feet west of Halfway Road. Said termini can be described as being 1,120 feet south and 330 feet west of the northeast corner of Great Lot 19; Section 1; Ridgefield Township; Huron County Ohio.

UNDERGROUND UTILITIES: At this time we know there are some utilities along Halfway Rd and Washington Rd and a possible gas line located north of Washington Rd. The Ohio Utilities Protection Service will be contacted and all lines will be located before construction begins.

LAND, WATER, AND PLANT MANAGEMENT STATUS: No land use changes can be foreseen in the watershed with exception of a few houses being built.

EXISTING CONDITIONS: The portion of ditch west of Halfway Road was cleaned out a in the past and appears a bottom cleanout is needed to maintain adequate fall in order to convey the flow of water downstream to Halfway Road.

RECOMMENDATIONS:
in 1979 Stieber's Bros. had the ditch cleaned for \$3545 and in 2003 for \$1440. The Huron County Ditch Maintenance program completes bottom cleanouts on a timeline of 10 to 12 years and max of 15

The problem areas mentioned should be dipped out or reconstructed in order to provide adequate surface and subsurface drainage. At minimum, 360 feet downstream of Halfway Road and 3,247FT west of Halfway Rd. including All outlet pipes in need of replacement. All disturbed areas then need to be fertilized and seeded. A few trees and some brush may need to be cleared

PRELIMINARY COST ESTIMATE:

Excavation – dip-out or reconstruct 3,247 ft. @ \$2.50 / ft.	\$8,117.50
Seeding – 2.25 acres @ \$500.00 / acre	\$1,120.00
Outlet pipes – 10 @ \$200.00 / pipe	\$2,000.00
10% contingency	\$1123.75
Total	12361.25

These are estimated quantities and costs and will vary depending on more precise quantities determined on the final plan, economical conditions and final contractor bids. On Average a Bottom cleanout cost Huron County Ditch Maintenance .75 cents A foot this could bring the cost down to \$2435.22.

Based on the fact that there are 592.88 benefiting acres, we feel that the benefits derived from this project will exceed the cost.

ENVIRONMENTAL IMPACT: This project will not have a negative impact on any waters of the United States. Since this project will not have a significant impact on the environment, an environmental impact statement is not needed.

EASEMENTS : A temporary 75 foot easement from the top of each ditch bank will be needed to reconstruct portions of the ditch and in order to properly spread the spoils. A permanent 25 foot easement measured at right angles from the top of the ditch bank will be recorded for future maintenance activities.

CONCLUSION: This report is preliminary, with it’s intent being to provide County officials and affected landowners enough information to decide whether or not the petiton should be granted or dismissed.

Good maintenance is essential to the future success of this improvement. To insure a properly operating drainage system, the installed works must be placed on a permanent maintenance program. Once on the maintenance program, the improvement will be inspected annually and after all severe storms for needed repairs. All items such as re-seeding, bank washouts, freeing animal guards etc. will be promptly repaired. The cost of such repairs must be paid as provided in the assessment schedule of maintenance bases. Maintenance costs in Huron County average about \$750 per mile per year. This would equal an average annual cost of about \$461 per year.

Mr. Robinson outlined the main points of the report. Mr. Wilde wanted to clarify some of the information - the excavation was approximately \$2,435.72, and they would not be doing any seeding. Mr. Robinson that was correct, they shouldn’t have to do any seeding as long it was dipped and spread. If the spoil did sit, they would have to seed it under EPA regulations. Mr. Hintz clarified that was their worst case scenario. Mr. Wilde said that the outlet pipes are \$2,000, this is basically a fixed cost. Mr. Robinson said yes, about \$200 per outlet pipe. Mr. Wilde said the total real number was \$4,435.22, plus 10% contingency was \$443.

Mr. Wilde estimated the round number was \$4,900 to \$5,000.

Bob Stieber spoke up and said he didn’t think any of the outlet pipes would need anything done to them, they are steel pipes in good shape, with plastic tile. Mr. Robinson explained that, even if the outlet pipes

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did not need replaced, they would still need an animal guard to be put on the maintenance program, so there would be a cost there.

Engineer Lee Tansey said they provided a report at the last hearing. He had no further comment on the report – everything they provided was in the report. He would be happy to answer any questions, but all their statements, comments and research were included in the report.

Mr. Boose asked Mr. Tansey if he was correct in that Mr. Tansey thought the ditch was in good shape, and is working right now. Mr. Tansey said they did not recommend any construction activity to the ditch, although they are not opposed to it being on maintenance. After being asked about it by Mr. Hintz, Mr. Tansey also indicated they did not feel it needed to be cleaned at this time. He said that, as Mr. Stieber pointed out, the outlets are fine. He said with those outlets, if you dig 20' you would need an excavation permit from the railroad, which they don't give unless you are boring. He believes it is operating adequately in its current state.

Ross Stieber. Mr. Stieber wanted to know, if the Engineer didn't think there needs to be any construction, did that also mean he thought the bottom didn't need dipped out? Mr. Tansey said they sent their survey crew out there and shot the grade and it meets the slope standards set forth by Soil & Water. There are a few flat spots, but the overall slope for the ditch meets all of their design standards. The little bit flattening in areas does not hamper the flow of water.

Mr. Stieber then noted Mr. Robinson had indicated that the Soil & Water standards are 10 to 12 years. He asked Mr. Tansey what the County's standards were for dipping a ditch. Mr. Tansey indicated it was as needed, the county does not maintain off road ditches – they only maintain road side ditches. He said some aren't touched for 50 years, some are done every 5 years, depending on conditions, runoff, etc. Mr. Stieber asked for a clarification as what "as needed" meant. Mr. Tansey indicated it varied depending on the individual characteristics of each ditch, there was no way to put a number on it. Mr. Robinson clarified his number was an average – some ditches he will do every 6 years, some can go as long as 15 years.

Mr. Stieber asked Mr. Tansey for his thoughts on the freeboard, or if he had even taken it into consideration? Mr. Tansey indicated technically they don't need any freeboard. If it is meeting the ditch elevation the water can get out. Ross Stieber thought there were probably some spoils at the bottom, he thought probably 6-12". Mr. Tansey said, if it is 6-12" out of the ditch, then it would be deeper at the outlet, the water is not going to get to Halfway Road.

Mr. Wilde want to read something from the CCAO Handbook, Chapter 29 – Drainage & Ditches. Mr. Wilde read Section 29.12 – APPROVAL OR DENIAL OF A PETITION: *The county commissioners may grant the petition if they find, at the first hearing: 1) That an improvement is necessary, 2) That the proposed improvement will be conducive to the public welfare, and 3) That the cost of the proposed improvement, with reasonable certainty, will be less than the benefits. The county commissioners must also consider any adverse impacts on environmentally significant areas and give consideration to alternative plans to provide protection to such areas. In making the decision on whether to proceed to a second hearing, the opinion of the county engineer should be of primary importance.*

Mr. Wilde indicated, speaking for himself, as a Commissioner he feels the Engineer knows more about this than he does. As of right now Mr. Wilde is going to with Mr. Tansey's opinion, but noted there are other things that could be done.

Mr. Boose asked if Soil & Water were aware of two other ways to maintain the ditch as outlined in the CCAO Handbook, Chapter 29. Mr. Boose read: *While this chapter will primarily deal with petition ditches and maintenance of petition ditches, drainage improvements can also be achieved under the "mutual agreement" procedure and through Soil Conservation Service (SCS). A simplified "ditch repair procedure" is also possible for small projects. Mutual agreement ditches are usually the most cost effective method to make improvements. In these projects property owners voluntarily join together to pay for the cost of the improvement. The county is marginally involved in the project, but the landowners contract for the construction. It is useful, however, only when property owners are in total agreement on the project and its costs. SCS projects also involve less county involvement than petition ditches.*

Mr. Boose felt that this particular case, it did not seem to be a very complicated ditch, although he admitted he wasn't a ditch person. He thought it was pretty simple ditch, with the same owners on each side all the way through. He noted there were some people that were not in favor of putting it on County ditch maintenance. Mr. Boose's opinion was this could very easily be worked out amongst the parties and if anyone had looked at that option.

Mr. Robinson indicated his belief that every land owner would have to agree. If not, it would have to go through a petition. Mr. Boose thought all land owners may agree if certain people say they will pay for it, as opposed to everybody having to pay for it. Mr. Robinson agreed that could happen. He added this would be for start-up costs, but everybody would have to pay maintenance once it was on maintenance. Mr. Wilde clarified that they were talking about something that would be mutually agreed upon by the land owners, so it wouldn't be a County program. He wanted to be sure everyone understood what Mr. Boose was saying - an agreement could be reached between the parties that wished to have the maintenance done.

Mr. Robinson said he thought the biggest reason for the petition was to get a permanent right of way for future cleanings.

Chad Stang, Soil & Water. Mr. Stang said one of the biggest reasons for this petition was the Rails to Trails. He had talked to Gordon Oney from Rails to Trails, who would like a permanent easement on the ditch. Mr. Stang thought it would have to be put on County maintenance to get a permanent maintenance easement. Mr. Tansey thought if the property owner wanted to get a private permanent easement from Rails to Trails that could be done. Mr. Wilde agreed and Mr. Boose said it was done all the time. Mr. Tansey indicated they had discussed that option with Mr. Stieber as an alternative solution. He said the engineers were not opposed to the petition process, they just don't think any work needs to be done. He indicated if the Commissioners do choose to put it on a petition for future maintenance, they are fine with that. But they are discussing alternate methods of solving the problem.

Mr. Robinson said that he agrees the ditch looks good, but for maintenance base reasons he felt something should be done so that there was money transferred so there was a maintenance base to collect off of in the future. When Mr. Wilde asked him about it, Mr. Robinson said the maintenance base was hard to explain. If it will cost \$4,000 to construct a ditch, each individual parcel in that watershed is assigned a certain amount of that \$4,000 and that becomes their maintenance base. He explained it is not the money that is actually coming out every year, it is just their maintenance base. As an example, he said if somebody has a \$1 maintenance base, he would only collect 10% of that \$1 - that is what would be owed on their taxes the following year. He explained that is why there usually has to be some type of money transfer so that he can set a maintenance base for this ditch to collect money off of later. Mr. Wilde thought assessing someone 10 cents a year seemed a little ridiculous.

Mr. Hintz thought he understood – Mr. Tansey was basically saying if it is not broke, don't fix it. Mr. Tansey said they are giving a technical engineer report, regardless of money or how the maintenance works, they were stamping this and certifying what they believe, engineering wise, needs to be done. That is their responsibility, to give an engineer technical report and that is what they provided.

Mr. Bob Stieber didn't agree with the engineer's assessment. He had letter he read to explain what has happened and the history over the years:

History Of Water Draining Into This Ditch And Why It Is Important For This Ditch To Be Put Under Ditch Maintenance

This letter will explain the history of the ditch and why it is important for the Sparks, Stieber, Houck, and Schafer families to maintain the ditch. This ditch is the only outlet for the acres we will describe later in this letter. This ditch needs to be maintained to protect the investment of clearing and cleaning up the farms over the years and also the tile investment to drain this productive farmland.

This ditch was first mentioned on April 30th 1912 in an official county record. This ditch was also mentioned in 1913 by official petition record by the county commissioners, Vol. 16 pages 163 and 164. It was agreed on with the railroad to construct and maintain this ditch. About every 10 years the landowners had to complain to commissioners for the cleaning of this ditch. We suspect with the ditch having little grade and no maintenance, trees would grow to the point of plugging ditch. We see records of 1937, 1946, and 1955 the county commissioners and county engineer was in contact with the railroad to clean ditch. This Ditch has only .20% grade at the start of ditch by halfway road to .03% on the west end, according to county engineer maps in 1938 improvement project. This ditch has been a problem since 1913 when the first record of county ditch mentioned as C.E. Parmelee Ditch #352. The Railroad went bankrupt at some point and landowners could not get anyone to clean ditch, so in 1979 Stieber Bros. and Eldon Smith hired a contractor to remove trees from ditch. Bob Stieber and Eldon Smith then cleaned up the trees and removed the old railroad ties. Bob Stieber then mowed the ditch yearly until 2003 when the Bike trail contacted us. Landowner's Dr. Sparks, Roman & Helen Meyer now owned by Ron Sparks, Catherine Skilton then Eldon Smith now owned by Stieber Bros, Richard Metz now owned by Greg, Eli, and Greg Schafer, Dr. Henry now owned by Shawn Houck paid for the ditch cleaning in 1979. They also paid to dip the bottom of ditch in 1994 and the last time it was dipped in 2003. Stieber Bros and Ron Sparks paid to have the ditch mowed in 2012. Stieber Bros paid to have the ditch mowed in 2018, because the trees were growing to the point of having to hire a contractor to remove the trees again.

This ditch drainage problem for the Stieber family starting in 1953 when my dad returned from the front lines of the Korean War. He, along with his brothers and dad, rented the farm on the south side of Rt. 20 for the spring of 1954 located across from Shawn Houck, formally called the Henry farm. Then the fellow, who owned the farm, by the name of Bovard, passed away. They tried to buy the farm from his family, but the bank said it was too wet and could not be drained and refused to loan them the money. They proceeded to go to another bank, but in the meantime, Dr. Sparks purchased it and we have farmed it from that time on. The reason why the bank said it was so wet is because the ditch we are talking about was plugged on the North side. The letter we have from the commissioners dated June 5th 1955 confirms this

South Side Drainage.

In the early 60's Stieber Bros helped cleanup numerous fencerows along with an 8 acre woods. Bower tiling was then hired to tile 55 acres on the South side. Dad remembers it well because on February 19, 1963, which is the day I was born, dad was riding the wagon next to the ditcher lifting the clay tile into the ditcher boot, when Dr. Sparks was driving home from the new Norwalk hospital and stopped to tell Dad that I was born. Bower tiling still talk about how much work it was to lay 7000' of clay tile a day on this farm. The most clay tile they ever laid in a day.

Then in 1965, after Stieber Bros helped clean up the 25 acre Catawba woods, Calhoun Ditching tiled another 50 acres. Again, Dad and his brothers' jobs were to feed the clay tile to the ditchers. My grandpa's job was to crumb the dirt back over the tile lines. My grandpa had a heart attack that evening after a hard day of work and never farmed again. In 1983 Stieber Bros took out another 8 acre woods and Bowers Tiling tiled that.

In 2004, Stieber Bros. purchased our own tile plow and tiled 10 acres for Ron Sparks and 30 acres of our own on the Mary Cramer Farm. In 2012, we tiled another 55 acres for Ron Sparks and 10 acres on the Helen Stieber-Meyers farm (My Dad's aunt) which is now owned by Ron Sparks.

Our last project on the south side was done in 2016 when we tiled 92 acres for Ron Sparks and 58 acres on the Cramer farm we now own. Now we know not all of the farmland tiled on south side goes into this ditch, but the majority of it does.

North Side Drainage.

In 1994 Bower tiling tiled 15 acres on the north side and Leon Riley Excavating Co. bored a 16" pipe across the live railroad tracks for Dr. Sparks. Then in 2013 Stieber Bros installed a new 15" main for Ron Sparks to take water from the south side. Then in 2008 and 2012 Stieber Bros tiled 60 acres for Ron Sparks. All of the water on the north side runs into this ditch.

This is why it is so important to have a good free flowing outlet for the Sparks, Stieber, Houck, and Schafer family, as well as the other families who have water running into the ditch.

We can only talk for the Sparks and Stieber families who have spent 100's of thousands of Dollars and a lot of hard work over 66 years to drain this farmland. We don't own the ditch or we would not be asking for this to be put under ditch maintenance. We would take care of it ourselves. This will cost our families tremendously if this ditch is not maintained, because they are being compensated from the revenue off these farms. Some are depending on this for their retirement.

Also everyone in this county eats food so everyone is benefitting from these farms producing food. We started working on this project in 2005, but the project was stalled because Cary Brickner from soil and water included in the project the ditch continuing on downstream to hill road. That area of ditch has a lot of fall and does not need the attention as this section of ditch with little grade. The section of ditch from halfway road to hill road is maintained by the property owners. The section of this ditch is owned by the bike trail and they are in favor of putting it under ditch maintenance. We think it is time to get this ditch under ditch maintenance.

We have attached the bills landowners have paid to clean and mow this ditch from 1979 to 2018. Also we have attached commissioners records dated 1912, 1937, 1946 and 1955.

Questions from last meeting.

The question Bob Smith had at the last hearing about taking trees out is because the trees were mowed off after we filed the petition. We felt it could not wait any longer for us to do something until this process of putting under ditch maintenance gets complete. The trees were to the point of plugging off the ditch causing water to back up in the fields come spring.

The problem Bob Smith talked about water laying in field behind his house is exactly why we need the ditch maintained, because the flow of water down the ditch is being impeded with settlement washed in over a period of years, and before we mowed the ditch, the trees growing in the ditch was slowing the flow of water, backing up the tile outlets under the railroad tracks. Bob Smith mentioned this.

The question the house owner had of water standing on the South side of RT. 20 across from Shawn Houck pasture is because the main is plugged in the pasture. The Schafer Bros found this with a tile finder. It is thought to be plugged with tree roots. This problem has nothing to do with maintaining this ditch.

Sincerely

The Stieber Family

Mr. Tansey noted that the Parmelee ditch was not the same ditch, but used to outlet into this ditch. He said Parmelee ditch no longer exists, it was tiled at some point, it ran north and south and outletted into the far west limits of the ditch they were discussing. Sometime in the 1950s it was tiled and was no longer a maintenance ditch. Those are not the same locations – they are connected but they are not the same ditch.

Mr. Stieber wanted to read something from July 12, 1937, but Mr Tansey said he was just going off the records they have on file. Mr. Stieber read a letter from Dr. D.C. Martin, and he believes someone from the railroad talking to the County Engineer:

Dear Sir: We have numerous complaints lately in regard to the ditch in the right of way of the North Central Railroad in Richfield Township, Huron County, Ohio in the vicinity of Station 3675. This ditch is known as C.E. Parmelee ditch 352. At the time this ditch was petitioned in 1913, and proceedings of the Court on Volume 16, page 163 and 164 of the Commissioner's Journal of Huron County, Ohio, the North Central Railroad agreed to construct and maintain along its right of way a ditch connecting with above ditch. Mr. Stieber said the letter was signed by the County Engineer.

Mr. Tansey agreed it did outlet to that ditch. He would pull the deeds and research again, but they have the original 1913 petition that shows the drawings. It outlets into the ditch along the railroad, which was already there at that time. Mr. Tansey indicated if that was the case, if it was ditch to ditch, then it would have been maintained since 1950. It has not been.

Jeff Davis with Wheeling Lake Erie Railroad. Mr. Davis was the representative from the railroad that owns the property to the south of the trail property. He said they should not to be confused with the former railroad that was now the trail property. The only reason for his presence was to make sure the railroad was notified if there were any plans to do work to the ditch. They need to know to assure the drainage is secure on their property and that the structural integrity of their tracks aren't affected. He wanted to note that their property line to the north is about 50' from the center of the rails of the existing tracks. That is about 46' from the edge of the ties - the ditch lies right off of the property. Ideally all work should take place on the trail property, they would like to keep it off the railroad property. If it does require access to the railroad property, it will require extra precautions. He said a railroad flagger must be present at a minimum fee of \$950 a day. Mr. Davis indicated that, regardless if they are working on the railroad's

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property or the trail property, the railroad wants to see all plans before any work is done to let their engineers review and make sure it is okay. He said they are always encouraged by any ditch work, but have to see what is going to be done to make sure it is not going to affect railroad property. There is some slope to consider that could be supporting that track. He wanted to make sure they were in the loop on this.

Bob Stieber mentioned he had taken the advice of the Engineer and talked to the Bike Trail about getting an easement themselves. At that time they indicated they really didn't want to do it, which is why they went ahead with the ditch petition. Mr. Wilde questioned whether there was any way this could voluntarily be put together without a petition. He noted three parties appeared to benefit the most. The rest have little pieces here and there. Based on that he was not sure that the cost of the proposed improvements "with reasonable certainty will be less than the benefit for the rest of the parties". Mr. Boose said that seems to have been what has been happening - the ditch has been cleaned out several times in the last 25 years. There had to be an agreement to it at that time for it to be done.

Mr. Stang spoke up and said that ditch maintenance as a whole has been the same idea, if you are in the watershed you pay for the ditch maintenance. It may not benefit one house as much as it benefits a farmer that has 200, 300, 400 acres. But everywhere there is ditch maintenance, there's that little house it isn't benefitting as much, but if they fall in the watershed, they have to pay. Mr. Wilde said that if they are doing it voluntarily it is doing the same thing. Mr. Stang said that was correct, if they could get that easement. He was concerned that if a new person came in to oversee Rails to Trails, they might not be so cooperative.

Mr. Wilde suggested possibly a MOU or an easement. Mr. Stang agreed either could work. Mr. Wilde thought right now would be the time to do it while the Metro Parks are on board. It did not make sense to him to charge someone 10% of \$1 for maintenance. He thought the petition should be dismissed and the parties should pursue a voluntary agreement. There was a question as to how that could be accomplished. Mr. Strickler said they have to make the decision and then do a Resolution. Ms. Ziemba suggested they do a motion and second to either dismiss or grant, then follow up. Mr. Strickler said then follow up with a resolution at the next meeting so there's an official document if an appeal were to be filed.

Mr. Wilde thought, for the good of all, the parties could put an agreement together themselves. Mr. Stieber said, when you say voluntarily, how are you meaning that – still go the Soil & Water ditch maintenance or some other way? Mr. Boose indicated they were just going by what the ORC says, and Mr. Hintz clarified it just references a mutual agreement. Mr. Strickler thought they could do a Memorandum of Understanding between the parties to work out the details. Mr. Wilde asked if Mr. Tansey would be involved in the process. Mr. Tansey said he would not be involved in anything off the right of way.

Bruce Wilde moved to dismiss the petition. Mr. Boose seconded the motion.

****Discussion:*** Mr. Wilde said that, based on the three criteria he read earlier, all three of which are required – he does not think they are all there. Mr. Wilde hoped the parties would be able to come to a voluntary agreement. Mr. Hintz said that he can see both sides, but he agreed with Commissioner Wilde – he would love to see a mutual agreement come about. Mr. Stieber asked who he thought should come to agreement. Mr. Strickler and Mr. Hintz clarified between all the property owners. Mr. Boose said it didn't have to be all of the property owners – it could be an agreement between Stiebers and the Park District if they so choose. Mr. Stieber asked – so no more ditches will be put under ditch maintenance in the County? Mr. Boose explained they would, but only if it fell under the guidelines they were given to follow.

The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose

Aye – Joe Hintz

Aye – Bruce Wilde

Mr. Stieber requested the guidelines be read again, as he did not know which ones failed to pass. Mr. Wilde re-read the criteria:

- 1) *An improvement is necessary; Mr. Wilde indicated Mr. Tansey says it is fine, but Mr. Stieber is disagreeing. He read: the opinion of the county engineer should be of primary importance.*
- 2) *That the proposed improvement will be conducive to the public welfare; and*
- 3) *that the cost of the proposed improvement, with reasonable certainty, will be less than the benefits.*

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Mr. Boose had him read the last sentence: *the County Commissioners must also consider any adverse impacts on environmentally significant areas and give consideration to alternative plans to provide protection to such areas and in making the decision on whether to proceed to a second hearing the opinion of the county engineer should be of primary importance.*

Mr. Wilde did state there was an appeal process. Mr. Strickler noted it was \$6131.25.

At 10:47 a.m. the board adjourned the ditch petition and recessed the meeting.

At 10:53 a.m. the board resumed regular session

Commissioner Boose report cont.

Mr. Boose had a copy of a Toledo Blade article regarding wind farms in Paulding. He said there were some good comments from Paulding and Van Wert County and what the schools have been able to provide with the funds they were receiving. They talked to both supporters and opponents of the wind farms. Based on the tour they took on Wednesday (Davis Besse), he thought the information was very interesting. The pro-nuclear people there are not anti-wind. In fact, they came out and said wind and solar is a big part of the future of Ohio's – part of the big picture. He provided copies of the article.

Indigent defense – strongly recommends contacting Representative Stein about supporting the new amendment to House Bill 166. This asks for 100% reimbursement for indigent defense. Mr. Boose said he talked to Representative Stein about this Saturday morning. He sounded like he was okay with this, but as of last night he still had not signed to support the amendment. Mr. Boose strongly recommended Mr. Wilde and Mr. Hintz contact Mr. Stein and let him know how important it is we get 100% reimbursement. Mr. Boose feels that, until we get to 100%, the system is not going to change.

Mr. Boose called attention to an item in the new Transportation Bill permitting a County to purchase used supplies at a public auction without competitive bidding. Mr. Boose asked Mr. Strickler for clarification. Mr. Strickler thought it was so the County could buy used cars at auction. Mr. Boose said he was told the reason it was put in was so the Engineers could purchase used construction equipment. Mr. Strickler thought that made a lot of sense.

CCAO Legislative briefing rescheduled for Friday, May 3, 2019 at 11:30 at Jake's Restaurant in Ashland.

Wednesday, May 15, 2019 – Willard Center 42nd Annual Senior Citizen's Day breakfast. Mr. Boose would like to RSVP.

Thursday, May 2, 2019 – Prayer breakfast. Mr. Boose and Mr. Wilde will attend for breakfast, Mr. Hintz will attend the Prayer service.

Ms. Ziemba will make another phone call to Mr. Schonhardt regarding his indirect cost explanation to the Board, since she has not heard back from him. She will also make another call to the County-wide internet representative.

Mr. Boose asked where they were in the process of purchasing new Sheriff's cars. Ms. Ziemba had talked to Mr. Tkach about the amended Certificate to put the money in place, then they would do a purchase order. The next resolution could be to purchase. Ms. Ziemba said Mr. Tkach was confident he could have it all done by Thursday's meeting.

Mr. Boose spoke to George Austin. Mr. Austin had asked if the Sheriff was doing anything with the State motto - With God All Things are Possible. He explained everything he does with the cars is Buckeye Sheriff's Association approved. He had asked him to go to the Buckeye Sheriff's Association and was following up.

Mr. Austin also inquired as to who to speak with about a Veterans memorial. Mr. Austin would like to put a rock with the State Motto on it. Mr. Boose suggested he contact Jerry Huffman.

Mr. Boose asked Mr. Strickler about the Courthouse roof. Mr. Strickler indicated Mr. Welch had forwarded the bid documents from Garman Miller. There were 137 pages he had to review. He was working on it.

Next Monday – ODOT meeting at Townsend Hall to discuss the roundabout. The ODOT representative will be at the Commissioner's meeting on Tuesday as well.

Courthouse security meeting – May 17th.

REGULAR SESSION

TUESDAY

APRIL 9, 2019

Mr. Boose would like to have a discussion based on the tour last Thursday.

Commissioner Wilde report

Mr. Wilde passed out some CDBG information he had received.

Commissioner Hintz report

Mr. Hintz will be on vacation May 22nd – May 27th, and June 12th – June 17th. He is trying to schedule them so he doesn't miss any meetings. Mr. Boose will also be gone the week of June 10th.

Mr. Hintz will contact the veterans regarding the Memorial Day program at the cemetery. Usually the President receives the flag. He is not sure who the contact person is now.

Mr. Hintz contacted Mr. Sharpnack about the van. It looks like he cannot get to work it until August, at which time the warranty will be expired. He will follow up and be sure it is going to be done free of charge. Mr. Boose said that Mr. Welch informed him it would be \$250. Mr. Hintz will talk to Sharpnack and get more details.

Mr. Boose reminded them about the MHAS board meeting tonight.

At 11:21 a.m. Terry Boose moved to enter into Executive Session ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual and ORC 121.22 (G)(3) a conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Terry Boose

Aye – Joe Hintz

Aye – Bruce Wilde

At 11:53 a.m. Joe Hintz moved to end Executive Session ORC 121.22 (G) (1) & (G) (3). Terry Boose seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

****No Action Taken***

At 11:54 a.m. Terry Boose moved to adjourn. Bruce Wilde seconded the motion. The meeting stood adjourned.

IN THE MATTER OF CERTIFICATION

The Clerk to the Board does hereby attest that the foregoing is a true and correct record of all actions taken by the Board of Huron County Commissioners on April 9, 2019.

IN THE MATTER OF ADJOURNING

The meeting was called to order at 9:00 a.m. With no further business to come before the Board, the meeting was adjourned at 11:54 a.m.

Terry Boose

Joe Hintz

Bruce Wilde

ATTEST

Clerk to the Board