

**REGULAR SESSION**

**THURSDAY**

**MAY 19, 2011**

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

11-148

**IN THE MATTER OF AWARDING BID FOR THE RIPLEY TOWNSHIP STREET IMPROVEMENT PROJECT**

Joe Hintz moved the adoption of the following resolution:

**WHEREAS**, per Resolution 11-111 bids were let for the Ripley Township street improvement project; and

**WHEREAS**, bids were received as follows:

Erie Blacktop, Inc.	\$47,730.00	
Gerken Paving, Inc.	\$44,460.00	
A.J. Riley, Inc.	\$47,713.00	
Sarver Paving Company	\$44,000.00	and

**WHEREAS**, the engineer’s estimate for the project was \$48,790.00 and the bids were reviewed by WSOS and it has been recommended that the bid be awarded to Sarver Paving Company in the amount of \$44,000.00; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby awards the bid for the Ripley Township Street Improvement Project to Sarver Paving Company in the amount of 44,000.00; 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 – Joe Hintz
- Aye – Larry J. Silcox

11-149

**IN THE MATTER APPROVING LEASE AGREEMENT HURON COUNTY DEPARTMENT OF FAMILY SERVICES AND WILLARD RENTAL PROPERTIES, P.O. BOX 208, 220 WOODBINE STREET, WILLARD, OHIO 44890 SATELITE JOB STORE – WILLARD LOCATION**

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

**WHEREAS**, the Huron County Department of Job and Family Services operates a Job Store, pursuant to state guidelines, and desires to open a satellite location for the Job Store in Willard, Ohio and

**WHEREAS**, the Willard Rental Properties own certain real property located at 9 Myrtle Avenue, Willard, Ohio and desire to make such property available for the satellite location for the Job Store; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners approves the agreement with Willard Rental Properties as attached hereto and incorporated herein;

**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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Larry J. Silcox seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye- Gary W. Bauer  
Aye – Joe Hintz  
Aye – Larry J. Silcox

**IN THE MATTER OF TRAVEL**

Joe Hintz moved to approve the following travel request(s) this day. Gary W. Bauer seconded the motion. The being called upon its adoption the vote resulted as follows:

Aye- Gary W. Bauer  
Aye – Joe Hintz  
Aye – Larry J. Silcox

Joe Hintz, Commissioner, on June 1, 2011, to North Ridgeville, Ohio, for Governor’s presentation.  
Sue Bommer, Human Resources/on June 22, 2011, to Concord Twp., Ohio, for seminar on Senate Bill 5.

**IN THE MATTER OF REQUEST FOR LEAVE**

Tim Bettac/Buildings & Grounds/sick/8:00 a.m. – 4:30 p.m. May 6, 2011.  
Jason Roblin/EMA/8:00 a.m. June 17, 2011 -8:00 a.m. June 27, 2011.

*Gary W. Bauer moved to purchase three (3) 2012 Dodge Chargers for the sheriff’s department at a complete cost of \$24,960.88 each for a total cost of \$74,906.88. Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows:*

*Aye- Gary W. Bauer  
Aye – Joe Hintz  
Aye – Larry J. Silcox*

<b>2012 DODGE CHARGER</b>	
BASE PRICE.....	\$21,313.00
OPTIONS:	
BLACK VINYL FLOOR COVERINGS.....	\$70.00
VINYL REAR BENCH SEAT.....	\$119.00
SENTIN FRONT PUSH BUMPER/BLK LUM/INSTALLED.....	\$375.00
REAR DOOR WINDOWS AND HANDLES DEACTIVATED.....	\$35.00
DUAL SHOTGUN MOUNT(INSTALLED).....	\$449.00
SETINA WINDOW GUARD INSTALLED.....	\$215.00
SETINA RECESSED PANEL(CAGE) INSTALLED.....	\$725.00
FACTORY INSTALLED MOUNTING PLATE.....	\$10.00
STAR AND STRIPE PACKAGE.....	\$159.88
STAR AND STRIP PACKAGE INSTALATION.....	NC
CODE 3 MASTER COM SIREN BOX.....	\$325.00
CODE 3 EXTERNAL SPEAKER AND MOUNTING BRACKET.....	\$165.00
WHEELEN JUSTICE SERIES LIGHT BAR(RD/BLU LENS).....	\$900.00
INSTATATION OF LIGHTBAR.....	\$100.00
TOTAL.....	\$24,960.88

**Administrator/Clerk’s Report**

Cheryl Nolan presented quotes for a multiplexer for the security system. After discussion in regards to repairing the current multiplexer and purchasing a new one. After this discussion the board decided to purchase a new one due to the fact that the one to be repaired is twelve years old.

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*Gary W. Bauer moved to approve purchasing a new Pelco MX4016CD multiplexer for Juvenile Court in the amount of \$1,667.52. Joe Hintz seconded the motion. The roll being called upon its adoption, the vote resulted as follows.*

*Aye- Gary W. Bauer*

*Aye – Joe Hintz*

*Aye – Larry J. Silcox*

Ms. Nolan stated that she had received an email from Teresa Alt in regards to appointing Bill Dotson Jr. to the WIA board. The board agreed to appoint Mr. Dotson.

**OTHER BUSINESS**

Joe Hintz stated that when the Sheriff was in he also discussed the situation with the computer system and how he has been having trouble with it and the fact that it is out dated.

**At 9:30 a.m.** no Public Comment

Gary Bauer discussed the roof coming off the speed horse barn and the grandstand at the fair grounds. CORSA is working on this and Bob Morgan, President of the fair board is getting quotes to replace this roofing. Mr. Bauer also stated that he has spoken to Cary Brickner in regards to the rainfall and the complaints that have been coming in. Mr. Bauer stated that he attended the Clarksfield Township Trustee meeting and has a couple of items to discuss. Mr. Bauer spoke in regards to the gas situation at Clarksfield which will be discussed in more detail later on the agenda. Mr. Bauer also spoke in regards to the Governor not wanting to share money. Mr. Bauer also discussed the road maintenance in Clarksfield Township which has 27 miles of road and they are talking about how they can fix a mile or two. They are looking at purchasing stone from the county at \$9.00 per ton hauling the stone themselves and doing as much of the work as they can themselves. We have a Governor that would really like to take over all the townships and there is around 1,000 townships in the county and there is 25 miles of road in every township you have 25,000 miles of roads and how is he going to get ODOT to take care of all these roads and do it as cost effective as the trustees do it with their free labor. Mr. Bauer stated that he never goes to a township meeting that he does not come back and feel that he has benefitted from attending their meeting.

The board reviewed the upcoming events that are on their calendars.

Larry Silcox asked about the transfer from #052 for the sheriff's department and asked if anything has been transferred recently. Ms. Nolan stated no. Mr. Silcox stated that the sheriff had requested \$127,000. Ms. Nolan stated that the last request was for \$109,000.00. Mr. Silcox stated that when he spoke with the sheriff at the jail he explained to him that at this point there wasn't that much in the fund and he had no problem with a transfer of what was available. The sheriff would keep track of it and later in the year as more came in he would ask for another transfer. The board agreed to transfer the \$62,831.90.

Gary Bauer reported on the Board of Revision reviews and of the 175 requests they have all but 3 of the residential finished and there are probably 15 to 20 commercials in the 175 and have a few of those finished and will work on those today. Mr. Bauer also explained that Ms. Nolan had received some questions in regards to the records retention and the fact that some of the requests for disposal of records had not been sent to the state. This was true and Mr. Bauer stated that he signed off on sending these requests to the state, so at this point things are up to date.

Larry Silcox stated that he had received a call from Thad Smith in regards to the underground storage tanks at the gas station in Greenwich. The village does have a CDBG project which is moving forward per the email received from Nadine Thompson, WSOS as follows:

Dave Seidel, Fire Chief for the Tri-Community Fire Department contacted me on Monday, inquiring as to the status. I informed him that we were waiting to receive the confirmation from the State that the environmental review was approved and the funds were released to proceed with the project. I contacted the state and they confirmed the funds have been released, so we could proceed.

This type of project has not been completed in the past, so I have no examples to use as guidance on bidding this project. I contacted Dave Biskner, the

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Environmental Specialist from the Department Commerce who deals specifically with underground storage tank removal. There are certain guidelines that must be followed for a project such as this. Mr. Biskner guided me to a website that will assist me in preparing the bid packets. He has also offered to review documents for me to make sure proper guidelines are being followed.

I am working on the bid documents as we speak, and given the required time frame for advertising for bids, it is my hope to bid this out no later than the week of June 20th, with a project start date of the week of July 11th.

I will keep you informed as things move along. If you have any other questions, please feel free to give me a call.

Mr. Silcox also discussed the sales tax report as scanned below. It was decided that the sales tax continues to go in the right direction but who knows what will happen. Mr. Bauer stated that Wal-Mart stores opened more than a year for the first quarter were below expectations.

May 18, 2011 8:29AM Huron County Auditor No. 4531 P. 2
Ohio Department of TAXATION
699652110511
HURON COUNTY TREASURER
12 E MAIN ST
NORWALK, OH 44857-1542
SALES LOCAL
HURON COUNTY
For March, 2011
The Tax Commissioner being fully advised and in accordance with the Revised Code, determines the allocation to be as follows:
1. Sales Tax Payments \$126,456.03
2. Direct Pay Tax Return Payments \$22,264.69
3. Seller's Use Tax Return Payments \$42,638.91
4. Consumer's Use Tax Return Payments \$15,022.81
5. Motor Vehicle Tax Payments \$112,856.80
6. Non-Resident Motor Vehicle Tax Payments \$447.08
7. Watercraft and Outboard Motors \$465.57
8. Department of Labor Control \$1,219.22
9. Sales Tax on Motor Vehicle Fuel Refunds \$1,264.80
10. Statewide Sales Tax Voluntary Payments \$262.21
11. Statewide Master Numbers \$113,389.79
12. Sales/Use Tax Assessment Payments \$539.36
13. Streamlined Sales Tax Payments \$181.16
14. Managed Audit Sales/Use Tax Payments \$0.00
15. County Tax Receipts \$437,107.13
16. Adjustments Made to Prior Allocations \$0.00
17. Less Sales/Use Tax Refunds Approved \$90.33
18. Aggregate County Tax Receipts \$437,116.80
19. Less 1% Administrative Salary Fund \$4,371.16
20. Destination Sourcing Adjustment \$0.00
21. County Tax Allocation \$432,745.64

May 18, 2011 8:29AM Huron County Auditor No. 4531 P. 3
Ohio Department of TAXATION
699652110511
HURON COUNTY TREASURER
12 E MAIN ST
NORWALK, OH 44857-1542
SALES ACT
HURON COUNTY
For March, 2011
The Tax Commissioner being fully advised and in accordance with the Revised Code, determines the allocation to be as follows:
1. Sales Tax Payments \$53,225.73
2. Direct Pay Tax Return Payments \$1,162.30
3. Seller's Use Tax Return Payments \$21,311.48
4. Consumer's Use Tax Return Payments \$7,211.33
5. Motor Vehicle Tax Payments \$56,264.45
6. Non-Resident Motor Vehicle Tax Payments \$223.98
7. Watercraft and Outboard Motors \$22.75
8. Department of Labor Control \$805.11
9. Sales Tax on Motor Vehicle Fuel Refunds \$889.40
10. Sales/Use Tax Voluntary Payments \$121.11
11. Statewide Master Numbers \$66,804.48
12. Sales/Use Tax Assessment Payments \$489.67
13. Streamlined Sales Tax Payments \$80.57
14. Managed Audit Sales/Use Tax Payments \$0.00
15. County Tax Receipts \$218,594.89
16. Adjustments Made to Prior Allocations \$0.00
17. Less Sales/Use Tax Refunds Approved \$40.17
18. Aggregate County Tax Receipts \$218,554.72
19. Less 1% Administrative Salary Fund \$2,185.54
20. Destination Sourcing Adjustment \$0.00
21. County Tax Allocation \$216,369.28

Table with columns for months (JAN to DEC) and years (2002 to 2011) showing sales tax data. Includes a small bar chart at the bottom right of the table area.

Table with columns for months (JAN to DEC) and years (2000 to 2009) showing sales tax data. Includes a small bar chart at the bottom right of the table area.

Sales tax report

Mr. Silcox asked if anything had been done with the request from Larry Long, CCAO on the Engineer's ability to share county property and liability insurance costs from the motor vehicle license and gas tax. Mr. Silcox stated that this has been an issue for a long time and would like to see the board support their

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effort. The board agreed to put the resolution of support on the agenda for Tuesday, May 24, 2011. Mr. Silcox asked if the board has had an update on the Huron County Office Building fifth floor project lately. Mr. Hintz stated that in that regard he has had a discussion with Judge Conway in regards to the vestibule. Mr. Silcox asked what the result of that meeting was. Mr. Hintz stated that the judge was not concerned about the vestibule and that he is not necessarily pushing it but stated that the judge would like to see it but is not adamant about it. Mr. Hintz stated that the Judge does not feel if we didn't change the space that the state would come back and fine us on it. Mr. Hintz stated that one of the judge's concerns is energy consumption. Mr. Hintz stated the he personally feels that while we can still do something about that without actually adding the vestibule and is concerned with all the costs of things coming up he hates to spend that kind of money on that project right now. The judge assured Mr. Hintz that he is not going to or doesn't know even if he could order the vestibule done. This is not the direction that he would go anyway. Mr. Hintz stated that the board wants to work with them and feels that the judge is very agreeable and wants to work together. Mr. Hintz stated that he still feels the way that he feels about it and hates to see the money spent on it and asked what can the bonds be used for and what are the restrictions on them. The judges do want the equipment to remain. Cheryl Nolan explained that the resolution for the use will need to be amended with the projects listed that the bond money will be used for. Mr. Hintz stated that he is in favor of adding an extra set of doors but is not in favor of the vestibule. Discussion was had in regards to how this would be accomplished. Mr. Silcox stated that the other side of this is that it was a recommendation during the energy project. Mr. Bauer stated that he does not know at this point. Mr. Hintz also stated that he had a conversation with Judge Cardwell as well and his thoughts were on the same direction. Mr. Silcox stated that his recommendation if we put something on it should go just past the ramp so that the door at the top can go into the space and if that means requiring that the steps be moved then we will move them. We should make it very similar in design and appearance to what Mr. Obrenovich presented. Mr. Bauer stated that if we do the total project we are all in agreement that it needs to be minimized. Mr. Bauer will discuss with the architect next week.

**At 10:00 a.m.** Gary Ousley, Dog Warden came before the board in regards to presenting his quarterly report. Mr. Silcox recommended that the board members stop out to the Dog Warden's office and kennel and see the very nice improvements that have been done and also pointed out that the most of them have been done in house. Mr. Ousley stated that they are right on track and doing well and as the figures show they are placing about 50% of their dogs, 32% claimed and 21% destroyed. Mr. Ousley addressed the on line sales and stated that it is not quite as good as he thought it would be. This year so far they have sold \$8,100.00 on line sales and last year the figure was \$8,500.00. This is not going to allow for doing away with the outposts though. Mr. Silcox asked what are the monthly costs for the on line sales. Mr. Ousley stated that it is \$2,400.00 per year which is about \$200.00 per month. It was decided that it is still paying for itself. There are more and more people looking at this option. The older citizens are not using this system as they do like to come in and purchase their tags. Mr. Bauer asked about the dog that was in the paper the other day. Mr. Ousley stated that every dog that is in the paper is adopted and they get many calls for such dogs. Mr. Silcox stated that he is glad to see that the percentage of dogs being placed is up. Mr. Ousley discussed the pit bull situation in the county and also stated that some of the counties are starting to adopt them out. Mr. Ousley stated that no pit bulls are adopted in Huron County. Mr. Silcox asked what their normal population is and Mr. Ousley stated that it is up from normal at this time and stated that they are comfortable at 12 dogs. Mr. Silcox asked if the total tag sales are holding their own. Mr. Ousley answered yes and for the total last year they sold 165,566 tags and so far to date they are at 154,542. The vehicle situation was also discussed. Mr. Ousley stated that the vehicles are getting high mileage and the gas mileage is not good at 15 miles per gallon. Mr. Ousley stated that Tom Sharpneck, Sharpneck Ford beat state bid for a Ford Ranger pickup. Mr. Ousley stated that the price was so good that he is looking at trading the old Ford and getting 2 new ones at this time. He does not have all the paperwork in this regard yet. Mr. Ousley stated that with the Dodge trade-in the cost of a 2011 Ford Ranger extended cab is \$11,000.00 and without the trade-in it is \$13,795.00. Mr. Silcox asked if they could go to a smaller truck without a problem. The answer was yes and it would increase the average mileage to 27 miles per gallon.

Mr. Silcox asked if there would be a problem getting the equipment in the back and the answer was no everything would fit but if he would have to change the kennels that sit in the back it would cost \$248.00 which is the plastic travel carriers that they make for the trucks now. This would be better because one person could lift them in and out as it takes two people to get the stainless kennels in and out. It was decided that Mr. Ousley should let Pete Welch know about the Ford that he is looking at trading in to see if the county could use it in the buildings and grounds fleet and then run it by the county mechanic. Daivia Kasper stated that we competitively bid over \$25,000 it seems like the board would want in their minutes that the state bid for this type of truck is something like \$20,000 this is a comparable that is being offered

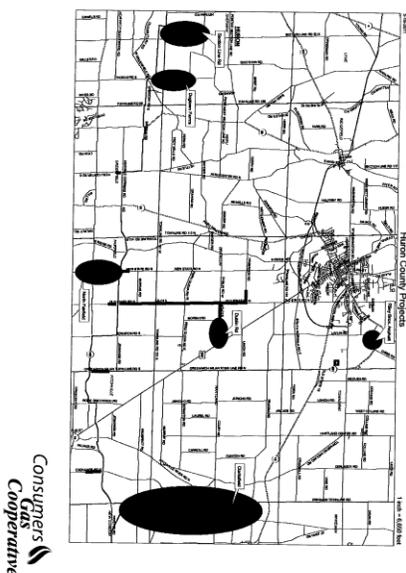
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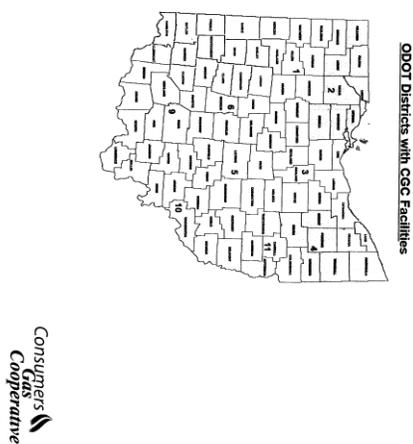
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for \$14,000 and another vendor would offer it for something else. We need to know that another vendor had the opportunity to give a quote as well. Mr. Ousley stated that he has talked with other vendors as well and will present those with the paperwork.

**At 10:25 a.m.** Tony Kovacevich, Consumers Gas Cooperative came before the board and stated that he has brought some information to get everyone up to speed as to who and what Consumers Gas Cooperative is. Mr. Kovacevich further explained about their cooperative and thanked the board for letting him attend this meeting and present this background on Consumers Gas. Mr. Kovacevich stated that he is the operations supervisor for Consumers Gas. Consumers Gas is a member owned natural gas cooperative and according to the Ohio Revised Code it is included in the definition of a public utility as a natural gas company. In Ohio the public utilities commission requires customers to be served by a local distribution company which would be Columbia Gas of Ohio or a natural gas cooperative such as Consumers Gas. Consumers Gas is subject to PUCO's safety regulations however just like the electric coops their rates are not subject to the PUCO review. The cooperative is audited annually for safety compliance by the gas pipe line safety division of the PUCO and as a public utility CGC has had the privilege of obtaining permits from state, county and township authorities in the past in order to install facilities in public rights-of-way. Mr. Kovacevich referred to the report and stated that the company was formed in October of 2001 and currently the coop has over 4500 members. The cooperative has facilities in 33 counties and over 450 townships in the state of Ohio and we only operate in the state of Ohio. Currently there are 79 members in Huron County including residential, commercial and agricultural customers with 6 more projects pending. This could potentially add 150 customers to the customer base and right now CGC is currently installing facilities in public rights-a-way in Norwalk Township in Huron County off of Route 601 for Riley Asphalt. Mr. Kovacevich stated that for your information Consumer Gas's residential rates are currently under a \$10.00 per unit of energy and when you compare that to propane costs on a btu bases propane is over \$25.00 per unit of equivalent energy so that is why we have been able to add customers such as Sunrise. Sunrise is a propane distributor and that is how they came to the conclusion that they wanted to switch. Large agricultural customers have saved considerable amounts of money in excess of 40%. Right now there is a big disparity between natural gas prices and propane prices. On the supply side Consumer Gas for the most part in the county, the supplies come off of Gatherco which is a publicly owned natural gas gathering company which only operates in Ohio as well and they operate over 2,000 miles of line in 37 counties and have over 300 producers tied into their system. On the bottom of the map is a yellow line that runs from east to west which is one of the Gatherco facilities which is the pipeline that they bought from American Standard that was put back in to use in the mid 1980s. So a lot of these projects are basically line extensions off of that line. So there is production in Huron County that exceeds the pipeline that ends up being transported to customers in Huron County.



Map of Huron County projects



Gary Bauer asked if the big problem with Sunrise Cooperative Inc. had been solved and further asked if they have the right-a-way solved to get to Sunrise. Mr. Kovacevich stated no it has not been solved. Mr.

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Kovacevich further explained that as of right now we do not have Sunrise documents in hand. Mr. Bauer asked if they were having the same problem with Bumbs and Houcks trying to get to them. Mr. Kovacevich stated they are with Bumbs as it just takes one landowner where you can't get a right-of-way. Their preference is where they can get it in time permitting where we can work in the private right-a-way just because they have more room to work in. On the Old State road project they worked in both and had permits for both. Mr. Bauer stated that Assistant Prosecutor, Daivia Kasper's opinion is that you are not actually a public utility which is a problem. If you were a public utility you wouldn't have this problem. Mr. Bauer asked Mr. Kovacevich to speak to this point. Ms. Kasper asked to speak at this time and stated that she doesn't know how familiar Mr. Kovacevich is with the different revised codes and there are a number of different definitions of public utilities and her concern is if they are a public utility that would have a right to go into the public right-a-way and if you are not then her concern is whether or not the county has the authority to let you in or should we have you come in with some conditions. Ms. Kasper stated that she has been in contact with John Keller, the attorney on behalf of Consumers Cooperative and they have had some discussion in this regard. Ms. Kasper stated that really the concern of the county as far as she is aware and the County Engineer is that whether Consumers Cooperative is a public utility in the sense that they are entitled to go into the public right-a-way, and do they have the same rights and obligations in respect to other utilities that are in the right-a-way. For example if they go in there and cause damage to whatever other utility is in there and do they repair them. If they are not entitled to go in there and the county would allow them to go in and they would cause damage the county does not want to be responsible for the damage. This is what she is working with Mr. Keller about. Ms. Kasper stated that she told Mr. Keller as well as George Secor, Sunrise Cooperative and the board that we certainly do not want to be an obstruction in this project. Ms. Kasper stated that allowing our residents to have the choice of using natural gas is good and we certainly support the Sunrise Cooperative project and we do not want to obstruct any of the projects in the county. Ms. Kasper also stated that if someone is not entitled to go in the right-a-way and the county allows them to go in we want to make sure that we have our ducks in a row and that means that we have an understanding that we have the authority to do so and what their obligations are if they are going to be in there. Once again Ms. Kasper stated that she is working with Mr. Keller in this regard and they are going to try to move forward so that this issue does not cause a problem for the project. It is helpful to know that you are in the right-a-way in other counties and asked Mr. Kovacevich if he could identify any conditions that they have or agreements that they have with these other counties to go in their right-a-ways this would be helpful. Mr. Bauer stated that he totally supports these projects and want them to go and wants the county to do everything that they can and as rapid as we can to get Sunrise hooked up as this is a major improvement and is for the good of Huron County and likewise with the rest of the projects as well. Mr. Bauer stated with this being said we have to make sure that we are legal. Mr. Secor has told Mr. Bauer that Consumer Gas Cooperative has an agreement with the State of Ohio and twice he has told Mr. Bauer that he would get the county a copy of the agreement that they have to run in the State of Ohio which would give Ms. Kasper a starting point at getting something done. Mr. Kovacevich stated they have a permit that they pulled for the project on State Route #601 and we are going to be working in the state right-a-way and we have done that all over the state. Mr. Silcox stated that his question is if the state gives them a permit and allows them in their right-a-way and the county has done it in the past what is the hold up now and why aren't we allowing them in the right-a-way. Mr. Silcox stated that he understands her concerns but apparently the state has looked at them and found that they can be in the right-a-way and why can't we do the same thing here in Huron County and be legal. Ms. Kasper stated that the county does not have all the powers of the state but what she is asking for is that she does not know what agreement Consumers Cooperative has with the state to go in the state right-a-ways and that would be helpful for her to see that. In the past either their dipping into the right-a-way was they were going through on a private right-a-way or there was some physical obstruction that they came into the public right-a-way to get around the obstruction but they were not actually running in the public right-a-way. This is part of her understanding and the other thing that was told to her was that the county didn't really understand who they were or what this company was. Ms. Kasper stated that she does understand that under the statute, the statute defines public utilities for different purposes in different sections of the law and does the same thing for public officials or county employees but her concern is if they are not entitled under the law to go into the right-a-way then the county has to be aware of first of all does the county have the right to allow them to go in that doesn't have a right under the law and if we do we want to make sure that they have the same obligation that everyone else in there has. Ms. Kasper just wants to make sure that they have the same promises that everyone else that is in there makes. The county does not want to say go ahead and then they do some damage and the utility that they caused damage to says to the county you do not have the authority to let them go in there and you are responsible for fixing the damage. Mr. Keller stated that they are willing to take the responsibility and Ms. Kasper is just trying to see if the county has the authority to let them go in there and further stated that if the state has an agreement she

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would love to see that and if they have an agreement with another county she would be willing to contact any of the civil prosecutors to ask them if they have an agreement. Mr. Kovacevich stated that they only have permits that they work under. Ms. Kasper stated that if he could provide her with the current permits and any other permits that they work under. Ms. Kasper did say that she would still try to encourage them to work with the private right-a-way and try to get excess that way as it will be quicker. Mr. Bauer stated that he was at a Clarksfield Township Trustee meeting and stated that he was asked to ask a question and that is if the line is coming by a property will you serve a residential customer. The answer was yes and Mr. Bauer stated that the second question was if this customer is down a side road will you run down a side road and pick them up. Mr. Kovacevich stated only to the extent that it can be justified in other words they won't run down a mile down a road to pick up one customer. To conclude this conversation Mr. Bauer stated that the quicker we can get answers to Ms. Kasper the quicker we can get this issue solved.

**At 10:50 a.m.** Karen Fries came before the board in regards to the Records Commission Board and Ms. Fries stated that the first set of minutes for the Records Commission of Huron County was December of 1977. The Ohio Revised Code 149.38 which requires the county to have the records commission and to meet at least once every six months and it is open to the public subject to code 121.22. Ms. Fries also explained who sits on the board which is also set by the Ohio revised Code and is composed of the Auditor, Clerk of Courts, Recorder, Prosecuting Attorney and the Chairman of the Board of Commissioners. The purpose of the law is to keep the records of the inventory of all the offices and agencies and to be able to locate and identify and described the records maintained by each office. Ms. Fries stated that each office should have a person designated to take care of the records. Retention periods are determined in three different ways such as in terms of time to be retained three years or permanently, in terms of events or actions retained until audit report is released by the state auditor or until a case is closed, Local government has four options for retaining permanent records. Original records may be retained in office or stored in areas, records may be microfilmed, records may be stored in record center, and records may be transferred to designated local government depositories or in Ohio Historical Center. Ms. Fries referred to a county record manual which guides us to record retention periods. Ms. Fries also reviewed the forms for preparing a retention schedule and disposing of records. There are three of these forms, RC1, RC2 and RC 3. The RC1 form is used for one time disposal, RC2 is a continuous and RC3 is used for disposing a certificate of record and must be filed out and sent to the Ohio Historical Society and it must be 15 business days before disposal date. All forms have to be approved at a records commission meeting county wide. The procedure after everything has been approved by the county records commission then it goes to the Historical Society and from there it goes to the State Auditor and then comes back to the recorder's office and then at that time they are sent back to the original offices. They should have been stamped approved. Ms. Fries stated that she keeps a copy of them before sending them back to the particular office and keeps them in a file in her office. Ms. Fries spoke to the new law that came into effect around September 2010 and this has to do with that each office or county have a record retention policy. What we have found is that some of the county offices do have these policies and all offices are aware of this law and have been contacted or we could have a general county policy. It is quite expensive to have a consultant come in and prepare such policy but again it is something that the law states that we have to have. This is a little history of what the record plan is and it seems that more time should be spent with it. Discussion was had in regards to having a seminar for records retention training.

**At 11:06 a.m.** Gary W. Bauer moved to adjourn. Joe Hintz seconded the motion. The meeting stood adjourned.

**IN THE MATTER OF OPEN SESSION**

The 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 May 19, 2011.

**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

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meeting was adjourned at 11:06 a.m.

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Signatures on File