

REGULAR SESSION

THURSDAY

FEBRUARY 7, 2008

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 February 5, 2008 meeting(s) were presented to the Board. Ralph A. Fegley made the motion to waive the reading of the minutes of the February 5, 2008 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

08-052

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 2008

Gary W. Bauer 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 2008; 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 9, 2008; and further

BE IT RESOLVED, that a notice similar to the one published in the newspaper will be posted continually throughout calendar year 2008 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

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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 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.

Ralph A. Fegley seconded the motion. The roll being called upon its adoption, the vote resulted as followed:

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

LEGAL NOTICE

Huron County has successfully completed two year online selling of surplus equipment and supplies. On November 17, 2005, the Board of Huron County Commissioners entered into an agreement with GovDeals, Inc. to provide online auction services to the County and has elected to continue the same in year 2008.

Huron County hereby creates the following rules pursuant to the Ohio Revised Code 307.12:

The Huron County Board of Commissioners has determined that surplus property including motor vehicles acquired for the use of County offices and departments, and road machinery, equipment, tools or supplies, which is not needed for the public use, or is obsolete or unfit for the use it was acquired is appropriate to be sold by Internet auction, and Resolution 08-004, dated February 7, 2008, the Board of Huron County Commissioners declared its intent to sell property through the Internet.

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.

The County will also post a notice of such Internet auction on the County bulletin boards on a continuous basis.

A notice will appear continuously on the County's website that surplus property is available through the Internet auction.

All property is offered for sale "AS IS, WHERE IS". County of Huron makes no warranty, guaranty, or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential, and the County has the right to reject any and all bids and to withdraw from sale any of the items listed.

HURON COUNTY BOARD OF COMMISSIONERS
Cheryl Nolan, Administrator/Clerk

Publish:

REGULAR SESSION
Saturday, February 9, 2008

THURSDAY

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08-053

IN THE MATTER OF APPROVING OF THE HURON COUNTY HOUSING SEMI-ANNUAL PROGRAM INCOME REPORT

Ralph A. Fegley moved the adoption of the following resolution:

WHEREAS, the Huron County Housing Semi-Annual Program Income Report for the year 2007 has been submitted to the Board of Huron County Commissioners for their approval; and

WHEREAS, the Board of Huron County Commissioners has reviewed the Huron County Housing Semi-Annual Program Income Report for the year 2007, and has found that to the best of their knowledge the data in the report as attached herein has been verified to be true and correct as of the date of this report; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the Huron County Housing Semi-Annual Program Income Report for the year 2007; and further

BE IT RESOLVED, that the Huron County Housing Semi-Annual Program Income Report for 2007 be made a part of this resolution hereof the same as if fully written 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 - Ralph A. Fegley

08-054

IN THE MATTER OF APPROVING REQUESTS FOR EXPENDITURE OF OVER \$500.00 SUBMITTED TO THE BOARD FEBRUARY 7, 2008

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

WHEREAS, requests for expenditures of over \$500.00 have been submitted for approval by the Board of Huron County Commissioners as follows:

Huron County Buildings & Grounds

MOTO Electric	Boiler Repairs	\$890.00	now therefore
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BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the requests for expenditure of over \$500.00 as listed above; 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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Ralph A. Fegley 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

Gary Bauer discussed the firefighter's museum in Columbus, Ohio and had information to give to the Huron County fire departments.

Mike Adelman reported on the Willard Economic Development meeting.

Discussion was had in regards to the FAA meeting held in Erie County and discussed the fact that there was a misleading point in the paper in regards to the Huron County Board looking for a waiver to sell Huron County Airport to receive the funds. This was never a question of the board.

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

Ralph Fegley discussed the fact that Congressman Lata is still looking for a place in Norwalk area to locate an office and has reduced the amount of space that he needs, and is looking at the same space that Congressman Gillmor had used. Mr. Fegley asked if there was an interest in putting a lease together and also looking at a couple of other rooms as well. The board agreed to pursue putting a lease together.

Richland County Commissioner, Gary Utt called in regards to a \$500,000 grant funds which is a region of 7 counties for economic development. to return his call and get further information.

Ralph discussed the vehicle meeting that was held yesterday.

At 9:40 a.m. the board recessed**At 10:02 a.m.** the regular session of the board resumed.

President, Mike Adelman opened the continuation of the Lyme Township, city of Bellevue 401 acres annexation hearing. Mr. Adelman asked for comment from the city of Bellevue or the Township Trustees. Roger Hunker Lyme Township Trustee chairman stated that they did work with the city on the cooperative economic development agreement, and read the following statement into the record. Mr. Hunker stated that economic development agreement is under continued negotiations with the city of Bellevue, it did address all the future and economic improvements of the annexation. To demonstrate the importance and priority of this agreement the Lyme Township Trustees spent hours and nearly \$7,000 in negotiations process and as recently as the January 17, 2008 we met and worked with the city on a cooperative agreement, on January 23, 2008 we received a counter proposal from them in which the cooperative agreement was abandoned for an annexation agreement, which was a issue that was not raised on January 17, 2008. As a result several items previously agreed upon had been completely removed. Mr. Hunker stated that the focus of the trustees is to do what is best for the entire township. Further explained some of the catch points between the city and township. Mr. Hunker also stated that it is the intent of the trustees to continue to work on an agreement. Dave Wallingford, Bellevue city Law Director, spoke next and stated that the city did meet with the township and did prepare an agreement, stated that they had a special meeting for the first reading of the agreement, had a second reading at their regular meeting and will have a third reading at their next meeting. Mr. Wallingford also stated that this agreement has been accepted by all the other townships that Bellevue is in. Mr. Adelman asked if there are a couple of points that seem to be the road block on this agreement. Mr. Wallingford stated that it is the hope of the city that the township will agree to this agreement and then will need to get the water rights worked out. Need to have water that will provide water to the commercial proposals and will need to be adequate. Mr. Bauer spoke to the title of the agreement and the differences and there seems to be a problem with what this agreement is called. Mr. Wallingford stated that the city is looking at the annexation agreement because that is what the statute states. Mr. Hunker stated that there were some things that had been agreed upon that were left out, but it does come down to the water issue and that is why the township trustees can not agree to the agreement. Mr. Wallingford spoke to the water again and Mr. Hunker stating that the water control is out of their control. Mr. Wallingford stated that the city has requested the resolution from Lyme Township request to be a part of the Northern Ohio Rural Water Association, as Lyme Township was not part of the original organization of the Northern Ohio Rural Water. Further discussion was had in regards to the agreement. Mr. Wallingford feels that the problems are minor. Mr. Bauer stated that Daivia Kasper, Assistant

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Prosecutor also researched the hearings that need to be held to include the township in the water district, and that Lyme Township has that resolution that they held these hearings. At this time Mr. Adelman asked for any further questions or comments in regards to the annexation, Quarter Master for the VFW petitioner spoke to the annexation in regards to the property owners not wanting to be annexed and understand their concerns. The VFW needs to have this annexation to make as an attractive post as possible, stated what their salary is what taxes they pay and would like to continue to be a good taxpayer etc. Mr. Adelman asked for any further comments. Paul Sackett asked if the people that actually live in the township would have a chance to vote on this and decide what is going on in the township. Mr. Sackett stated that the people that do not want this are getting steamrolled and railroaded, knows that the VFW wants to stay in business, but does not want to go into to the city that those that want to go into the city go into the city. Roger Hunker Lyme Township Trustee spoke to what the commissioners need to consider granting the annexation, quoted the ORC in this regard. Stated that the trustees feel that the territory to be annexed is unreasonable large and not shaped to be annexed.

At this point it was stated that the county engineer reviewed and approved the legal description. Mr. Adelman stated that the 30 day window will be March 10th and the last meeting to make this decision is March 6th. The decision will be made on March the 6th. Hearing no further comments Mr. Adelman closed the hearing.

At 10:35 a.m. the board recessed.

At 11:15 a.m. regular session resumed, Ben Kenny, and Joyce Gray WSOS came before the board to update the board on the FY -07 projects. Stated that they will be ready to bid soon, the environmental have been sent to the state. Also discussed the Willard FY funds to do Myrtle Avenue. Will soon need to do public hearings for the next round of formula.

Daivia Kasper discussed other cases with decisions on water rights in annexations in regards to the Bellevue annexation.

At 11:25 a.m. Ralph A. Fegley 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. 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

At 12:05 p.m. Gary W. Bauer moved to end **Executive Session ORC 121.22 (G) (1)**. Ralph A. Fegley 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 12:13 p.m. the board agreed to recess.

Mr. Fegley reported on the meeting he attended with the Sheriff, Engineer, and Auditor in regards to the county vehicles, and the vehicles that are setting out in front of the jail, the courts have \$100,000 in funds and vehicles according to Dane Howard, and stated that in the next few weeks they should be about to determine the value. Right now there is a fee and storage fee that needs to come out of the settlement. Some time this year we may be able to order new vehicles for the dog warden and use their vehicles for the rest of the county.

At 1:10 p.m. Regular Session resumed.

IN THE MATTER OF REQUEST FOR LEAVE

Cheryl Nolan/Commissioners' Office/vacation/8:00 a.m. February 22, 2008 – 4:30 p.m. February 29, 2008.

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Bart Recker, Poggemeyer Design Group came before the board in regards to the energy project at the courthouse complex and reviewed the punch list. Mr. Recker stated that the fire alarm testing was done this morning and this went well. Everything is connected and working. Final report will be coming from RJ Beck and Mr. Recker will forward to board, and the fire department is aware this has been tested. Panels will be coming in and installed on Feb 18th or 19th. IPS asked about the restroom in the judge's restroom what does the board want put in. IPS received a price from Capital for \$1,500 for two windows. Mr. Recker stated that he had another sheet metal company to price out some of the work in the case that IPS can not get everything completed. Mr. Fegley stated that he is worried about closing this job up and not worry about these other projects such as replacing windows. If there is any extra money then worry about these new windows. IPS was obligated to patch it fix it and not necessarily with Capital. Mr. Fegley stated that he thought the best answer at this time is to just patch it with a panel. The board agreed to this. Mr. Recker stated that by lining up other companies the county can use the IPS retainage funds to get the project completed if necessary. Mr. Recker discussed the duct work that goes through the Clerk of Courts and explained that they are looking at the duct work and exploring a way of distributing the air better that will keep the air from blowing on employees. Susan Hazel asked if they could try a deflector at this time before trying to change the duct work. A price will be given for the round tube around the room. A reflector will be put up while Mr. Recker is getting prices of a tube. Juvenile Court has a problem also with the air being dumped on one person. VM needs to get back out and seal their joints up to quite down the noise. Mr. Recker continued his report and discussed the air curtain in the vestibule and stated that they could not find a good way to mount this. Another option is to put in a unit heater which will blow air to keep the cold air out. Mr. Bauer stated that every time we add a heater we are increasing our energy costs. Mr. Fegley asked about the capital budget white paper. Mr. Recker stated that the board needs to keep talking to their state representatives and state senators in this regard. Dundore is putting together a price for the air curtain and also for the unit heater. Mr. Recker talked about the 22 East Main Street building and explained what was happening there. The cost of the change that needs to be done and a change order will be completed for this as well as the unit heater for the basement in the amount of \$3,390.00 to Dundore. Ms. Hazel asked if there is going to be any restitution to the county in regards to the carpet. Mr. Recker stated that this can come out of the retainage for IPS as well. Ms. Hazel will get the costs.

Discussed the recent House Bill 455 need to make a grant application to be involved in this process.

Cheryl Nolan reported that she had received a call from the Human Resource Director, Sue Bommer and Bill Duncan had accepted the position of Dog Warden for a salary of \$15.00 per hours. The following motion and seconded was presented.

Ralph A. Fegley moved to hire Bill Duncan as Huron County Dog Warden, at a rate of \$15.00 per hour with a 120 day probationary period effective February 11, 2008. 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***

At 2:30 p.m. Gary W. Bauer moved to adjourn. Ralph A. Fegley 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 7, 2008.

**REGULAR SESSION
IN THE MATTER OF ADJOURNING**

THURSDAY

FEBRUARY 7, 2008

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 2:30 p. m.

Signatures on File.