

**REGULAR SESSION**

**THURSDAY**

**SEPTEMBER 16, 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.

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING  
THEM TO THE COUNTY AUDITOR**

**(BOARD OF COUNTY COMMISSIONERS)**

Rev. Code, Secs. 5705.34, .35

Resolution 10-304

The Board of County Commissioners of Huron County, Ohio,

met in Regular session on the 16th day of September 2010 at the office of  
(Regular or Special)

Huron County Commissioners with the following members present:

Mike Adelman

Gary W. Bauer

Larry J. Silcox

Mr. Larry J. Silcox moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Huron County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it

RESOLVED, By the Board of County Commissioners of Huron County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the 2010 tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET  
 COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

Fund	Amount Approved by Budget Commission inside 10 M Limitation	Amount to Be Derived From Levies Outside the 10 M Limitation	County Auditor's Estimate of Tax Rate to be Levied Inside 10 M Limit	County Auditor's Estimate of Tax Rate to be Levied Outside 10 M Limit
A. General Fund	2,175,988		2.10	
D. Road and Bridge Fund				
E. District Board of Health		490,835		.75
O. General Bond Retirement Funds				
Q. Road Construction Funds				
S. Relief and Welfare Special Levy Funds				
S. Child Welfare Services Special Levy Funds / Christie Lane		3,457,525		4.00
S. Health, Mental Health/Clinics SpLevy Fnd/ADAMHS BD		122,125		.50
S. Parks and Recreation Special Levy Funds				
S. Other – Miscellaneous/Special Levy Funds/Senior Services		475,359		.50
<b>Total</b>	2,175,988	4,545,844	2.10	5.75

**SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

Fund	Maximum Rate Authorized to Be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND: GENERAL HEALTH DISTRICT</b>		
Current expense levy authorized by voters on November 7, 2006 not to exceed 10 years	.30	188,981
Current expense levy authorized by voters on November 7, 2006 not to exceed 10 years	.20	125,987
Current expense levy authorized by voters on November 3, 2009 not to exceed 10 years	.25	175,867
Current expense levy authorized by voters on not to exceed years		
TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION		
<b>SPECIAL LEVY FUNDS:</b>		
Levy authorized by voters on November 6, 1984 Christie Lane not to exceed cont. years	.20	48,850
Levy authorized by voters on May 8, 2001 Christie Lane not to exceed cont. years	1.30	1,140,711
Levy authorized by voters on November 4, 2003 Christie Lane not to exceed cont. years	1.50	1,317,124
Levy authorized by voters on November 2, 2004 ADAMHS BD. not to exceed 10 years	.50	122,125
Levy authorized by voters on November 4, 2008 Senior Service not to exceed 5 years	.50	475,359
Levy authorized by voters on November 7, 2006 Christie Lane not to exceed years	1.00	950,840

and be it further

RESOLVED, That the Clerk of this Board be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Gary W. Bauer seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Mike Adelman , \_\_\_\_\_  
 Mr. Gary W. Bauer , \_\_\_\_\_  
 Mr. Larry J. Silcox , \_\_\_\_\_

Adopted the 16th day of September, 2010.

Attest:

\_\_\_\_\_  
Clerk of the Board of County Commissioners of

Huron County, Ohio.

CERTIFICATE OF COPY  
ORIGINAL ON FILE

The State of Ohio, Huron County, ss

I, Cheryl Nolan, Clerk of the Board of County Commissioners within and for said County, and in whose custody the Files and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original Commissioners' Journal 10/88 page

now on file with said Board, that the foregoing has been compared by me with said original and copied from the original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 16th day of September, 2010

Cheryl Nolan  
Clerk of the Board of County Commissioners,  
Huron County, Ohio.

A copy of this Resolution must be certified by the County Auditor before the first day of October, or at such later date as may be approved by the Department of Taxation of Ohio.

10-305

**IN THE MATTER OF APPROPRIATING UNAPPROPRIATED FUNDS IN THE HURON COUNTY DD OPERATING FUND #110**

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

**WHEREAS**, there are unappropriated funds in the Huron county DD Operating Fund #110 that need to be appropriated for expenses; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby approves of appropriating \$128,000.00 of unappropriated funds as follows:

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TO: 110-00475-110 other expenses

\$128,000.00

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.

Larry J. Silcox 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

10-306

**IN THE MATTER OF CREATING NEW LINES AND APPROPRIATING FUNDS IN THE ALTERNATIVE RESPONSE FUND #153**

Larry J. Silcox moved the following resolution:

**WHEREAS**, the Board of Huron County Commissioners being in receipt of an Amended Certificate of Estimated Resources for the Alternative Response Fund #153 in the amount of \$20,000.00; and

**WHEREAS**, it is the desire of this Board of Huron County Commissioners to create new lines and appropriate these funds to the Alternative Response fund #153; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby approves creating the following new lines and appropriating funds as follows:

TO:	153-00300-153	training & expense	\$ 6,000.00	
	153-00470-153	purchase of service	\$13,000.00	
	153-00475-153	other	\$ 1,000.00	and further

**BE IT RESOLVED**, that a certified copy of this resolution be sent to the Huron County Auditor and the department(s) requesting the appropriation; and further

**BE IT RESOLVED** 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 – Mike Adelman  
Aye – Gary W. Bauer  
Aye – Larry J. Silcox

10-307

**IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE HURON COUNTY DOG AND KENNEL FUND #105**

Gary W. Bauer 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

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

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	105	00210	105	\$7,500.00		105	00275	105	\$7,500.00
		equipment reserve					contracts repair		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.

Larry J. Silcox 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

10-308 hold

10-309

**IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #041 IN THE GENERAL FUND TO FUND #036**

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

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

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 041-00572-001 in the amount of \$39,615.00 to the jail fund #036-00125-001; 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 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 – Mike Adelman
- Aye – Gary W. Bauer
- Aye – Larry J. Silcox

10-310

**IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #041 IN THE GENERAL FUND TO FUND #099**

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

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**WHEREAS**, a transfer of funds is needed for the #099 transfer out fund; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 041-00572-001 in the amount of \$7,000.00 to the transfer out fund #099-00600-001; 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 # 099 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.

Larry J . Silcox 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

10-312

**IN THE MATTER OF MASTER AGREEMENT TO PROVIDE SERVICES TO AN AGGREGATED GROUP BETWEEN THE BOARD OF HURON COUNTY COMMISSIONERS (GOVERNMENTAL AGGREGATOR) AND FIRST ENERGY SOLUTIONS, COPR. (FES)**

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

**WHEREAS**, (FES) is certified by the Public Utilities Commission of Ohio, (PUCO) as a Competitive Retail Electric Service Provider to sell competitive retail electric service to customers in the State of Ohio utilizing the existing transmission and distribution systems; and

**WHEREAS**, FES (directly or through its affiliates) is an energy services provider with extensive experience in the provision of a broad range of energy related services; and

**WHEREAS**, FES sells competitive retail electric service and related services to inhabitants of municipal corporations, board of township trustees, or board of county commissioners acting as governmental aggregators for the provision of competitive retail electric service (Governmental Aggregators) under authority conferred under Section 4928.20 of the Ohio Revised Code; and

**WHEREAS**, Huron County Commissioners have been authorized by resolution to act as the Governmental Aggregators for townships in Huron County; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners enters into a Master Agreement to provide services to an aggregated group of townships 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.

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

- Agreement on file Commissioners' office.

**IN THE MATTER APPROVING THE HURON COUNTY ELECTRIC POWER AGGREGATION PLAN OF OPERATION AND GOVERNANCE WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OF THE OHIO REVISED CODE**

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

**WHEREAS**, the Board of Huron County Commissioners is in receipt of resolutions from Norwalk, Ridgefield, Sherman, Townsend, and Wakeman Townships authorizing the Huron County Board of Commissioners to act as the Township's agent in the implementation of the Governmental Electricity Aggregation Program; and

**WHEREAS**, the Board of Trustees of the above mentioned townships agree and authorizes the Board of Huron County Commissioners to act as the Township's agent in the governmental aggregation program with opt-out provisions pursuant to ORC 4928.20 for the residents, businesses and other electric consumers in the Townships and to proceed with hearings, notice, and implementation of the Electric Power Aggregation Plan as required by law; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners approves the Huron County Electric Power Aggregation Plan of Operation and Governance 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.

Larry J. Silcox 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

10-314

**IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE HURON COUNTY CCW FUND #135**

Larry J. Silcox 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 adjustment:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	135	00475	135	\$750.00		135	00400	135	\$750.00
		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



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

**IN THE MATTER OF APPROVING TRAVEL REQUESTS**

Gary W. Bauer moved to approve the following travel requests this day. Larry J. Silcox 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

Gary W. Bauer, Commissioner, on October 1, 2010, to Ashland, Ohio, for RC&D meeting.  
Mike Adelman, Commissioner, on September 17, 2010, to Columbus, Ohio, for CCAO trustee meeting.

**IN THE MATTER OF REQUESTS FOR LEAVE**

**Maria Lyons**/Buildings & Grounds/sick/9:30 a.m. – 2:00 p.m. September 17, 2010/sick/ 5:30 a.m. – 2:00 p.m. September 24, 2010/sick/5:30 a.m. – 2:00 p.m. September 30, 2010.

**At 9:30 a.m.** Public Comment

Dennis Sokol came before the board and stated that the Airport Board will meet on Friday in special session at 2:00 p.m. to discuss personnel issues and sending a letter to the race track. Discussed term limits on the board and is looking for the bylaws.

**OTHER BUSINESS**

Mike Adelman stated that the mayor of Norwalk, Sue Lesch had asked him to stop in to her office on Monday afternoon and he told her that he would do so.

**At 9:45 a.m.** the board recessed

**At 10:00 a.m.** regular session resumed.

Don Ruffing, Soil and Water Conservation District came before the board in regards to the granting of a reduction for W. Arthur Hansen Trust on the Megginson Creek #147 11-970. Mr. Ruffing explained the reduction and procedure for granting reduction.

10-311

**IN THE MATTER OF GRANTING A REDUCTION ACCORDING TO SECTION 6137.09 OF THE OHIO REVISED CODE (GRANTING REDUCTION) FOR W. ARTHUR HANSEN TRUST ON THE MEGGINSON CREEK #147 11-970**

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

**WHEREAS**, the Huron County ditch Maintenance Program has a policy that states the following: “For a 20% reduction in an owners’s maintenance base, the owner must establish a 10' wide sodded berm (filter strip) on both sides of the ditch and to then maintain the berm annually by mowing and/or spraying”; and

**WHEREAS**, the W. Arthur Hansen Trust has established and are maintaining the berms on the Megginson Creek #147 11-970 according to the specifications of the Huron SWCD; and

**WHEREAS**, on July 5, 1995, the Huron SWCD Board of Supervisors adopted the policy for the establishment of the berms and recommends that the Board of Huron County Commissioners grant the 20% reductions; now therefore

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**BE IT RESOLVED**, that the Board of Huron County Commissioners does hereby grant a 20% reduction in the maintenance base for the following parcel owned by W. Arthur Hansen Trust:

<b>Megginson Creek #147 11-970</b>	<b><u>Current Base</u></b>	<b><u>New Base With 20% Reduction</u></b>	
N46-00-074892-00-00	\$1,855.95	\$ 1,484.76	and further

**BE IT RESOLVED**, that the clerk to the board certify a copy of this resolution to the Huron County Auditor and the Seneca County Auditor; 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.

Larry J. Silcox 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

\* Certification on file Commissioners' office.

**Administrator/Clerk's report**

Cheryl Nolan reported on the lease for the office space at Shady Lane.

**At 10:13 a.m.** Larry J. Silcox moved to enter into **Executive Session ORC 121.22 (G) (2)** To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. 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

**At 10:23 a.m.** Larry J. Silcox moved to end Executive Session ORC 121.22 (G) (2). 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

**At 10:30 a.m.** Jason Roblin, EMA came before the board to report on several topics. 1) Mr. Roblin presented a report on Code Red program and discussed the Code Red high-speed notification solution, from Emergency Communications Network to the County of Huron reverse notification and explained how this would work in the county. Mr. Roblin explained the process of trying to get this put in place and presented the benefits to the county. Mr. Roblin feels this would be a great tool for the county. Mr. Roblin will be presenting this program to the EMA board tonight and is hoping that they will fund the weather portion and the county along with the cities putting in a portion of \$3,736.35 this is contingent upon a grant and the EMA board cooperating. The board agreed to support this system and asked Mr. Roblin to advise the EMA board that they support this system  
2) Also presented the promulgation statement for the board's signature. 3) The next topic of discussion was the weather closing process. After further discussion it was decided to leave the policy as it is and to use the sheriff's levels as a guide. 4) Mr. Roblin also asked about the 40 hour work week and being put back to 40 hours before the end of the year as he feels that his budget is not affected by the general fund budget. The board stated that they are looking at everyone going back to 40 hours in the next budget.

## PROMULGATION STATEMENT

Preparedness to cope with the effects of a disaster includes many diverse but interrelated elements, which must be woven into an integrated emergency management system involving all departments of local government and private support agencies, plus the individual citizen.

Disasters necessitate a sudden escalation in the material needs of the community and a reorganization of resources and personnel in order to address emergency response. Many lives can be lost in the confusion and disorganization that accompanies the lack of a full planning effort. Therefore, failure to develop an integrated disaster preparedness plan encourages salvage type activities instead of an effective coordinated operation.

Planning for population protection must be a cooperative effort to avert or minimize the effects of natural, technological, civil, and/or attack related disasters; protect lives and property; and restore the stricken areas to its predisaster status with a minimum of social and economic disruption.

This plan is a statement of policy regarding emergency management and assigns tasks and responsibilities to county officials and department heads, specifying their roles during an emergency disaster situation. It is developed pursuant to Section 5915, Ohio Revised Code and the Resolution by Huron County Commissioners dated April 21, 1986, assigning emergency responsibilities.

  
Mike Adelman, President  
Board of Huron County Commissioners

9-16-10  
Date

  
Gary W. Bauer, Commissioner

9/16/10  
Date

  
Larry Silcox, Commissioner

9/16/10  
Date

5) Mr. Roblin discussed the quote for the Sheriff's radios and stated that the batteries had been left off the quote and that it would be another \$1,950.00 for 26 batteries. The board agreed to approve this quote by resolution at their next meeting.

**At 11:06 a.m.** Larry J. Silcox moved to adjourn. Gary W. Bauer 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 September 16, 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 11:06 a.m.

Signatures on File