

REGULAR SESSION

THURSDAY

NOVEMBER 21, 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.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the November 19, 2013 meeting(s) were presented to the Board. Tom Dunlap made the motion to waive the reading of the minutes of the November 19, 2013 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

13-397

IN THE MATTER OF AWARDING THE BID AND ENTERING INTO CONTRACT FOR THE SHERMAN NORWICH ROAD BRIDGE DESIGN/BUILD PROJECT IN HURON COUNTY (HUR-TR-0067-02.76 FY2014; PID 88701; FAN E101(135))

Joe Hintz moved the adoption of the following resolution:

WHEREAS, Pursuant to Resolution 13-322 the County Engineer requested authorization to seek bids for the Sherman Norwich Road Bridge Design/Build Project; and

WHEREAS, notices was given in accord with Section 307.87 of the Ohio Revised Code; and

WHEREAS, funding for this bridge project will be provided in cooperation with the Federal Highway Administration and the Ohio Department of Transportation; and

WHEREAS, bids were received Friday, November 1, 2013 at 10:30 A.M. from the following:

Mosser Construction, Inc.	\$975,750.00	
U.S. Bridge	\$992,217.00	
BECDIR Construction Co.	\$1,124,601.00	
R&I Construction, Inc.	\$1,161,426.00	
Schirmer Construction, LLC	\$1,179,900.00	
Mid-Ohio Structures, LLC	\$1,518,050.18	now therefore

BE IT RESOLVED, the Board of Huron County Commissioners does hereby award the bid to and enter into contract with Mosser Construction, Inc. Fremont, Ohio for the Sherman Norwich Road Bridge Design/Build Project as recommended by the Huron County Engineer; and further

BE IT RESOLVED, that all further matters relative to this award be coordinated through and with the Huron County Engineer’s Office; 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.

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

IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #041 IN THE GENERAL FUND TO FUND #022

Tom Dunlap moved the adoption of the following resolution:

WHEREAS, fund #022 is in need of funding; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 041-00572-001 transfer to funds #021 & #022 as follows:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	041	00572	001	\$23,950.00		022	00475	001	1,000.00
		Transfer					Other		
						022	00175	001	2,000.00
							Supplies		
						022	00529	001	1,950.00
							Trash		
						022	00125	001	19,000.00
							Salaries		and further

BE IT RESOLVED, that a certified copy of this resolution be sent to the Department requesting transfer, and the Huron County Auditor, and the Auditor's office will make the journal entry to the #022 account; 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

13-399

IN THE MATTER OF TRANSFERRING FUNDS FROM THE GENERAL FUND #099 TO THE COUNTY BOND RETIREMENT FUND #205

Joe Hintz moved the adoption of the following resolution:

WHEREAS, the County Bond Retirement Fund payments are coming due; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 099-00600-001/transfer out in the amount of \$220,948.09 to the County Bond Retirement fund #205; and further

BE IT RESOLVED, that a certified copy of this resolution be sent to the Huron County Treasurer, Huron County Auditor, and the Auditor's office will make the journal entry to the #205 account; 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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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

13-400

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

Tom Dunlap moved the adoption of the following resolution:

WHEREAS, there is a need for appropriation adjustments; 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	00450	001	\$1,769.50		023	00125	001	\$1,769.50
		Unemployment					Salaries		
	036	00126	001	\$10,000.00		036	00125	001	\$10,000.00
		Jail OT					Jail Salaries		
	036	00176	001	\$ 1,400.00		036	00528	001	\$ 2,000.00
		Jail Supplies					Jail Water/Sewer		
	036	00529	001	\$ 600.00					
		Jail Trash							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

13-401

IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #052 IN THE GENERAL FUND TO FUND #023

Joe Hintz moved the adoption of the following resolution:

WHEREAS, a transfer of funds is needed for the #023; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 052-00550-001 in the amount of \$32,000.00 to fund #023 as follows:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	052	00550	001	\$ 32,000.00		023	00125	001	\$9,000.00

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		Salaries		
023	00126	001	\$8,000.00	
		OT		
023	00175	001	\$6,000.00	
		Supplies		
023	00200	001	\$5,000.00	
		Equip		
023	00275	001	\$4,000.00	
		Contract Repair		and further

BE IT RESOLVED, that a certified copy of this resolution be sent to the Department requesting transfer, and the Huron County Auditor, and the Auditor’s office will make the journal entry to the # 023 account;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

13-402

IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #052 IN THE GENERAL FUND TO FUND #036

Tom Dunlap moved the adoption of the following resolution:

WHEREAS, a transfer of funds is needed for the #036; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 052-00550-001 in the amount of \$68,000.00 to fund #036 as follows:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	052	00550	001	\$ 68,000.00		036	00125	001	\$15,000.00
							Salaries		
						036	00400	001	\$ 6,000.00
							PERS		
						036	00177	001	\$12,000.00
							Jail Med/Hyg		
						036	00178	001	\$ 9,000.00
							Jail Food		
						036	00200	001	\$12,000.00
							Jail Equip		
						036	00275	001	\$ 5,000.00
							Jail Contract/Repairs		
						036	00450	001	\$ 2,500.00
							Jail Unemployment		
						036	00526	001	\$ 5,500.00
							Jail Electric		
						036	00527	001	\$ 1,000.00
							Jail Natural Gas		and further

BE IT RESOLVED, that a certified copy of this resolution be sent to the Department requesting transfer, and the Huron County Auditor, and the Auditor’s office will make the journal entry to the # 036 account; 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 – Gary W. Bauer
Aye - Tom Dunlap
Aye – Joe Hintz

At 9:30 a.m. Public Comment

IN THE MATTER OF REQUEST FOR LEAVE

Valerie Stebel/Commissioners/Sick/8:00 a.m. – 4:30 p.m. November 18, 2013.

OTHER BUSINESS

Gary Bauer discussed the contract for the sewer system. Mr. Bauer explained that when looking at the bids A.J. Riley looked lower, however Ms. Kasper stated they were actually \$3.00 higher than Elite. Mr. Bauer is going to speak to Ms. Kasper regarding this issue before the Board rules.

At 9:48 a.m. Joe Hintz 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. 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 10:00 a.m. Tom Dunlap moved to end Executive Session ORC 121.22 (G) (1). 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 Hin

At 10:01 a.m. the board recessed.

At 10:24 a.m. regular session resumed.

Action taken from executive session:

At 10:24 a.m. Signed discipline letter for Lon Burton, mechanic.

Disciplinary Notice

Employee: Lon Burton
Department: Mechanic
Date of Incident: 10-22-13
Date of Discipline: 11-21-13

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)

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

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Group One: Neglect of work; unsatisfactory work or failure to maintain required standard of performance; Contributing to or creating unsafe or unsanitary conditions.

Group Two: Willful disregard of County or departmental rules, regulations, policies or procedures. Willful failure to make required reports. Mr. Burton completed a written Huron County Vehicle report stating that he completed a lube, oil, and filter change. When asked about the work he actually performed on the truck, he admitted that he had not in fact performed the lube portion of the work. Failure to report equipment that is malfunctioning, damaged, or defective.

Group Three: 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 another County employee to unsafe conditions by not adequately servicing a green 2003 Chevrolet pick-up truck operated by the Huron County Transfer Station/Recycling Center. In a pre-disciplinary hearing Mr. Burton answered "No" when asked if the truck he worked on would have passed a highway safety inspection. The condition of the truck was as follows: the ball joints were not greased; the tie rods were not greased; U-joints were not greased; a tail light was not working; the front marker light was not working; license plate lights were not working; wipers were worn and torn; the washer fluid receptacle was empty; the battery terminals were not cleaned; the oil filter was leaking; and the tire pressure was low. Mr. Burton failed to do the following: grease ball joints, tie rod ends, and U-joints; replace wipers; add washer fluid; clean the battery terminals; add air to tires; replace the front marker light, tail light, and license plate lights; and secure an oil filter.

Prior discussion or warnings on this subject: (oral, written, dates.) 10-21-13 3-day unpaid suspension; 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 1, 2, and 3 offenses in the Huron County Personnel Policy and Procedures.

Summary of corrective action to be taken: Mr. Burton must consistently perform his job duties in a diligent and workmanlike manner.

Discipline to be imposed: This is the second group one offense; the third group two offense; and third group three offense within the past 12 months. A 15-day unpaid suspension will be imposed beginning Monday, November 25, 2013 and continuing for 15 business days. He shall report back to duty on Monday, December 16, 2013. All Huron County office and garage keys are to be turned in to the Huron County Commissioners prior to the first day of this suspension.

Consequences of failure to improve performance or correct behavior: More severe discipline up to and including termination.

Employee comments:

At 10:25 a.m. Susan Hazel, Clerk of Courts reported on the records commission. Each department must have a records retention schedule. There are still old files in the basement of the bank building that need to go through. Ms. Hazel stated all forms are online and can be sent via email to Columbus. Jan Tkach will notify the departments when the next records retention schedule training will be.

At 10:28 a.m. Sharon Locke, Director of Board of Elections came before the board to present the semi-annual report.; Ms. Locke stated that the general election went very well, however two of the machines needed to be removed. Ms. Locke stated they will not need any extra money to finish out the year. Ms. Locke reminded the board that next year is a governor's year, could be a very big year for the budget. Ms. Locke would like to sit down in the near future to talk about the purchase of new voting machines and scanners with a new election fund.

At 10:48 a.m.

Assistant Prosecutor's Report

Mr. Bauer questioned is there any legal way to go with the best instead of the lowest? Ms. Kasper stated that Christie Lane had already notified the contractor that they won the bid. Mr. Dunlap questioned if a contract came before the board, and it was not the lowest and best bid and was not signed, what would happen? Ms. Kasper stated whoever the contracting authority is has the right to decide who the bid is awarded too. If the board refuses to sign it, the contractor can file a complaint.

At 11:00 a.m. Jeff Felton, DJFS WIA came before the board in regards to the Rapid Response Program Services. Robin explained what will be done in the training of the Janesville employees; the Rapid Response Program is helping the employees write resumes, registering into Ohio Means Jobs, computer skills, job searching. Mr. Felton stated that some employees may not have their GED's; they will distribute information on how to get their GED's. Mr. Felton explained there will be staff present from time to time. WSOS is fully capable of handling this issue.

13-404

**IN THE MATTER OF HURON COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
PURCHASE OF SERVICE SUBGRANT AGREEMENT WITH WSOS FOR THE RAPID
REPOSE PROGRAM SERVICES**

Tom Dunlap moved the adoption of the following resolution:

WHEREAS, this subgrant agreement is entered into between the Board of County Commissioners of Huron County through the Huron County Department of Job and Family Services (Grantor) and WSOS Community Action Commission, Inc. (Subgrantee) for the purchase of services delivered as Rapid Response Program Services for said county; and

WHEREAS, this Subgrant Agreement is made pursuant to a grant award in the amount of \$32,716.00 to the Grantor by the Ohio Department of Job and Family Services (ODJFS) and are not for research and development purposes; and

WHEREAS, the board of Huron County Commissioners desires to sign the purchase of services agreement for rapid response program services as attached hereto and incorporated herein; now therefore

BE IT RESOLVED, by the Board of Commissioners of Huron County that the Board will sign the purchase of services agreement for rapid response program services 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

- Agreement on file.

At 11:15 a.m. Joe Hintz moved to adjourn. Tom Dunlap 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.

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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 November 21, 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 11:15 a.m.

Signatures on File