

REGULAR SESSION

TUESDAY

JANUARY 6, 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 December 30, 2008 meeting(s) were presented to the Board. Gary W. Bauer made the motion to waive the reading of the minutes of the December 30, 2008 meeting(s) and approve as presented. Mike Adelman seconded the motion. Voting was as follows:

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

09-01
Signature Only

IN THE MATTER OF RE-APPOINTMENT TO THE AIRPORT AUTHORITY BOARD

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

WHEREAS, the term of Airport Authority Board member Walter Kuchta expires on December 31, 2008;
and

WHEREAS, it has been recommended by the Airport Authority Board, to the Board of Huron County Commissioners that Mr. Brown be re-appointed; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby finds this request to be reasonable and approves of the re-appointment of Mr. Kuchta to the Airport Authority Board to a term as follows:

Walter Kuchta, term to begin January 1, 2009 and end December 31, 2012; 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

09-002

IN THE MATTER OF APPROVING PUBLIC OFFICIALS BOND FOR KAREN FRIES, HURON COUNTY RECORDER

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

WHEREAS, pursuant to Ohio Revised Code section 317.02 the Board of County Commissioners is required to fix the amount of the bond for the Recorder and approve the bonding company before the Recorder may discharge the duties of the office; and

WHEREAS, Karen Fries has been elected to the office of Recorder for a four (4) year term commencing January 3, 2009; now therefore

BE IT RESOLVED, that Board of Huron County Commissioners does hereby fix the amount of the bond for the above named Public Official to be \$10,000.00 and hereby approves the bonding company and the bond, as attached hereto; and further

BE IT RESOLVED, that the clerk is directed to certify a copy of this resolution to the County Treasurer

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to be kept with the bond of the Recorder;

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

09-003

IN THE MATTER OF AUTHORIZING THE COUNTY ENGINEER TO PROCEED WITH CONSTRUCTION OR RECONSTRUCTION BY FORCE ACCOUNT

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

WHEREAS, the Board of Commissioners has determined the health, safety and welfare of the residents of Huron County will be best served by authorizing the County Engineer to proceed by "Force Account" in matters pertaining to the construction, reconstruction, improvement, of Huron County roads, bridges and culverts; now therefore

BE IT RESOLVED, that the Huron County Board of Commissioners does hereby authorize the Huron County Engineer to use county forces and proceed by "Force Account" in the construction, reconstruction and improvement, of the roads, bridges and culverts serving Huron County's residents, and that this authorization shall extend to, and include, any such roads, bridges and culverts on state, county, city or village roadways when the County Engineer has been so authorized by the respective jurisdiction;

and further

BE IT RESOLVED, that the County Engineer is hereby authorized by the Board of County Commissioners to employ such laborers and vehicles, use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement of said roads by force account. And that, when determining whether construction or reconstruction of roads may be undertaken by force account, the County Engineer shall first cause to be made an estimate of the cost of such work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. When the total estimated cost of the Force Account work exceeds thirty thousand dollars per mile, the County Commissioners shall invite and receive competitive bids for furnishing all the labor, materials, and equipment necessary to complete the work in accordance with sections 307.86 to 307.92 of the Revised Code; and further

BE IT RESOLVED, that the County Engineer is authorized by this Board of County Commissioners to use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement, of bridges and culverts by force account. And that, when determining whether such construction, reconstruction, improvement of bridges or culverts may be undertaken by force account, the County Engineer shall first cause to be made an estimate of the cost of such work using the force account project assessment form. When the total estimated cost of the work exceeds one hundred thousand dollars, this Board of County Commissioners shall invite and receive competitive bids for furnishing all the labor, materials, and equipment necessary to complete the work, in accordance with sections 307.86 to 307.92 of the Revised Code. The County Engineer shall obtain the approval required by section 5543.02 of the Revised Code; and further

BE IT RESOLVED, that "Force Account," as used in this section means that the County Engineer will act as contractor, using labor employed by the Engineer, or, using material and equipment either owned by the county or leased by the county, or purchased in compliance with sections 307.86 to 307.92 of the Revised Code and excludes subcontracting such work which requires competitive bidding pursuant to sections 307.86 to 307.92 of the Revised Code unless, or until, such work has been bid and awarded by the Board of Commissioners; and further

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BE IT RESOLVED, that the term “competitive bids” as used in this section requires competition for the whole contract regarding such materials, or, components of any such contract awarded by the County Commissioners and in regard to its component parts, includes labor and materials; 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

09-004

IN THE MATTER OF VOUCHERING FUNDS TO THE HURON COUNTY SOIL & WATER CONSERVATION DISTRICT

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

WHEREAS, funds have been appropriated from the Huron County General Fund for the Huron County Soil & Water Conservation District in 2009; and

WHEREAS a first quarter P.O. for these funds, that the Board of Huron County Commissioners does hereby authorize their Clerk to voucher the following sum of \$36,250.00 for the first quarter to be paid from the Code listed in the Commissioners’ Budget to the Huron County Soil & Water Conservation District for the first quarter of the year 2009; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners does hereby authorize their Clerk to voucher the following sum to be paid for the first quarter from the Code listed in the Commissioners’ Budget to the Huron County Soil & Water Conservation District for the year 2009:

From: 028-00558-001 Soil & Water Conservation District \$ 36,250.00 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

09-005

IN THE MATTER OF APPROVING LETTER OF ENGAGEMENT FOR PROFESSIONAL SERVICES, NAMELY, INMATE MEDICAL SERVICES AT THE HURON COUNTY JAIL ON AN EMERGENCY BASIS

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

WHEREAS, emergency professional nursing services were needed at the Huron County jail, for a period beginning, December 30, 2008 – January 3, 2009 for a total of 20 hours as the jail would be without nursing services for this period of time; and

WHEREAS, Huron County contacted Lorain County to provide services on an emergency basis; and

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WHEREAS, a letter of engagement for professional services, jail nurse, namely. inmate medical services, at the Huron County jail with Lorain County was signed December 30, 2008; and

WHEREAS, Jennifer Roth, 7336 Murray Ridge Road, Elyria, Ohio 44035 provided the Jail Administration with copies of all licenses and certificates pertinent to her practice as a Licensed Practical Nurse (LPN) in the state of Ohio; and

WHEREAS, the agreement for a specific period, being December 30, 2008 – January 3, 2009 and is not renewable and this letter of understanding took effect on December 30, 2008; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approve the attached letter of engagement for professional services, jail nurse, namely, inmate medical services at the Huron County jail for this emergency time period; 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.

09-006

IN THE MATTER OF APPROVING AGREEMENT BETWEEN WSOS COMMUNITY ACTION COMMISSION INC.; HURON COUNTY DEVELOPMENT COUNCIL; AND HURON COUNTY COMMISSIONERS

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

WHEREAS, the Board of Huron County Commissioners, WSOS Community Action Commission, Inc. and Huron County Economic Development Council desire to execute this agreement for professional services covering the periods January 1, 2009 to December 31, 2011; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the agreement with WSOS Community Action Commission, Inc. and Huron County Economic Development Council 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

- Agreement on file Commissioners' Office.

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IN THE MATTER OF TRAVEL**

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Larry Silcox moved to approve the following travel requests this day. 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

Bill Ommert, EMA, on January 13, 2009, to University of Findlay, Findlay, Ohio, for meeting.
Bill Ommert, EMA, on January 14, 2009, to Mansfield, Ohio, for SERC OIC meeting.
Bill Ommert, EMA, Gary W. Bauer, Commissioner, on January 21, 2009 to ODOT, District 3, Ashland, Ohio, for US Route 20 meeting. Riding with city of Norwalk.
Bill Ommert, Jason Roblin, EMA, on January 23, 2009, to Ashland, Ohio, for EMA Assoc. Meeting.
Bill Ommert, Jason Roblin, EMA, on January 30, 2009, to Columbus, Ohio, for Amber Alert conference.

Gary W. Bauer moved to add travel request for Mike Adelman, Commissioner, on January 7, 2009, to Lorain County, for Regional ODOD meeting NSP grant to the list of approved travel. 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*

IN THE MATTER OF REQUEST FOR LEAVE

Peter Welch/Solid Waste District/bereavement leave/7:00 a.m. – 3:00 p.m. January 2, 2009.

Larry Burdue/Buildings & Grounds/vacation/7:30 a.m. 4:30 p.m. January 16, 2009.

Vickie Ziemba/Commissioners/bereavement leave/8:00 a.m. December 29, 2008 – 4:30 p.m. December 31, 2008.

Administrator/Clerk's Report

The worksheet for the 2009 CCAO roster and what needed to be done to make the changes was discussed. Updated letterhead was presented and it was decided to print our own as presented.

The Wadsworth Slawson contract was presented. Mike Adelman discussed his conversation with Pete Welch in regards to this maintenance contract. Many things need to be done and Mr. Welch stated that Royal Chisholm, HVAC could shadow this company and figure out what he can do next year. Mr. Silcox stated that if he does shadow them would like to have some documentation as to what needs to be done in regards to the regular scheduled maintenance. Mr. Adelman stated that we do have funds from the project to cover the costs for this contract. Mr. Silcox asked if Mr. Welch thinks this maintenance would prevent some of the problems that we are having at this time. Mr. Adelman stated yes and referred to some of the things that didn't get done. The board further discussed Poggemeyer Design's responsibility in the maintenance routine work and presenting to the board. The board discussed turning it over to Daivia Kasper, Assistant Prosecutor to review and maybe start action against Poggemeyer Design.

Gary W. Bauer moved to approve the maintenance service agreement with Wadsworth Slawson, Inc. in the amount of \$6,720.00 commencing January 1, 2009 thru December 31, 2009. 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*

At 9:30 a.m. no public comment.

OTHER BUSINESS

Mike Adelman reviewed the upcoming events for the calendar such as the Huron County Emergency Food and Shelter Program c/o Norwalk United fund to be held Tuesday January 27, 2009 4:00 p.m. along with the Connect Ohio second meeting. January 21st 2:00 p.m.

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At 10:03 a.m. Gary W. Bauer moved to enter into **Executive Session ORC 121.22 (G)(1)** to consider the appointment, **employment**, dismissal, **discipline**, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual. 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

At 10:33 a.m. Larry J. Silcox moved to end Executive Session ORC 121.22 (G) (1). 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

Larry J. Silcox moved to accept the revised job description for the mechanic and the policy for automobile management. 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 10:34 a.m. the board recessed

At 10:48 a.m. Regular session resumed

Other Business

Gary Bauer discussed the Muck Crop meeting and luncheon to be held Thursday, January 8, 2009. The luncheon starts at 11:30 a.m. All board members will attend and the regular session of the board will not be held.

Mr. Bauer referred to the Regional Workforce Response Team meeting to be held Monday, January 12th from 2:00 p.m. – 4:30 p.m. Larry Silcox will attend. Mr. Bauer also discussed the RC&D Conservation board meeting which conflicts with Family & Children First Council three or four times a year. It was decided that Mr. Bauer will go to RC&D board meeting the times in which it conflicts with Family and Children First. Mr. Bauer discussed the HCDC meeting being held on Friday, January 9, 2009. Mr. Bauer stated that HCDC wants to cut ties with OSU Extension. Mr. Bauer would like to see an agreement to keep the secretary services from OSU for this organization. The vicious dog ordinance for the city of Norwalk was brought up for discussion. Mr. Silcox stated that he does see problems with this in regards to enforcement if the Dog Warden is asked to enforce such ordinance. Further discussion was had.

Mike Adelman discussed the budget and stated that he had revised numbers from the Auditor after the final figures were in, and the fact that now are looking at \$430,000 additional cuts rather than \$550,000. Mr. Adelman stated that he was looking at a few different options and presented them to the board. Mr. Adelman also reviewed the budget worksheet with Mr. Silcox. Mr. Adelman stated that Sue Bommer, HR will talk with Doug Brown and John Kovach, Willis, in regards to different options with the Health Insurance. Mr. Adelman also stated that some decisions need to be made in regards to the lot split fees that have been approved by the Soil & Water board. Mr. Bauer stated that the only hang up that he has is the individual lot split fee. Further discussion was had and the board agreed that there is a need to make a decision. The board agreed to amend the minor subdivisions &/or large lot division from the same original tract and approve as amended the rates for the rates for the lot split fees. This will be put on agenda for approval for January 12, 2009. Mr. Adelman also referred to the landfill fees and the possibility and need for increasing such fees at least until the final bond payment is made. Further discussion will be had in this regard before setting public hearings. The board agreed to hold an elected officials and department heads meeting on January 15, 2009 at 10:30 a.m., and notice will be sent with the following agenda, budget review with Auditor, Sue Bommer, Human Resource Director to discuss Changes in Family Medical Leave Act and Changes in ADA Act and general discussion. An additional topic of discussion was the fact that the website needs to be updated and the board reviewed a few changes that they would like to have made. Cheryl Nolan will pursue with Claudia Garner, to work on these changes.

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Cheryl Nolan presented the following resolution for approval.

09-007

IN THE MATTER OF AMENDING RESOLUTION 08-467

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

WHEREAS, resolution 08-467 in the matter of reappointment of MRDD board members DeEtte Zimmerman, Mary Lengyel, and Greg Higgins needs to be amended; and

WHEREAS, the resolution needs to read for terms commencing January 1, 2009 and ending December 31, 2012; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners amends Resolution 08-467 to read terms commencing January 1, 2009 and ending December 31, 2012; 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

Ms. Nolan also stated that Ohio Department of Transportation had stopped by in regards to the detachment from Milan village to Norwalk Township and stated that they would like to be notified when this resolution will be on the commissioners' agenda for approval

At 11:52 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 January 6, 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 11:52 a.m.

Signatures on File