

REGULAR SESSION

THURSDAY

FEBRUARY 18, 2010

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

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the February 16, 2010 meeting(s) were presented to the Board. Larry J. Silcox made the motion to waive the reading of the minutes of the February 16, 2010 meeting(s) and approve as presented. Gary W. Bauer seconded the motion. Voting was as follows:

Aye – Mike Adelman
Aye – Gary W. Bauer
Aye –Larry J. Silcox

10-062

Re: Final Designation of the Huron County Transfer Station Pursuant To O.R.C. § 343.014

The Board of Commissioners of Huron County, Ohio (the "Board"), in its capacity as the governing body of the Huron County Solid Waste Management District (the "District"), met in regular session in the office of said Board on February 16, 2010, with the following members present: Mike Adelman, Gary W. Bauer, Larry J. Silcox.

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

WHEREAS, on November 24, 2009, the Board adopted a Resolution of Intent To Designate the Huron County Transfer Station located at 2415 Townline Road 131 West, Willard, Ohio, 44890 for the receipt of solid waste generated within the District, and mailed notice to interested parties as required by Section 343.014 of the Ohio Revised Code inviting those parties to submit comments at a public hearing concerning the Resolution of Intent and the Invitation for Designation, which public hearing was conducted by the Board on December 15, 2009; and

WHEREAS, on December 22, 2009, the Board adopted a Resolution Authorizing Preliminary Designation pursuant to Section 343.014 of the Ohio Revised Code: and

WHEREAS, on January 21, 2010, the Board adopted a Resolution of Intent to Establish Designation proposing to designate the Huron County Transfer Station located at 2415 Townline Road 131 West, Willard, Ohio, 44890, as the only facility authorized to receive solid waste generated within the Huron County Solid Waste Management District for disposal or transfer under Sections 343.014 and 343.01(I)(2) of the Ohio Revised Code, and requesting public comments regarding the Resolution of Intent to Designate from January 26, 2010 until February 9, 2010. The board mailed notice to interested parties as required by Section 343.014 of the Ohio Revised Code inviting those parties to submit comments;

WHEREAS, the written comments provided to the District related generally to the attached issues made part of this resolution as attached to and incorporated herein;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Huron County, Ohio, that the foregoing recitals be incorporated herein, and that:

1. The Board has considered the comments received from the public and determined that:

Discussion in regards to the comments received from the Norwalk City in regards to the designation of the Huron County Transfer Station pursuant to ORC 343.014. Mike Adelman stated that he believes that the board should continue the flow control policy as has been done for quite a number of years. Gary Bauer stated that he also feels that flow control is necessary, as it has worked and continues to work. The facility is a countywide facility, which was set up back in the 1960s and was the desire of the county to have the landfill at that time and now the transfer station to serve everyone's needs. Therefore there are major expenses over and above just moving the trash and we need everyone in the county to work together to keep a county facility that was designed as a county facility. Mr. Silcox stated that tonnage is down, costs are going to go up when tonnage is down and we need to make sure that we have enough income out there to take care of expenses. In that light we need flow control and flow control should continue. Mr. Bauer stated that cost per ton goes up and tonnage goes down. There are overhead costs from the EPA whether we have tonnage or not. Mr. Silcox stated and those EPA costs continue to

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increase and we must be diligent in watching those increases and figuring those increases into our fees.

2. The Board hereby makes final its designation of the Huron County Transfer Station located at 2415 Townline Road 131 West, Willard, Ohio, 44890, as the only facility authorized to receive solid waste generated within the Huron County Solid Waste Management District for disposal or transfer under Sections 343.014 and 343.01(I)(2) of the Ohio Revised Code.
3. The Board determines that this Resolution was adopted at an open meeting conducted in accordance with Ohio's Sunshine Law, Section 121.22 of the Ohio Revised Code.

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

Aye – Mike Adelman
Aye – Gary W. Bauer
Aye –Larry J. Silcox



OFFICE OF THE MAYOR
Sue Lesch, Mayor
38 Wirthcrest Avenue
Norwalk, OH 44857
Phone: 419/663-6700
Fax: 419/663-6788
E-Mail: cityofnorwalk@acnornorwalk.com
Online: www.norwalkoh.com

February 8, 2010

Huron County Commissioners
180 Milan Avenue
Norwalk, OH 44857

Re: Resolution of Intent to Establish Designation

Dear Huron County Commissioners:

The City of Norwalk, Ohio, is in receipt of a January 22, 2010 memorandum from Peter J. Weich, PG, Solid Waste Management District Coordinator, concerning Board of County Commissioners of Huron County Resolution 10-034. Please accept this letter as written comment from the City of Norwalk concerning the Resolution and the proposed designation contained therein.

The City of Norwalk objects to and opposes the designation contained in Resolution 10-034. The purpose of such a designation, commonly referred to as "flow control", is to provide sufficient revenues to maintain an operating landfill or close and monitor an inoperative landfill in a manner consistent with applicable environmental laws and regulations. The designation contained in Resolution 10-034 is not needed or required for such purposes and constitutes an undue burden on the citizens of Huron County.

Huron County does not maintain or operate an operating land fill. Hence, revenue is need solely for the purposes of maintaining and monitoring the closed landfill. Inasmuch as the outstanding debt associated with the closed landfill was satisfied during 2009, there no longer exists a statutory basis for the imposition of flow control under Chapter 343 of the Revised Code. Accordingly, the City of Norwalk believes that Resolution 10-034 is invalid and without force or effect.

Furthermore, the City of Norwalk believes that any form of flow control under the current and proposed fee structure constitutes an unfair and undue burden upon the citizens of Huron County. Requiring all waste haulers within the county to utilize only the county transfer station is anti-competitive and artificially raises prices. The elimination of flow control, on the other hand, while still maintaining the generation fee and landfill monitoring fee set forth in the Solid Waste Management District plan on file with the EPA, would provide Huron County with adequate funds to fulfill its obligations concerning the closed landfill while also affording the citizens of Huron County the benefits of competition among the numerous neighboring landfill facilities.

Sincerely,


Sue Lesch
Mayor



10-063

IN THE MATTER OF HITECH ACT AMENDMENT TO CURRENT BUSINESS ASSOCIATE AGREEMENT

Larry J. Silcox moved the adoption of the following resolution:

WHEREAS, the Board of Huron County Commissioners, and Willis have entered into that certain Business Associate Agreement or Health Information Privacy Agreement dated January 5, 2010, (the original agreement) which sets forth their respective rights, obligations and duties involving the transmission or creation of protected health information; and

WHEREAS, the Board of Huron County Commissioners and Willis desires to amend the terms of the Original Agreement in order to comply with the applicable provisions of the Health Information Technology for Economic and Clinical Health Act (Title XIII, Subtitle D) and its implementing regulations (the HITECH Act); now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the amendment to the terms of the Original Agreement 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 – Mike Adelman
- Aye – Gary W. Bauer
- Aye – Larry J. Silcox

IN THE MATTER OF REQUEST FOR LEAVE

- Royal Chisholm/Buildings & Grounds/sick/8:30 a.m. – 5:00 p.m. February 18, 2010.
- Peter Welch/Solid Waste Management/sick/11:00 a.m. – 1:00 p.m. February 17, 2010/7:00 a.m. -3:00 p.m. February 24, 2010.
- Vickie Ziemba/Commissioners/sick/11:30 a.m. -12:00 noon February 16, 2010.
- Larry Burdue/Buildings & Grounds/sick/6:00 a.m. -12:30 p.m. February 18, 2010.
- Maria Lyons/Buildings & Grounds/sick/6:30 a.m. – 3:00 p.m. February 4,5,8,9,10, 2010.
- Ron Ackerman/Buildings & Grounds/Personal Time/6:30 a.m. – 10:30 a.m. February 12, 2010.
- Jason Roblin/EMA/sick/11:00 a.m. -4:30 p.m. March 11, 2010.
- Bill Duncan/Dog Warden/sick/8:00 a.m. -4:30 p.m. February 4, 2010/8:00 a.m. -10:30 a.m. February 9, 2010/compensatory Time/used the balance of such time.

SIGNINGS

Credit application Transfer Station

Jan 21 '10 04:43p Client Paths 419-465-4591 p.1

APPLICATION FOR THE PRIVILEGE OF PAYING ONCE A MONTH AT HURON COUNTY TRANSFER STATION
 2415 TOWNLINE ROAD #131
 WILLARD, OHIO 44890
 PH: (419) 744-3413 FAX: (419) 744-9400

Page 2 of 2
Application Paying Once a Month

Company's Name: Beckeye Builders & Contractors LLC
 Address: 2019 W. Rt. 99 Mansfield, OH 44847
 Phone: 419-541-6891

Owner/Manager Name: Clint Botto

Company's Main Office:
 Address: same
 Phone: _____

Credit References (include at least one bank):

- Name: National City
 Address: Mansfield, OH
 Phone: 419-465-2576
- Name: Gardow Lumber
 Address: Bellefonte, OH
 Phone: _____
- Name: Castle Lumber - Norwalk, OH
 Address: _____
 Phone: _____

I hereby sign that I understand that no new accounts will be opened or maintained without prior approval, with at least One Hundred (\$100.00) dollar per month to be charged. An extra monthly fee of 1.5% of the total amount due with a minimum of \$2.50 will be charged if bills are not paid by the 15th of the month the bill is mailed. Credit privileges may also be revoked, that Huron County is not in business of extending credit, that is an accommodation only, and that I agree to pay in full upon receipt of the monthly statement.

Signature: Clint Botto
 Title: Owner Date: 1-21-10

Transfer Station Use Only:

References Check:

Date	Report
1-29-10	National City Bank
1-27-10	Gardow Lumber
1-29-10	Castle Lumber

Manager's Approval: _____
 Date: 2-16-10

Commissioner's Approval: Mike Adelman
 Date: 2-18-10

appayingonemonth.fm

Quarterly subgrant report & letter for payment

HURON COUNTY BOARD OF COMMISSIONERS
 Mike Adelman* Gary W. Bauer* Larry Silcox
 Cheryl Notan, Administrator/Clerk

February 16, 2010
 OCS
 Attn: Barb Miller
 1970 W. Broad St.
 Columbus, OH 43218-2632

RE: 2009-JG-D01-6432

Dear Ms. Miller:

We are requesting an initial payment of \$7,679.09 to cover personnel costs for the first quarter. The advocate is compensated at \$11.14 per hour and currently is working 40 hours weekly.

Salary = \$ 5,347.20
 FERS = 748.61
 Worker's Comp. = 106.94
 Medicare = 53.47
 Health Insurance = 1,422.87

Total \$ 7,679.09

Sincerely,

Mike Adelman
 Mike Adelman, President
 Huron County Commissioner

180 Milan Avenue, Suite 7, Newark, Ohio 44821-1195
 419-465-3000 * Fax: 419-465-3370
 Email: info@huroncommissioners.com
 www.huroncommissioners.com

Ohio Office of Criminal Justice Services QUARTERLY SUBGRANT REPORT

A. Subgrant No: 2009-JG-D01-6432
 B. Subgrant Title: Court Advocacy/Restitution
 C. Period Ending Date: 12/31/2010
 D. Initial Payment Request: \$ 7,679.09 Max 15% of OCS
 E. Impl. Agency: Huron County Victim Assistance
 F. Subgrantee: Huron County Commissioners
 Street Address: 180 Milan Ave.
 City, State, Zip: Newark, Ohio 44857

This report is required for all OCS subgrants and is due 30 days after the end of each quarter. Please fax one signed copy to: Office of Criminal Justice Services at (614) 466-4008

G. Budget	H. Approved Budget	I. Prior YTD Expenditures	J. Current Expenditures	K. Total YTD Expenditures	L. Unpaid Obligations (2)
Personnel					
Contract					
Travel					
Equipment					
Supplies					
Other Costs					
Confidential Funds					
Bad Debt					
Total Cost					
M. Fund	Approved Budget	Prior YTD Expenditures	Current Expenditures	Total YTD Expend.	Unpaid Obligations
OCS					
Local Match					
In-Site Match					
Total Cost					
N. Cash Position	OCS Funds	Local/State Match	O. Project Income	Forfeitures	Interest
YTD Receipts					
YTD Expenditures					
Cash on Hand					
P. STATUS OF OBJECTIVES-PLEASE DESCRIBE THE PROGRESS TOWARD THE OBJECTIVES FOR THE PROJECT					
Q. OBSTACLES & SUCCESSSES-DESCRIBE ANY IMPLEMENTATION ISSUES ENCOUNTERED AND PROJECT ACCOMPLISHMENTS					
R. CERTIFICATION & SIGNATURE: I certify that all information and transactions reported above are accurate and have been made in compliance with all applicable statutes and regulations, and in accordance with the approved subgrant award and budget per OCS.					
Typed Name & Title of Designated Official: Mike Adelman, Commission President			Signature of Designated Official: <u>Mike Adelman</u>		
OCS Use Only			Report Approved By: Date: <u>2-18-10</u>		

Note:
 1. Must attach justification to support initial payment request.
 2. Use only if project has unpaid invoices at the end of the subgrant period.
 3. Federal guidelines require cash on hand to be kept at a minimum and expended as soon as possible.

Report Effective 01/2003 Office of Criminal Justice Services, 1970 West Broad Street, P.O. Box 182632, Columbus, OH 43218-2632

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11:34 a.m. Larry J. Silcox moved to adjourn. Gary W. Bauer seconded the motion. The meeting stood adjourned.

IN THE MATTER OF DOG WARDEN REPORT

<u>Weekending</u>	<u>Placed</u>	<u>Claimed</u>	<u>Destroyed</u>	<u>Other</u>	<u>Total</u>
January 09, 2010	4	6	6	-0-	16
January 16, 2010	3	5	6	-0-	14
January 23, 2010	5	6	6	-0-	17

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 February 18, 2010.

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 11:34 a.m.

Signatures on File.