

**REGULAR SESSION**

**THURSDAY**

**JANUARY 18, 2007**

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, Ralph A. Fegley.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the January 11, 2007 & January 16, 2007 meeting(s) were presented to the Board. Mike Adelman made the motion to waive the reading of the minutes of the January 11, 2007 & January 16, 2007 meeting(s) and approve as presented. Gary W. Bauer seconded the motion. Voting was as follows:

- Aye – Mike Adelman
- Aye – Gary W. Bauer
- Aye – Ralph A. Fegley

07-022

**IN THE MATTER OF AGREEMENT BY AND BETWEEN HURON COUNTY COMMISSIONER THROUGH THE HURON COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (hereinafter referred to as the “DEPARTMENT”) AND HUMAN SERVICES ASSOCIATES, INC. 6410 RIDGE ROAD, PARMA, OHIO 44129 (PROVIDER) TO PROVIDE CONTRACT MONITORING/FISCAL CONSULTATION AND PROGRAM CONSULTATION**

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

**WHEREAS**, Provider has agreed to contract services for contract monitoring/fiscal consultation and program consultation; and

**WHEREAS**, this contract shall be effective from January 15, 2007, through June 30, 2007 inclusive, unless otherwise terminated or extended by formal amendment; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners approves of the agreement with Human Services Associates, Inc. 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.

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

- Aye - Mike Adelman
- Aye - Gary W. Bauer
- Aye - Ralph A. Fegley

ENTERED IN COMMISSIONERS' JOURNAL  
NO. 83, PAGE NO. \_\_\_\_\_  
The Board of County Commissioners of the County of Huron, Ohio, met in Regular session at \_\_\_\_\_ o'clock \_\_\_\_\_ a. m., on January 18, 2007, at the office of said board of county commissioners, with the following members present:

- Mike Adelman
- Gary W. Bauer
- Ralph A. Fegley

Mike Adelman moved the adoption of the following resolution:

COUNTY OF HURON, OHIO  
RESOLUTION NO. 07-022

A RESOLUTION AUTHORIZING THE FINANCING A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS AND RENOVATIONS TO VARIOUS HURON COUNTY BUILDINGS BY OBTAINING A LOAN UNDER THE CCAO LOW COST CAPITAL POOLED FINANCING PROGRAM IN A PRINCIPAL AMOUNT NOT TO EXCEED \$202,000, AUTHORIZING A LOAN AGREEMENT AND GENERAL OBLIGATION NOTE, AND RELATED DOCUMENTS TO EVIDENCE SUCH LOAN, PLEDGING THE COUNTY'S FULL FAITH AND CREDIT TO THE REPAYMENT THEREOF, AND MATTERS RELATED THERETO.

WHEREAS, this board of county commissioners (the "Board") has heretofore determined the necessity of constructing improvements and renovations to various Huron County buildings (the "Project"); and

WHEREAS, this Board wishes to obtain funds to pay for the initial design phase of the Project; and

WHEREAS, the County Auditor, as fiscal officer of the County has heretofore estimated that the life of the improvements comprising the Project is at least five (5) years, and has certified that the maximum maturity of the bonds issued therefor is twenty (20) years, and of the notes to be issued in anticipation thereof is twenty-five (25) years; and

WHEREAS, Seasongood and Mays, LLC, Cincinnati, Ohio (the "Underwriter") has proposed the CCAO Low Cost Capital Pooled Financing Program (the "Program") whereby participating counties finance improvements, by entering into loan agreements and notes (collectively, the "Program Obligations"), and taking other related actions, may be able to achieve debt service and issuance cost savings when compared to that which could be the case if such counties financed such improvements separately; and

WHEREAS, in order to provide financing for the acquisition, construction, installation and equipping of the Project, the Board has heretofore determined it to be necessary and appropriate to participate in the Program by having the County obtain a loan for the Project (the "Loan") by entering into a loan agreement (the "Loan Agreement") and issuing a note (the "Note") pursuant to Ohio Revised Code Chapter 133, to finance a portion of the Project as described herein (the Loan Agreement and the Note, together with any other documents related to the Loan, are hereinafter called the "Loan Documents"); and

WHEREAS, the principal amount of the Loan, which includes certain costs of the Program, shall not exceed \$202,000; and

WHEREAS, the Program provides that each participating county will enter into a loan agreement and note, of the types authorized by this Resolution with the County of Butler, Ohio, Ohio or its successor or assignee (together with any such successor or assignee, the "Issuer"), which Issuer has entered or will enter into a Trust Indenture (the "Indenture") with U.S. Bank National Association, as trustee (together with any successors or assigns, the "Trustee") assigning certain payments to be received with respect to the Loan Agreement and Note to the Trustee and authorizing the issuance and sale of revenue bonds (the "Program Bonds") constituting special obligations of the Issuer payable solely from payments to be received with respect to the Program Obligations; and

WHEREAS, the County's obligations under the Loan Documents are to be the full general obligation of the County, and the full faith, credit and revenue of Huron County are pledged for the prompt payment of the same.

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

SECTION 1. It is hereby determined to be necessary and expedient, and in the best interest of the inhabitants and citizens of the County, and the County hereby agrees, to (i) acquire and construct, or cause to be acquired and constructed, the Project, in accordance with a plan of financing pursuant to the Program, and (ii) participate in the Program, all as described in this Resolution.

SECTION 2. It is hereby determined that the County shall enter into the Loan Documents pursuant to the Program to finance a portion of the costs of the Project in substantially the forms presently on file with this Board, which are hereby approved.

SECTION 3. The Loan Documents shall (i) evidence a Loan in an aggregate principal amount not to exceed \$202,000, (ii) bear interest as provided therein, provided that such interest rate shall not exceed the lesser of (a) 25% and (b) the maximum rate allowed by law, such interest to be payable on the third business day preceding the first day of each month, commencing with the first such date following the delivery of the Loan Documents (each, a "Loan Repayment Date"); (iii) be dated as set forth therein; and (iv) mature not later than December 31, 2010 with the dates and amounts of principal payments stated on the Note. At least two members of the Board, the Clerk of the Board, the County Auditor, or any of them acting individually, are hereby separately authorized to execute and deliver the Loan Documents

on behalf of the County with such changes not substantially adverse to the County as the official executing the same may approve; the approval of such changes and that the same are not substantially adverse to the County shall be conclusively evidenced by the execution of the Loan Documents by such officer.

Pursuant to the Program, the County's payments pursuant to the Loan Documents (the "Loan Payments"), as well as those of other counties participating in the Program, have been calculated to provide the Issuer with revenues sufficient to pay debt service on the Program Bonds from time to time. This Board acknowledges that the County will be directly obligated to the Trustee as assignee of the Issuer, and that the Trustee may proceed directly against the County to enforce the County's obligations under the Loan Documents.

SECTION 4. The County hereby consents to and approves the assignment of all or part of the Loan Payments and any Loan Documents by the Issuer to the Trustee or other entity as security for the Program Bonds or other related obligations. The issuance of the Program Bonds by the Issuer to be secured in part by the County's Loan Payments is hereby approved. The determinations of the final terms of the Loan Documents, including the interest rate component, financed amount, term, and amortization schedule, and any other matters required by this Resolution to be determined or approved by an officer of the County, shall be conclusively evidenced by the execution and delivery of any Loan Document by such officer.

SECTION 5. That the Loan Documents shall be executed and delivered pursuant to the Program, and proceeds of the Loan from time to time shall be paid into the proper fund and used for the purpose of paying the costs of the Project and the County's participation in the Program and for no other purpose, and for which purpose such proceeds are hereby irrevocably pledged and appropriated.

The members of the Board, the Clerk of the Board, the County Auditor, or any of them acting individually, and other appropriate officials of the County, are each hereby separately authorized, without further action of this Board, to take any and all actions and to execute such other instruments that may be necessary or appropriate in the opinion of Peck, Shaffer & Williams LLP, special counsel to the County, in order to effect the County's participation in the Program and the intent of this Resolution. The Clerk of the Board, or other appropriate officer of the County, shall certify a true transcript of all proceedings had with respect to the Loan Documents, along with such information from the records of the County as is necessary to determine the regularity and validity of the Loan Documents.

SECTION 6. That the Loan Documents shall be the full general obligation of the County, and the full faith, credit and revenue of Huron County are hereby pledged for the prompt payment of the same. During the period while the Loan Documents run there shall be levied upon all of the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually, said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected as provided, however, that in such year to the extent that revenues are available from other sources for the payment of the Loan Documents and are appropriated for

- (b) The County shall, at any and all times, cause to be done all such further acts and things and cause to be executed and delivered all such further instruments as may be necessary to carry out the purpose of the Loan Documents and this Resolution and will comply with all requirements of law applicable to the Project and the operation thereof;
- (c) The County shall execute, perform and comply with the terms and conditions of any Loan Document and this Resolution in accordance with the terms thereof, and shall comply with the terms and conditions of the Indenture insofar as they relate to the County; and
- (d) All of the obligations set forth and covenants made under this Resolution are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the County within the meaning of Section 2731.01 of the Ohio Revised Code.

SECTION 10. For the benefit of the beneficial owners from time to time of the Program Bonds, this Board agrees, on behalf of the County, to the extent that it is an "obligated person" with respect to the Program Bonds within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such form and manner as may be requested by the Issuer or the Trustee for purposes of complying with the Rule. The obligation of the County to provide the annual information and notices of the events described above shall be described and specified in the Loan Agreement or in a Continuing Disclosure Certificate which the members of the Board, the Clerk of the Board, the County Auditor, or any of them acting individually, is hereby authorized to execute and deliver on behalf of the County, and shall terminate, if and when the County no longer remains such an "obligated person".

SECTION 11. That the law firm of Peck, Shaffer & Williams LLP be and is hereby retained as special counsel to the County to prepare the Loan Documents and the necessary authorization for the issuance, sale and delivery thereof and, if appropriate, rendering its approving legal opinion in connection therewith.

such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.

The Loan Documents are payable from (i) County revenues available for the purpose and deposited in an appropriate fund for making Loan Payments hereby created in the custody of the County and referred to herein as the "CCAO Loan Repayment Fund", and (ii) the moneys and investments on deposit from time to time in the CCAO Loan Repayment Fund. Monthly deposits of County revenues sufficient to pay the County's obligations under the Loan Documents after taking into account the moneys and investment then on deposit or to be on deposit in the CCAO Loan Repayment Fund shall be paid into the CCAO Loan Repayment Fund, and when required by the Loan Documents, such amounts shall be paid to the Trustee as provided by the Loan Documents.

The County revenues and the moneys and investments in the CCAO Loan Repayment Fund are hereby pledged and appropriated to the payment of the amounts due from time to time under the Loan Documents in the manner hereinafter described.

The Board hereby certifies that the annual debt charges on the Note do not exceed the estimated annual County revenues.

SECTION 7. That notwithstanding any other ordinance, resolution or action to the contrary, County revenues shall be deposited upon receipt into the CCAO Loan Repayment Fund as provided above. On each Loan Repayment Date, if for any reason the amount in the CCAO Loan Repayment Fund is insufficient to pay all amounts due under the Loan Documents on the next Loan Repayment Date, the County shall immediately transfer sufficient County revenues into the CCAO Loan Repayment Fund to make up the shortfall. Moneys in the CCAO Loan Repayment Fund shall then be used to make the Loan Payments due on such Loan Repayment Date.

SECTION 8. That this Board, for and on behalf of the County, hereby covenants that it will restrict the use of the proceeds of the Loan in such manner and to such extent, if any, and take such other actions, as may be necessary, after taking into account reasonable expectations at the time the County's obligations under the Loan Documents are incurred, so that the Program Bonds will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) or 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the federal income tax exemption for interest on the Program Bonds, including any expenditure requirements, investment limitations, rebate requirements or use restrictions.

SECTION 9. That the County hereby covenants that so long as any amounts payable under the Loan Documents remain unpaid:

- (a) The County shall not, without consent of the Trustee, extend, or assent to the extension of, the time for payment of any amounts payable under the Loan Documents;

SECTION 12. That it is hereby determined that the terms of the Loan Documents, and the County's participation in the Program, all as provided therein and in this Resolution, are desirable, expedient and in the best interest of the County, and in compliance with all legal requirements.

SECTION 13. That the Clerk of the Board is hereby directed to forward a certified copy of this Resolution to the County Auditor.

SECTION 14. That it is found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were passed in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 15. That this Resolution shall take effect immediately upon its adoption.

Gary W. Bauer seconded the resolution, and the roll being called upon the question of its adoption the vote resulted as follows:

AYES: Gary W. Bauer, Ralph L. Hefley, Mike Adellman

NAYS:

ADOPTED, this 18th day of January, 2007.

*[Signature]*  
Clerk of the Board of County Commissioners

07-024

**IN THE MATTER OF APPROVING AGREEMENT BETWEEN THE BOARD OF HURON COUNTY COMMISSIONERS AND C.L.I. INCORPORATED (d.b.a. CHRISTIE LANE INDUSTRIES)**

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

**WHEREAS**, the Board of Huron County Board of Commissioners and C.L.I. desire to execute an agreement to provide inter-office mail delivery between Huron County Governmental Offices at a rate of \$28.49 per day and services shall not exceed 10.5 hours of service per week or an average of 2.1 hours for each day worked within the week. Hours in excess of 10.5 in a given week will be billed to the Huron County Commissioners at a rate of \$11.60 per hour; and

**WHEREAS**, the provisions of this contract shall become effective on January 1, 2007 and shall remain in force and effect up to and including December 31, 2007; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners approves the agreement with C. L. I. as attached hereto and incorporated herein; and further



**REGULAR SESSION**

**THURSDAY**

**JANUARY 18, 2007**

**IN THE MATTER OF REQUEST FOR LEAVE**

**Ron Myers/Buildings & Grounds/vacation/6 hours January 26, 2007.**

**Maria Lyons/Buildings & Grounds/sick/6:30 a.m. – 3:00 p.m., January 12, 2007.**

**Pete Welch/sick/SWMD/sick/1:00 p.m. – 3:00 p.m. January 19, 2007.**

**Clerk Report**

Cheryl Nolan referred to the Ohio congressional Delegation Breakfast to be held in Washington D.C. on March 7, 2007. Ralph Fegley may attend, Mike Adelman will check with other commissioners in this regard at his CCAO Trustee meeting on January 19, 2007.

Ms. Nolan also presented memo from Vickie Ziemba, Administrative Assistant in regards to the Flu Vaccine for county employees next winter. The price of the vaccine will cost \$13.25 per dose. The Health Department has administered the vaccines in the past and has agreed to do so for the upcoming winter of 2008. The county has administered 150 doses in the past.

*Mike Adelman moved to approve ordering 150 flu vaccine doses at a cost of \$13.25 per dose for a total cost of \$1,987.50 with the Huron County Health Department administering the shots. 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 – Ralph A. Fegley*

**OTHER BUSINESS**

Discussion was had in regards to appointing an interim Treasurer.

Discussion was had in regards to the final budget and Mr. Adelman recommended to the board that they set February 13<sup>th</sup> as the date to pass the final budget. Gary Bauer discussed a conversation that he had with David Kniffin in regards to voting in 2008 and adding additional personnel for the larger precincts.

Mike Adelman discussed an article in the CIDs in regards to grant money for scrap tires. This will be passed on to Pete Welch. Mr. Adelman also presented letters received from Northern Ohio Rural Water to residents explaining when extension of lines will be done in Fairfield Township, Fitchville Township, and Greenwich Township. The board discussed the health benefit committee and will send a memo in regards to updating this committee and making changes to members of the committee due to retirements and making all appointments county employees.

Gary Bauer stated that he met with the Engineer's personnel in regards to a letter received concerning a broken storm drain tile in Olena. The Engineer's staff stated that this is at the top of their list when the weather cooperates. Mr. Bauer also discussed a conversation with the Huron County Engineer, Joe Kovach in regards to putting together a water management team for the county. Would like to have Mr. Bauer, Engineer, City Engineers etc., to be on a committee to put together such type of management team. Also left a message for Cary Brickner, Soil & Water Conservation in regards to a ditch situation.

**At 10:00 a.m.** the board recessed

**At 10:12 a.m.** regular session resumed

Ralph Fegley discussed the packet from Poggemeyer in regards to taking out the old boilers looks like the county maintenance can do this work.

Mr. Fegley also stated that he received a call from Harold Schodorf, H.J. Schodorf, & Associates, who stated that he had bid the electrical portion of the job through Gem Industrial, but Gem did not include it in their bid. Mr. Schodorf also stated that if you do both heat and air you may be able save money by using the same lines and also suggested that it may be an option for him to pay for the entire project and then county would lease from him. Mr. Schodorf also stated that there are companies in the county that can handle this project.

**Assistant Prosecutor's Report**

Daivia Kasper, Assistant Prosecutor discussed the policies that need to be compiled. Mr. Bauer also asked Ms. Kasper about the Stieber Metro Park ditch and forwarded to her a conversation that he had with Mr. Stieber.

**REGULAR SESSION**

**THURSDAY**

**JANUARY 18, 2007**

**At 10:24 a.m.** Gary W. Bauer 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. Mike Adelman seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye - Mike Adelman  
Aye - Gary W. Bauer  
Aye - Ralph A. Fegley

**At 10:45 a.m.** Gary W. Bauer moved to End Executive Session ORC 121.22 (G) (2). Mike Adelman seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye - Mike Adelman  
Aye - Gary W. Bauer  
Aye - Ralph A. Fegley

No action taken.

Daivia Kasper discussed the West Road vacation. The trustees are not in favor of this vacation. Ms. Kasper to prepare a resolution denying petition for the West Road vacation, Norwich Township.

**At 10:50 a.m.** Mike Adelman 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

**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 10:50 a.m.

Signatures on file.