

REGULAR SESSION**THURSDAY****DECEMBER 19, 2013**

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.

Pam Hansberger, Recycling Coordinator was recognized by the Board for the award that she received from Soil and Water Conservation District and thanked her for a job well done.

Mr. Welch explained the issues that were brought to the Boards attention regarding the Old Jail. The control panel needs to be left on at the Old Jail, it will be re-wired. The air conditioners have been removed; however one of the windows fell out. This window will be boarded up. They are still using the catwalk, and someone did not shut the door.

At 9:30 a.m. Public Comment

Health Educators Carrie Himmelman and Elaine Barman came before the board in regards to Huron County Health Assessment. Ms. Himmelman explained what a health assessment is; it is a survey given to the population of Huron County. This survey is actually given all over the United States. This helps to see what our strengths and weakness are with the County. As a community they can apply for grants to help in certain areas. This survey is given every three years. Ms. Himmelman stated that they are short in funding for the 0-12 age kids survey. If they do not raise the funds, this survey will not be done.

Ms. Himmelman stated they will need low cost, high efficient programs. Mr. Bauer questioned if the hospitals were major funders. Ms. Himmelman explained they are major funders; however they are still coming up short.

At 10:00 a.m. the board recessed

At 10:05 a.m. regular session resumed.

At 10:08 a.m. Sue Bommer came before the board to present the HR/LP report.

Summary

- Negotiated the collective bargaining agreements between the Sheriff and OPBA for Dispatch, Command, Road Patrol, and Corrections.
- Prepared for fact-finding for the above for insurance only. Presented the Sheriff's case at the fact-finding hearing. Brought the fact-finder's recommendation to the Commissioners, negotiated clarification, and received approval. Processed fact-finding answer.
- Negotiated the collective bargaining agreement between the Huron County Commissioners and AFSCME, Local 710, Custodial/Maintenance unit.
- In current negotiations with FOP which are likely to go to fact-finding.
- Developed a training course on Non-discrimination and Harassment and presented two sessions for Huron County employees.
- Attended training in Columbus on the Affordable Care Act.
- Filed unemployment appeals on behalf of the Sheriff and attended a hearing in Toledo with Lt. Stanfield.
- Shepherded through the purchase and installation of lightning suppressors.
- Arranged for attended session on Workers' Compensation with the Commissioners and Bobbijo Werren and Jim Cousins.
- Attended CORSA and CLCCA meetings in Columbus.
- Posted for and assisted in interviews for a Deputy Dog Warden. Processed employment paperwork.
- Watched a Group Retrospective webinar presented by CORSA (in lieu of a meeting in Columbus).
- Presented my interim and attended hearing on same with the Commissioners on 9/5/13.
- Participated in several hearings and meetings regarding the County Mechanic. Prepared paperwork and shepherded through the disciplinary process.
- Attended monthly Safety Council meetings.

REGULAR SESSION

THURSDAY

DECEMBER 19, 2013

- Prepared and distributed required communication to employees on the Affordable Care Act.
- Arranged for Difficult Employee Training presented at the Administration Building on October 8 (a Loss Prevention Incentive Program requirement).
- Prepared and presented two sessions on the required new HazMat training.
- Arranged for a contract with Allstate for voluntary off-the job accident insurance.
- Watched a hazmat train the trainer webinar.
- Met with Doug Brown and the Commissioner regarding insurance renewal and the Affordable Care Act.
- Arranged for and attended a meeting with Corporate One Benefits and the Commissioners.
- Scheduled and attended a meeting with Ginny Shrimplin from Corsa and the Commissioners.
- Prepared for, scheduled, and attended a Huron County Safety Committee meeting.
- Prepared postings and placed ads for Custodial Worker, Casual Laborer
- Processed Workers' Compensation claims
- Processed and logged incident reports and worked with Corsa on claims.
- Answered employee questions on insurance, Workers' Compensation, etc.
- Worked with MedMutual to resolve insurance issues.
- Wrote a new policy on the FMLA (another Corsa requirement this year). It is being reviewed by Daivia and will be presented to the Commissioners for adoption.
- I'm working to accomplish all the loss prevention incentive requirements before the end of the year. Will be doing a Building inspection and writing a report on that. We currently will receive over \$6,000 if nothing else is accomplished.
- Prepared the annual vehicle list for CORSA.

13-443

IN THE MATTER OF APPROVING ADDENDUM TO THE CONTRACT TO ADMINISTER HURON COUNTY'S CDBG FORMULA GRANT FOR FISCAL YEAR 2013

Tom Dunlap moved the adoption of the following resolution:

WHEREAS, the Board of Huron County Commissioners desires to approve an addendum to the original contract dated February 2, 2013 to administer Huron County's CDBG formula grant for fiscal year 2013 with WSOS and Huron County Development Council; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the addendum the original contract dated February 2, 2013 to administer Huron County's CDBG formula grant for fiscal year 2013 with WSOS and Huron County Development Council 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

REGULAR SESSION
13-444

THURSDAY

DECEMBER 19, 2013

IN THE MATTER OF APPROVING OF THE CONTRACT BY AND BETWEEN THE BOARD OF HURON COUNTY COMMISSIONERS/HURON COUNTY CORONER AND THE BOARD OF LUCAS COUNTY COMMISSIONERS/LUCAS COUNTY CORONER FOR 2014

Joe Hintz moved the adoption of the following resolution:

WHEREAS, from time to time the Huron County Coroner needs to have certain necessary autopsies;
now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the agreement between the Board of Lucas County Commissioners 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.

Tom Dunlap 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.

13-445

IN THE MATTER OF RE-APPOINTING WEST RUGGLES TO THE PUBLIC DEFENDER COMMISSION

Tom Dunlap moved the adoption of the following resolution:

WHEREAS the term of West Ruggles expired October 31, 2013; and

WHEREAS, it is the desire of the Board of Huron County Commissioners to re-appoint West Ruggles, 10 ½ Benedict Avenue, Norwalk, Ohio 44857 to a four year term on the Public Defender Commission;
now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby re-appoints West Ruggles to the Public Defender Commission Board for a four year term commencing November 1, 2013 and ending October 31, 2017;
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

**IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE
GENERAL FUND #004 & #051**

Joe Hintz moved the following resolution:

WHEREAS, there is a need for an appropriation adjustment; and

WHEREAS, the Board of Huron County Commissioners finds the request to be reasonable; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves the following appropriation adjustments:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	003	00175	001	\$142.01		004	00400	001	\$ 173.49
		Supplies					PERS		
	003	00475	001	\$105.42		051	00400	001	73.94
		Other Expenses					PERS		and further

BE IT RESOLVED, that the Huron County Auditor is authorized and instructed to record said appropriation adjustment as approved; and further

BE IT RESOLVED, that the Clerk of the Board is instructed to certify a copy of this resolution to the Huron County Auditor and the department requesting said adjustment; 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.

Tom Dunlap 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

13-447

**IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE
GENERAL FUND #023 & #036**

Tom Dunlap moved the following resolution:

WHEREAS, there is a need for an appropriation adjustment; and

WHEREAS, the Board of Huron County Commissioners finds the request to be reasonable; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves the following appropriation adjustments:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	023	00127	001	\$445.00		023	00275	001	\$1,489.00
		Courthouse Security					Contract Repairs		
	023	00125	001	\$1,044.00					
		Employee Salaries							
	036	00178	001	\$4,500.00		036	00177	001	\$9,000.00
		Inmate Food					Med/Hygiene		

REGULAR SESSION

THURSDAY

DECEMBER 19, 2013

036 00125 001 \$4,500.00

Jail Salaries

and further

BE IT RESOLVED, that the Huron County Auditor is authorized and instructed to record said appropriation adjustment as approved; and further

BE IT RESOLVED, that the Clerk of the Board is instructed to certify a copy of this resolution to the Huron County Auditor and the department requesting said adjustment; 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

13-448

IN THE MATTER OF ADOPTING A TEMPORARY APPROPRIATION MEASURE FOR MEETING THE ORDINARY EXPENSES OF HURON COUNTY FOR 2014

Joe Hintz moved the adoption of the following resolution:

WHEREAS, pursuant to ORC 5705.38, Huron County may pass a temporary appropriation until an amended certificate is received based on actual balances as of December 31, 2013; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners does hereby adopt the attached “temporary” budget to be known as “temporary appropriation for 2014” as attached 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.

Tom Dunlap 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

13-449

IN THE MATTER OF APPROVING AGREEMENTS BY AND BETWEEN HURON COUNTY SHERIFF (HEREINAFTER REFERRED TO AS THE EMPLOYER) AND THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION FOR THE COMMAND, ROAD PATROL, CORRECTIONS, AND DISPATCH UNITS (HEREINAFTER REFERRED TO AS THE UNION)

Tom Dunlap moved the adoption of the following resolution:

WHEREAS, it has been brought to the attention of the Board of Huron County Commissioners that an agreement was reached effective July 1, 2013 through June 30, 2016 between the Employer and the Union for the above-named units; and

WHEREAS, the Board of Huron County Commissioners has reviewed the agreements and find them to be agreeable; now therefore

REGULAR SESSION

THURSDAY

DECEMBER 19, 2013

BE IT RESOLVED, that the Board of Huron County Commissioners approves the agreements reached between the Sheriff and the Union effective July 1, 2013 through June 30, 2016; 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 HR.

13-450

IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE GENERAL FUND #006 & #019

Joe Hintz moved the following resolution:

WHEREAS, there is a need for an appropriation adjustment; and

WHEREAS, the Board of Huron County Commissioners finds the request to be reasonable; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves the following appropriation adjustments:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	006	00180	001	\$1,150.00		006	00400	001	\$2,200.00
		Supplies Library					PERS		
	006	00450	001	\$1,050.00					
		Unemployment Comp							
	019	00553	001	\$1,377.00		019	00554	001	\$8,223.00
		Bellevue					Norwalk		
	019	00557	001	\$6,846.00					
		6 th Dist. Court of Appeals							

and further

BE IT RESOLVED, that the Huron County Auditor is authorized and instructed to record said appropriation adjustment as approved; and further

BE IT RESOLVED, that the Clerk of the Board is instructed to certify a copy of this resolution to the Huron County Auditor and the department requesting said adjustment; 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.

Tom Dunlap 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

IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE EMERGENCY MANAGEMENT FUND #177

Tom Dunlap moved the following resolution:

WHEREAS, there is a need for an appropriation adjustment; and

WHEREAS, the Board of Huron County Commissioners finds the request to be reasonable; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves the following appropriation adjustments:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	177	00475	177	\$696.38		177	00400	177	\$696.38
		Other					PERS		and further

BE IT RESOLVED, that the Huron County Auditor is authorized and instructed to record said appropriation adjustment as approved; and further

BE IT RESOLVED, that the Clerk of the Board is instructed to certify a copy of this resolution to the Huron County Auditor and the department requesting said adjustment; 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

REQUESTS FOR LEAVE

- Christina Norton/EMA/Sick/12:30 a.m. – 4:30 p.m. December 26, 2013.**
- Peter Welch/SWMD/TS/BG/Sick/1:00 p.m. – 3:30 p.m. December 19, 2013/Bereavement/9:30 a.m. – 3:30 p.m. December 20, 2013.**
- Valerie Stebel/Commissioners/Bereavement/8:00 a.m. – 4:30 p.m. December 17, 2013.**
- Maria Lyons/Building & Grounds/Sick/5:30 a.m. – 2:00 p.m. December 17, 2013.**

SIGNINGS

Action taken after Executive Session ORC 121.22 (G) (1) on Tuesday, December 17, 2013.

Disciplinary Notice

Employee: Lon Burton
 Department: Mechanic
 Date of Incident: October and November 2013
 Date of Discipline: December 17, 2013

Disciplinary Action

- 1) Verbal Instruction and Warning
- 2) Written Reprimand
- 3) Written Documentation and a one (1) to three (3) day suspension without pay
- 4) Written Documentation and a five (5) to fifteen (15) day suspension without pay
- 5) Removal

Type of Offense: Group One (X) Group Two (X) Group Three (x)

REGULAR SESSION

THURSDAY

DECEMBER 19, 2013

Statement of the problem: (violation of rules, standards, practices or unsatisfactory performance.

Wanton or willful neglect of duties by failing to perform the duties outlined in his job description:

“Follows a preventive maintenance schedule for vehicles and equipment, inspects vehicles, performs necessary maintenance, and logs work to ensure the proper operating condition of all County vehicles. Ensures the safe operating condition of all County vehicles.” This employee subjected other County employees to unsafe conditions by not adequately servicing a white pick-up 250 brought to him by the Transfer Station Supervisor. The following was not completed on this vehicle: battery terminals were not cleaned; the air filter was caked with debris; the brake fluid level was low; the wiper fluid level was low; the wiper blades were worn and damaged; the tires had ¼ inch or less of tread; and the plow bracket was damaged and not repaired. This employee’s job description states that he is to follow a preventive maintenance schedule for vehicles and equipment, inspect vehicles, perform necessary maintenance, and test drive vehicles. It was obvious from the condition in which this vehicle was released for driving that this employee failed to perform the requirements of his job and by doing so jeopardized the safety of County employees and citizens on the roadways.

Similarly, a red Ford Fusion owned and operated by the County Commissioners was brought to this employee this fall by Pete Welch who asked that the brakes be checked because they were feeling funny. Mr. Welch also requested that the vehicle be serviced. Commissioner Dunlap drove this vehicle after Mr. Burton released it and reported to Mr. Welch that there seemed to be something wrong with the brakes. He asked Mr. Welch to take the vehicle to an outside mechanic, which Mr. Welch did. The outside mechanic found that the rotors were grooved and needed to be replaced. One rotor had a chunk out of it. The brake pads were worn by 50% and needed to be replaced. It was obvious that the brakes had not been properly serviced. Mr. Burton admitted at his pre-disciplinary hearing that he only did a visual inspection of the brakes and did not feel the 50% wear on the pads required their replacement. In addition, the windshield wipers on this vehicle needed to be replaced, but had not been. This vehicle was released without being in safe operating condition, a wanton and willful neglect of duties..

Prior discussion or warnings on this subject: (oral, written, dates.) *11-21-13, 15-day unpaid suspension for a Group Three offense. 10-21-13, 3-day unpaid suspension (12 days of working suspension waived in an agreement between the County and the Union to settle the employee’s grievance). 9-19-13, written warning for Group Two offenses (willful disregard of County or departmental rules, regulations, policies or procedures; obligating the County for any expense or service without authorization). 10-5-12, written warning for refusing to do work, etc. 12-13-10, refusal to work on Sheriff’s vehicles. Many discussions/meetings/hearings have been held with Mr. Burton by the Huron County Commissioners.*

Statement of company policy on this subject:

See Group One, Two, and Three offenses in the Huron County Personnel Policy and Procedures Manual.

Summary of corrective action to be taken: (Include dates for improvement and plans for follow-up).

Mr. Burton is terminated from employment with Huron County effective December 17, 2013.

Consequences of failure to improve performance or correct behavior: *Not applicable.*

Employee comments:

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

Distribution: One copy to Employee, one copy to Supervisor and original copy Personnel File

CONFIDENTIAL

December 19, 2013

CERTIFIED MAIL

Mr. Lon Burton
1271 St. Rt. 60 S.

REGULAR SESSION
New London, OH 44851

THURSDAY

DECEMBER 19, 2013

Dear Lon:

Attached you will find two copies of your Disciplinary Notice of Termination which explains the events and prior disciplinary action that culminated in your dismissal. We would appreciate your signing, dating, and returning one copy of this notice.

Please return any remaining items belonging to Huron County, such as keys and tools, if you have not already done so, and make arrangements with Sue Bommer to retrieve any personal items that remain in the County Garage. You will receive information about COBRA health insurance continuation under separate cover, and you will be paid for all hours worked since your last pay as well as for any unused, accrued vacation time.

We wish you the best in your future endeavors.

Yours very truly,
Gary W. Bauer , President
Huron County Board of Commissioners

cc: Dave Blyth, Staff Representative, AFSCME
Jeff Deeble, Union Steward
Steve Minor, Union Steward
Sue Bommer

Letter to representatives and senators as follows.

Dear Congressman Bob Gibbs:

Please let this letter serve as support for the Market Place Fairness Act that is currently being considered in Congress.

The below signed Board of Huron County Commissioners are very active in the Economic Development of our county which has undergone many financial struggles in recent years. As I am sure you are aware of the State of Ohio has drastically cut the local government funding to all the counties and municipalities within our state. It is only due to a much improved economy that we are able to maintain basic services at the reduced income level. Many local government entities are able to provide basic services however; infrastructures are suffering due to there being a lack of funds to maintain buildings, parking lots, etc.

The idea of a fair market place is only common sense; this will keep local business establishments in step with competitors doing business on the internet, phone, or catalog sales. The cost of the sales tax should not be more or less then the local businesses pay.

The undersigned Board of Huron County Commissioners would encourage you to support this bill and move it along to attain fairness to all businesses regardless of how that business is carried out in our local areas.

Sincerely
Gary W. Bauer and Tom Dunlap.

Joe Hintz did not sign the letter as he is not in favor.

At 10:37 a.m. the board recessed.

At 10:48 a.m. the board resumed regular session.

At 10:48 a.m. Tom Dunlap 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) (4) preparation for, conducting, or reviewing negotiations or bargaining sessions for public employees, concerning employee compensation or other terms and conditions of employment. 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

REGULAR SESSION

THURSDAY

DECEMBER 19, 2013

At 11:45 a.m. the board recessed both executive sessions and regular session.

The board joined the departments at the Administration Building for a holiday potluck.

At 12:25 p.m. regular session and executive session resumed.

At 1:00 p.m. Joe Hintz moved to end executive sessions ORC 121.22 (G) (1) and ORC 121.22 (G) (4). Tom Dunlap 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

At 1:05 p.m. Tom Dunlap 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 December 19, 2013.

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 1:05 p.m.

Signatures on File