

REGULAR SESSION

THURSDAY

MARCH 19, 2015

The Board of Huron County Commissioners met this date in Regular Session. Roll being called found the following members present: Gary W. Bauer, Tom Dunlap, Joe Hintz.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the March 17, 2015 meeting(s) were presented to the Board. Gary W. Bauer made the motion to waive the reading of the minutes of the March 17, 2015 meeting(s) and approve as presented. Joe Hintz seconded the motion. Voting was as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

At 9:21 a.m. Brad Beal, Frontier came before the board to explain the plan for connecting the phones. Mr. Beal explained one of the issues that has come up was do the Commissioners want to move forward with the purchase of the equipment for the Prosecutor's Office. Once this system is installed the phone system will be in place for the buildings on Main St, for which the other entities just getting their desk phones and hooking up to the system. Mr. Beal explained there will only be one platform in the building itself and Bryan is going to contact all three facilities to one. The ending result is having the county all on one system. Mr. Dunlap questioned if this will help move us into that direction. Mr. Beal stated that is correct. Mr. Dunlap questioned that this will turn everything over to Frontier? Mr. Beal stated that the dial tone is already Frontier. Mr. Beal explained this is just to purchase the whole phone system. Mr. Dunlap questioned if they can do a lease on all those, and if they come up with the money through budget commission they can be paid off? Mr. Beal stated that is correct. Ms. Ziemba questioned if it would be better to state they are purchasing the system and then switch to the lease? Mr. Beal suggested to go that route. This gives them a 60 day buffer.

Mr. Beal explained that the way Tamco has done the lease for the Commissioners is they gave a value discount for future business. Mr. Dunlap stated that the purchase sounds like the best deal to him. Mr. Bauer stated that in his mind he has it down, he knows that the Budget Commission will pick up the jail, but he would like Ms. Ziemba to explain the story. Ms. Ziemba explained that the contract is \$94,000.00 for the equipment and the installation with \$11,000.00 for the maintenance for a total of \$106,000.00. Mr. Dunlap explained he spoke to the dispatchers with the City of Norwalk Police Department, they have a maintenance agreement, however they were unclear what the agreement says and they currently have Tamco. Mr. Beal spoke to the owner of the Steven Campbell (Steve) who will be installing the recording device, he explained that he has a choice of four years of maintenance with Frontier, Mr. Beal explained that he felt this was a lot to him at \$4,500.00 a year. He asked do a lot of companies (sheriff's offices) do it piece meal meeting, parts, materials, when they need you? Or do they go with the maintenance option. Mr. Beal stated that Mr. Campbell explained that he is on the fence regarding this issue because a lot of the customers they don't hear from them for 2-3 years, for which they pay their maintenance and get nothing in return, it's there when you need it like insurance. A lot of the stations do it piece meal and they call when they need them, they charge them time and material and it sometimes comes out to be less than the maintenance plan would be. Mr. Campbell explained to Mr. Beal they are still available to the customers when needed. Mr. Dunlap asked about the maintenance agreement for the 1st year through Steven Campbell. Mr. Beal stated that the first year of maintenance is on the equipment, so the first year is on the manufacturer. Mr. Beal explained that Steven Campbell will come out anytime during that 1st year. Mr. Beal stated his thought on this is to let the 1st year go by, with no maintenance through Steven Campbell's company will save the County \$18,000.00 and see how it goes at the end of that year. Mr. Beal stated the county may want to pay them as they go after evaluating the 1st year. Mr. Bauer stated he would like to see the county do the Prosecutor's office and Sheriff's office. Mr. Dunlap stated he would like to see what happens at the end of the 1st year regarding maintenance. Mr. Beal stated that would also be his recommendation as well. Mr. Dunlap questioned if this will include the new building and Christie Lane? Mr. Beal stated with Christie Lane he spoke to Allyn Schnellinger, what Frontier is doing with them is since Christie Lane has Help Me Grow and the Daycare Center, Mr. Schnellinger stated that when they go into contract like this they would like to see a reduction in other areas. Mr. Beal stated that because they are already getting the phone service at a discount, the only other area would be their internet service. Mr. Beal explained that Christie Lane has internet through another carrier and he is in the process of negotiating a better deal if they switch to Frontier. Mr. Beal suggested get the order on the books for the Daycare Center and if needed it could be cancelled.

Mr. Bauer stated regarding lease or buy, if you lease you get the new equipment, if you buy, you would have to purchase new equipment. Mr. Bauer stated that looking at the numbers in 3 years you will pay what it is to purchase right now. Mr. Beal explained that the phones system they are currently purchasing is considered a 20 year system, which means it's a viable system for the next 20 years. Mr. Beal also explained that this platform is the next generation, for which it that the next generation of network services this will be fully upgradeable to that. This will be the last phone system the county will ever purchase, stated Mr. Beal. Ms. Ziemba questioned only the Prosecutor's Office is the only office getting the new phone system? Mr. Beal stated that is correct, they are the only office at this time. Sheriff's Office is being expedited to get this system switched as soon as possible. Mr. Bauer stated the new building needs to be done before the office opens.

15-094

IN THE MATTER OF APPROVING CONTRACT BY AND BETWEEN HURON COUNTY COMMISSIONERS AND FRONTIER COMMUNICATIONS

Gary W. Bauer moved the adoption of the following resolution:

WHEREAS, the Huron County Board of Commissioners and Frontier Communications desire to execute a contract for phone equipment for the Huron County BMV and Title Office at 305 Shady Lane Drive, Norwalk, Ohio 44857; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the contract with Frontier Communications 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. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Contract on file.

15-095

IN THE MATTER OF APPROVING CONTRACT BY AND BETWEEN HURON COUNTY COMMISSIONERS AND FRONTIER COMMUNICATIONS

Joe Hintz moved the adoption of the following resolution:

WHEREAS, the Huron County Board of Commissioners and Frontier Communications desire to execute a contract for phone equipment for the Huron County Sheriff's Office 255 Shady Lane Drive, Norwalk, Ohio 44857; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the contract with Frontier Communications 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.

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Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Contract on file.

15-096

IN THE MATTER OF APPROVING CONTRACT BY AND BETWEEN HURON COUNTY COMMISSIONERS AND FRONTIER COMMUNICATIONS

Gary W. Bauer moved the adoption of the following resolution:

WHEREAS, the Huron County Board of Commissioners and Frontier Communications desire to execute a contract for phone equipment for the Huron County Prosecutor's Office 12 E. Main St., Norwalk, Ohio 44857; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the contract with Frontier Communications 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. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Contract on file.

At 9:40 a.m. Dave Longo, Public Defender came before the board to explain his budget and the indirect costs. Mr. Longo explained that every January after the budget sheets are already submitted, the Auditor's Office and Public Defender's Office receive a memo from the State Public Defender with a dollar figure on them. Mr. Longo explained that there are two things that have to be done with this dollar figure, 1st it has to be listed on 16G9 of our monthly office expense report that goes down to Columbus. Mr. Longo explains that the Auditor's Office does this for them. They have to report to Columbus that they are spending this money, even though they are not. 2nd Mr. Longo must multiply that dollar figure by 12 and stick in their final budget request as indirect costs. Mr. Longo explained the way it works is the County Commissioners allocate that money to the Public Defender's Office, but none of the money actually goes anywhere. This money is encumbered so it cannot be used for anything else during the year. Because it's encumbered, the Auditor get to put it down in the county books as an expense. None of the money actually leaves the treasury. Mr. Longo explains that at the end of the year, he signs a voucher, which basically states pay the county back for which it goes back into the General Fund for which the Auditor's Office gets to list it as incoming revenue. Mr. Longo submitted a letter from the Auditor certifying where the money is coming from. This dollar amount represents the hidden cost of maintaining the Huron County Public Defender's Office. Mr. Longo explained the higher the dollar amount the more you get back at the end of the year, for which is 40%. This is one line item in his budget he cannot control.

At 10:04 a.m. the board recessed.

At 10:15 a.m. Andrew McDowell, Western Reserve Conservatory came before the board in regards to The support for the Western Reserve Land Conservatory application on behalf of Robert Seidel for the purpose of farmland preservation in Greenwich Township. Mr. McDowell explained in the support for Western Reserve Land Conservancy's application to the Ohio Department of Agriculture's Local Agriculture Easement Purchase Program (LAEPP) on behalf of Gene Kurzen Sr. Trust for the purpose of farmland

preservation in New Haven Township. Huron County resident Robert Seidel, Maple Lawn Farm desires to apply to the Clean Ohio Local Agricultural Easement Purchase Program (LAEPP) in partnership with the Western Reserve Land Conservancy to preserve his farm located in Greenwich Township. The preservation of this 65 acre parcel is in close proximity with the 199 acres of the Seidel Maple Lawn Farm that have already been preserved and an additional 158 acres that has been approved for LAEPP funding in 2014 and is in process, thus contributing to the protection of a large area of productive agricultural land and further agricultural land preservation efforts in Huron County. Western Reserve Land Conservancy to preserve Mr. Kurzen's 109 acre parcel of farmland in New Haven Township The application tries to gage where this farm land is in relationship to development. Soil and Water has a role in the application process. Mr. McDowell stated this is forever, this is why they must come before the Board of Commissioners' and Township Trustees to get a letter of acceptance to move forward.

15-097

In The Support for Western Reserve Land Conservancy's application to the Ohio Department of Agriculture's Local Agriculture Easement Purchase Program (LAEPP) on behalf of Robert Seidel for the purpose of farmland preservation in Greenwich Township, Huron County.

Joe Hintz moved the adoption of the following resolution:

WHEREAS, a request has been made for a resolution of support for the application by the Western Reserve Land Conservancy to the Clean Ohio Local Agricultural Easement Purchase Program (LAEPP) for the purpose of agricultural land preservation of approximately 65 acres located on the Seidel Maple Lawn Farm, LLC in Greenwich Township, Huron County; and

WHEREAS, Huron County resident Robert Seidel, Maple Lawn Farm desires to apply to the Clean Ohio Local Agricultural Easement Purchase Program (LAEPP) in partnership with the Western Reserve Land Conservancy to preserve his farm located in Greenwich Township, Huron County; and

WHEREAS, the Seidel Maple Lawn Farm is located in the area designated for farmland preservation in the Huron County Comprehensive Plan; and

WHEREAS, the preservation of this 65 acre parcel is in close proximity with the 199 acres of the Seidel Maple Lawn Farm that have already been preserved and an additional 158 acres that has been approved for LAEPP funding in 2014 and is in process, thus contributing to the protection of a large area of productive agricultural land and further agricultural land preservation efforts in Huron County; now therefore

BE IT RESOLVED, that the Huron County Commissioners support the LAEPP application submitted by Western Reserve Land Conservancy for the Seidel Maple Lawn Farm, LLC in Greenwich Township, Huron County. 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.

Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Paperwork on file.

15-098

In The of Support for Western Reserve Land Conservancy’s application to the Ohio Department of Agriculture’s Local Agriculture Easement Purchase Program (LAEPP) on behalf of Gene Kurzen Sr. Trust for the purpose of farmland preservation in New Haven Township, Huron County.

Gary W. Bauer moved the adoption of the following resolution:

WHEREAS, The Gene Kurzen, Sr. Trust, representing a New Haven Township and Huron County farm, desires to apply to the Clean Ohio Local Agricultural Easement Purchase Program (LAEPP) in partnership with Western Reserve Land Conservancy to preserve a 109 acre parcel of farmland in New Haven Township, Huron County; and

WHEREAS, Gene Kurzen’s farm is located in the area designated for farmland preservation in the Huron County Comprehensive Plan; now therefore

BE IT RESOLVED, that the Huron County Commissioners support the LAEPP application submitted by Western Reserve Land Conservancy for the Gene Kurzen, Sr. Trust in New Haven Township, Huron County, 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 – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Paperwork on file.

15-091

IN THE MATTER OF APPROVING OF THE CONTRACT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. TO PROVIDE PROFESSIONAL ASSISTANCE WITH THE 2014 ANNUAL REPORTING ACTIVITIES AT THE HURON COUNTY LANDFILL

Joe Hintz moved the adoption of the following resolution:

WHEREAS, there is a need for professional assistance with the 2014 annual reporting activities at the Huron County Landfill; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the contract with Civil & Environmental Consultants, Inc., a professional engineering firm having its principal place of business at 4841 Monroe Street, Suite 103 Toledo, OH 43623 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.

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Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Contract on file.

15-092

IN THE MATTER OF APPROVING OF THE CONTRACT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. TO PROVIDE PROFESSIONAL ASSISTANCE WITH THE 2015 NPDES MONITORING PROGRAM AT THE HURON COUNTY LANDFILL

Gary W. Bauer moved the adoption of the following resolution:

WHEREAS, there is a need for professional assistance with the 2015 NPDES monitoring program at the Huron County Landfill; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the contract with Civil & Environmental Consultants, Inc., a professional engineering firm having its principal place of business at 4841 Monroe Street, Suite 103 Toledo, OH 43623 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. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

- Contract on file.

15-093

IN THE MATTER OF RESTORING THE INDIGENT DEFENSE REIMBURSEMENT RATE TO FIFTY PERCENT (50%)

Joe Hintz moved the adoption of the following resolution:

WHEREAS, states have a constitutional mandate to provide legal representation to indigent persons; and

WHEREAS, Ohio has chosen to transfer this responsibility to its counties, initially reimbursing the counties for 50% of the costs they incurred in meeting this constitutional obligation of the state; and

WHEREAS, the state has chosen not to maintain this 50% commitment, which has resulted in the counties carrying more than their 50% share of the burden for more than the last two decades; and the reimbursement rate has averaged 34.6% for the decade prior to the FY14/15 biennium and hit its record low of 26.1% in FY09; and

WHEREAS, increasing the appropriation in HB 64, the proposed state biennial budget for fiscal years 2016 and 2017, by an additional \$12 million in GRF funding in each year of the biennium would provide

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for a return to a 50% reimbursement rate;

and

WHEREAS, Ohio's counties ask that the original partnership be restored and counties receive reimbursement for 50% of their costs incurred in meeting the State's constitutional mandate to provide legal representation to indigent defendants; now therefore

BE IT RESOLVED, that this Board asks our legislators representing Huron County to:

- Restore county reimbursement for indigent defense to 50% in HB 64, the FY 2016/2017 state biennial budget bill;
- Vote to increase the current appropriation, GRF line item 019501-County Reimbursement, by \$12 million in each year of the biennium to establish the annual appropriation at \$21,620,268.

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.

Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer

Aye - Tom Dunlap

Aye – Joe Hintz

Signings:

Dear Senator Manning:

The states are obligated under the United States Constitution to provide legal counsel to indigent defendants. Ohio has opted to require its counties to meet this obligation on its behalf. Initially the state reimbursed counties for 50% of the cost of delivering this constitutionally mandated service. The state funded its reimbursement by utilizing revenue deposited into the state general fund from a state-wide court cost established by the General Assembly.

However, in 1979, when the revenue from the court cost became less than the amount required to provide the state's 50% reimbursement, the state modified its funding commitment by establishing the concept of "proportional reduction." Under this concept the state simply appropriates an amount for reimbursement and then proportionally reduces the reimbursement rate to counties.

"Proportional reduction" has resulted in the counties carrying more than their 50% share of the burden for providing indigent defense for more than the last two decades. The reimbursement rate averaged 34.6% during the decade prior the current FY 14/15 biennium and hit its record low of 26.1% in FY09.

We ask that you support the restoration of the original partnership and vote to increase the reimbursement rate to counties to 50% in HB 64, the proposed state biennial budget for fiscal years 2016 and 2017.

An amendment to increase the current appropriation, GRF line item 019501-County Reimbursement, by \$12 million in each year of the biennium, would establish the annual appropriation at \$21,620,268 and would restore county reimbursement for indigent defense to 50%.

This is an issue of extreme importance to our county. Thank you for your consideration and support for this amendment.

HURON COUNTY BOARD OF COMMISSIONERS

Gary W. Bauer, Tom Dunlap, Joe Hintz

Dear Representative Boose:

The states are obligated under the United States Constitution to provide legal counsel to indigent defendants. Ohio has opted to require its counties to meet this obligation on its behalf. Initially the state

reimbursed counties for 50% of the cost of delivering this constitutionally mandated service. The state funded its reimbursement by utilizing revenue deposited into the state general fund from a state-wide court cost established by the General Assembly.

However, in 1979, when the revenue from the court cost became less than the amount required to provide the state's 50% reimbursement, the state modified its funding commitment by establishing the concept of "proportional reduction." Under this concept the state simply appropriates an amount for reimbursement and then proportionally reduces the reimbursement rate to counties.

"Proportional reduction" has resulted in the counties carrying more than their 50% share of the burden for providing indigent defense for more than the last two decades. The reimbursement rate averaged 34.6% during the decade prior the current FY 14/15 biennium and hit its record low of 26.1% in FY09.

We ask that you support the restoration of the original partnership and vote to increase the reimbursement rate to counties to 50% in HB 64, the proposed state biennial budget for fiscal years 2016 and 2017.

An amendment to increase the current appropriation, GRF line item 019501-County Reimbursement, by \$12 million in each year of the biennium, would establish the annual appropriation at \$21,620,268 and would restore county reimbursement for indigent defense to 50%.

This is an issue of extreme importance to our county. Thank you for your consideration and support for this amendment.

HURON COUNTY BOARD OF COMMISSIONERS

Gary W. Bauer, Tom Dunlap, Joe Hintz

IN THE MATTER OF TRAVEL

Gary W. Bauer moved to approve the following travel requests this day. Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

Jason Roblin, EMA to Sandusky, Ohio on April 13, 2015 – April 14, 2015 for 911 Conference.

IN THE MATTER OF REQUEST FOR LEAVE

Cheryl Nolan/Commissioners/Vacation/8:00 a.m. – 4:30 p.m. March 20, 2015.

Other Business

Tom Dunlap discussed the old jail facility and the HR program. Mr. Dunlap explained that he met with Mr. Ommert at the old jail, Mr. Ommert's recommendations are look at the square footage from the maps, and decide what the Commissioners want to do with it like use it for office space, storage etc. Mr. Ommert stated that it was going to cost a chunk of money to clean the old jail up. Mr. Dunlap explained that he spoke to Mr. Welch regarding the old paneling, electrical box used to open and closing the electric doors was setting in a pile of water. Mr. Dunlap and Mr. Ommert couldn't find where the water came from. Mr. Welch was going to have someone look into this.

Mr. Dunlap discussed his conversation with the Auditor regarding the letter they received from the Auditor's Office to the software company for the new software that the Human Resources program will not be used, because Ms. Bommer stated she did not have time to work with it. This is not for the insurance partition it is for adding in new employees. Mr. Dunlap explained that he doesn't remember this ever being relayed to them before. Mr. Dunlap stated that the program should not just be left unused especially since it has been paid for. Mr. Bauer stated he asked Ms. Bommer for an update on Mr. Wendt, he still has not heard from Ms. Bommer regarding this issue.

Gary Bauer discussed the wrestling proclamations, he stated that Tuesday, March 24, 2015 both Norwalk

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and St. Paul wrestling programs are being held. Mr. Bauer stated that they need to make a decision who will be attending these programs to present the proclamations.

At 11:13 a.m. Gary W. Bauer moved to adjourn. Joe Hintz seconded the motion. The meeting stood adjourned.

IN THE MATTER OF OPEN SESSION

The board Huron County Commissioners hereby attest that all actions and deliberations of the Board legally required to be public were conducted in an open session on this date and that the foregoing minutes represent the official action of the Board.

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 March 19, 2015.

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 11:13 a. m.

Signatures on File