

REGULAR SESSION

THURSDAY

FEBRUARY 5, 2009

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 Silcox.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the February 3, 2009 meeting(s) were presented to the Board. Larry J. Silcox made the motion to waive the reading of the minutes of the February 3, 2009 meeting(s) and approve as presented. Mike Adelman seconded the motion. Voting was as follows:

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

09-044

IN THE MATTER OF ESTABLISHING THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP)

Mike Adelman moved the adoption of the following resolution:

WHEREAS, Congress has established the Neighborhood Stabilization Program (NSP); and

WHEREAS, the Ohio Department of Development (ODOD) has received funds under this program to assist with the current crisis in the housing market; and

WHEREAS, ODOD has decided to provide funds under this program to rural portions of the State via a “regional” approach; and

WHEREAS Huron County is designated to be in Region 4, which has been allocated \$2,376,372; and

WHEREAS, Huron County will, through this “lead agency” submit local projects for funding; and

WHEREAS, the “lead agency” must submit the application for the Region to ODOD by February 27, 2009; now therefore

BE IT RESOLVED, by the Board of Huron County Commissioners:

- 1) Huron County agrees to designate Lorain County, and the Lorain County Commissioners, as the “lead agency” for the purpose of applying for, and overseeing, the Region 4 NSP.
- 2) Huron County has designated the city of Willard and the village of New London as Target Areas under the NSP.
- 3) Huron County will submit to Lorain County requests for funding for \$400,000.00.
- 4) The President of the Board of Huron County Commissioners is authorized to sign all documents necessary to apply for these NSP funds, to enter into agreements with Lorain County for these funds, and to carry out the proposed activities under the NSP.

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.

Discussion: Gary Bauer thanked Mike Adelman for taking the lead on this project. MR. Adelman explained the proposals and stated that the county received all that they had requested. Susan Hazel, Clerk of Courts, Kathleen Schaffer, Treasurer, Mayor Sue Lesch, Phyllis Dunlap, CT Consultants, and Ben Kenny, WSOS were all part of the team to request this funding.

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 OF EXPRESSING THE BOARD'S INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT COUNTY PERSONAL PROPERTY IN CALENDAR YEAR 2009

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

WHEREAS, House Bill 226 of the 124th General Assembly, effective January 26, 2002, authorizes a Board of County Commissioners to dispose of unneeded, obsolete or unfit personal property through the use of an Internet auction; and

WHEREAS, Section 307.12 (E) of the Ohio Revised Code, as amended by H.B. 226, requires a Board of County Commissioners to adopt, during each calendar year, a resolution expressing its intent to sell personal property by Internet auction; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby expresses its intent to dispose of unneeded, obsolete or unfit personal property by Internet auction during the calendar year 2009; and further

BE IT RESOLVED, that the personal property disposed of through Internet auction may include, as specified in ORC 307.12 (E), motor vehicles acquired for the use of county officers and departments, road machinery, equipment, tools or supplies, any of which is either unneeded, obsolete, or unfit for the use for which it was acquired; and further

BE IT RESOLVED, that the Internet auction will be conducted in the following manner under the following general terms and conditions: all items will be sold "as is" with Huron County making no guarantee as to the condition of said items; the purchaser will be responsible for the removal of said items from Huron County property; and, the purchaser will be required to make payment in full within five days following the close of the auction, before any property can be released; and further

BE IT RESOLVED, that the number of days of bidding on the property involved, as specified in ORC 307.12, will be at least fifteen days, including Saturdays, Sundays, and legal holidays; and further

BE IT RESOLVED, that the Huron County Board of Commissioners has contracted with GovDeals, Inc., 5913 Carmichael Place, Montgomery, Alabama, 36117, telephone number 800-613-0156, as its representative to conduct the Internet auction on the county's behalf; and further

BE IT RESOLVED, that the Clerk of the Board will publish in the County's local newspaper, the *Norwalk Reflector*, a summary of the information contained in this resolution on the following dates: February 7, 2009; and further

BE IT RESOLVED, that a notice similar to the one published in the newspaper will be posted continually throughout calendar year 2009 in a conspicuous place in the office of the County Auditor, the offices of the Board of County Commissioners and on the Huron County Internet website; and further

BE IT RESOLVED, that the Huron County Board of Commissioners reserves the right, at a later date, to establish the minimum prices that may be accepted for any property that is the subject of the Internet auction, the terms and conditions of any particular sale that may occur, including, but not limited to, requirements for pick up and/or delivery of the property, method of payment, and payment of sales tax in accordance with applicable laws; and further

BE IT RESOLVED, that the information described in the paragraph above will be provided on the Internet at the time of the auction itself, or will be provided before that time, upon request, if the terms and conditions have been determined by the Board of County Commissioners or its representative; and further

BE IT RESOLVED, that a copy of this resolution be sent to the Huron County Auditor; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the

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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.

Mike Adelman seconded the motion. The roll being called upon its adoption, the vote resulted as followed:

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

**NOTICE OF INTENT TO DISPOSE OF SURPLUS PERSONAL
PROPERTY BY INTERNET AUCTION**

Resolution No. 09-045, adopted by the Board of County Commissioners of Huron County on February 5, 2009, authorized the disposal of unneeded, obsolete or unfit personal property, including motor vehicles by Internet auction. This resolution is in accordance with O.R.C. Section 307.12 as amended by H.B. 226 of the 124th General Assembly.

All Internet auctions will be conducted on commercial auction sites. The auctions shall be conducted on a continuous basis through accessing the Huron County surplus property through the Huron County website located at www.hccommissioners.com double click on the Gov Deals icon. The surplus items shall be posted for fifteen days including Saturdays, Sundays, and legal holidays.

All items will be sold “as is, where is” with Huron County making no guarantee as to the condition of said items, and with the purchaser being responsible for the removal of said items from the Huron County Facilities.

The purchaser will be required to make payment in full within five (5) days following the close of the auction.

No property will be released until payment in full has been received by Huron County.

The right is reserved to reject any and all bids.

By Order of the Board of County Commissioners, Huron County, Ohio

Cheryl Nolan, Administrator/Clerk

PUBLISH: February 9, 2009

IN THE MATTER OF TRAVEL

Mike Adelman 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

Bill Ommert, Jason Roblin, EMA, on February 6, 2009, to Fremont Ohio, for Homeland Security meeting.

Mike Adelman, Larry J. Silcox, Commissioners, on February 5, 2009, to Bellevue, Sandusky County, for State of the city address.

IN THE MATTER OF REQUEST FOR LEAVE

Royal Chisholm/Buildings & Grounds/sick/12:00 p.m. -4:30 February 13, 2009.

Maria Lyons/Buildings 7 Grounds/sick/6:30 a.m. – 3:00 p.m. February 3, 2009.

Peter Welch/Solid Waste District/sick/7:00 a.m. – 3:00 p.m. February 2, 2009.

Christina Norton/EMA/vacation/8:00 a.m. – 4:30 p.m. February 13, 2009.

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At 9:30 a.m. no public comment

THURSDAY

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SIGNINGS

PROPERTY DAMAGE RELEASE

KNOW ALL BY THESE PRESENTS:

That the Undersigned, being of lawful age, for sole consideration of Two thousand seven hundred and no/100 Dollars (\$ 2,700.00) to be paid to Huron County Commissioners do hereby and for my/our heirs, executors, administrators, successors and assigns release, acquit and forever discharge Patricia Smith

and his, her, their, or its agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses and compensation whatsoever, which the undersigned now hereafter or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen property damage and the consequences thereof resulting or to result from the occurrence on or about the 18th day of November, 2008, at or near State Route 162, Greenfield Township, Huron County, Ohio

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and that the payment is not to be construed as an admission of liability on the part of the party or parties hereby released, and that said released parties deny liability and intend merely to avoid litigation and buy their peace. The undersigned further declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and that this Release contains the entire agreement between the parties hereto, and that the terms of this Release are contractual and not a mere receipt.

WITNESSES:

Wayne B. Bauer
Signature
Date 2/6/09

SIGNATURE(S):

Wayne B. Bauer
Signature
Mike Adelman
Signature

NOTARY: State of Ohio, County of Huron, SS

On this 5th day of February, 2009, before me appeared *Wayne B. Bauer* and *Mike Adelman*, known to me to be the person(s) named herein and who voluntarily executed this release.

Cheryl Nolan
Notary Signature
Date Commission Expires 4/4/09



Form 3200F
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<http://www.claimspages.com>

Hammond Claim Service
hammondclaimservice.com

591 Impala Drive
Mansfield, OH 44903
Phone: 419.571.9047
Fax: 888.832.5489
Email: bob@hammondclaimservice.com

January 29, 2009

Capt. Ted Patrick
Huron County Sheriff's Department
255 Shady Lane Drive
Norwalk, OH 44857

RE: Insured: Patricia Smith
Claim: 60885
Loss Date: 11/08/08
HCS File: 6155

Dear Capt. Patrick:

This letter is in reference to the claim for the total loss damage to the Huron County Sheriff's Department Unit 317 from the accident of November 8, 2008. It will also confirm our recent telephone discussion regarding settlement of the property damage claim.

I have enclosed Wayne Mutual Insurance Company claim check number 508964 in the amount of \$2,700 payable to the Huron County Commissioners. Also enclosed is a Property Damage Release form for a representative of the County Commissioners to sign before a notary to formalize the settlement.

I have requested salvage bids for the 2000 Crown Victoria Police Interceptor and will have the car picked up by the successful salvage buyer upon receipt of the assigned title to the car.

Please ask the commissioners to assign the vehicle title to: Wayne Mutual Insurance Company, 3873 Cleveland Avenue, Wooster, OH 44691. The odometer statement on the back of the title must also be completed. At the time of my inspection of the car the odometer reading was 211,209 miles.

Please forward the signed Property Damage Release and assigned vehicle title to this office at the address shown above.

Thank you for your cooperation in this matter. Please call me at 419-571-9047 with any questions regarding this claim.

Capt. Ted Patrick
January 29, 2009
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Sincerely,
Robert Hammond
Robert Hammond, AIC
Adjuster

- Enclosures: 1. Claim Check number 508964
2. Property Damage Release form

HURON COUNTY BOARD OF COMMISSIONERS

Mike Adelman* Gary W. Bauer* Larry Silcox

Cheryl Nolan, Administrator/Clerk

Signature Certification

Wayne B. Bauer
Signature Authorizing Official

This is to certify that the above is the signature of Gary W. Bauer
 President of Huron County Commissioners

Subscribed and duly sworn before me according to law, by the above mentioned individual

this 5th day of February 2009 at Norwalk County of Huron and State of Ohio.

Cheryl Nolan
Signature of Notary



NOTE: Signature Certification must be printed on letterhead.

180 Milan Avenue, Suite 7, Norwalk, Ohio 44857-1195
419-662-3022 • 800-456-6262 • Fax 419-662-3379
Email: info@huroncommissioners.com
www.huroncommissioners.com

Huron County Buildings & Grounds Request Form

County office or department requesting service: *SERVICES For Aging*

Signature of requesting official: *Opinion of Justice*

Date of request: *1-30-09*

1. Description of the repair work or renovation needed
need window part on wall of transportation office

2. Justification, purpose or pertinent documentation?
Create better communication between departments

3. If an improvement, what is the expected cost?

4. Cost savings or "life expectancy," if applies?

5. Does this constitute a safety or health hazard? Explain and document:

6. Emergency or unexpected mandate?

7. If a renovation vs. a repair, how do you expect to fund this project?

8. Location of service? *Shady Lane*

9. Deadline involved? *---*

Your request is OK'd Denied Reasons: *Paid for by Huron County Council*

Wayne B. Bauer
Board President
Huron County Board of Commissioners

Supervisor
Buildings & Grounds

Work will commence _____

OTHER BUSINESS

Gary Bauer reported on the loan application that is at ODOD for American Coatings Specialists. Mr. Bauer stated that he had spoken with Representative Terry Boose in this regard.

Mike Adelman stated that the Lakewood prisoner housing agreement looked good. The board agreed to put on agenda for approval Tuesday, February 10, 2009. Mr. Adelman also reported on the Willard Economic Development meeting.

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Discussion was had in regards to the invoices received from the sheriff for the transition that the sheriff had requested that the board pay from the \$2,700 that was paid for a damaged cruiser. The board discussed the proposal Larry Silcox stated that he would like to see it saved and put with the funds from the auction and maybe put toward another cruiser. Gary Bauer stated that maybe this could be done in better times. Larry Silcox stated that we are going to have to be very careful with what we spend this year. Advise the sheriff to go ahead and pay these bills and will give it consideration at budget time.

Larry Silcox stated that he has the list of vehicles that need to be sold on GovDeals. Mr. Silcox also stated that he had the mechanic logs for two weeks.

At 9:45 a.m. Sue Bommer HR came before the board in regards to adjusting the work week and also referred to the local 710 contract as well and also referred to other material and policies in this regard. Ms. Bommer also stated that the lists of non classified employees are coming in and further discussed the opinion of the BWC in regards to the firefighters leaving during their work day to fight a fire and the liability issues. If this is done and the liability comes under the township fire department, a letter will be needed from the firefighter employees that the liability in the case of an accident is that of the township and the county will also need a current BWC certificate from the township on file at all times. Daivia Kasper and Sue Boomer were in conversation with the BWC during the same phone call.

Prosecutor's Report

Daivia Kasper had nothing to report to the board. Larry Silcox asked Ms. Kasper to check on late fees and whether or not public entities have to pay the late fees per the Ohio Revised Code.

At 10:00 a.m. Larry J. Silcox moved to adjourn. Mike Adelman 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 February 5, 2009.

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 10:00 a.m.

Signatures on File