

REGULAR SESSION

TUESDAY

JANUARY 15, 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 January 10, 2008 meeting(s) were presented to the Board. Ralph A. Fegley made the motion to waive the reading of the minutes of the January 10, 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

08-021

IN THE MATTER OF LETTING BIDS FOR THE RIDGE ROAD BRIDGE REPLACEMENT PROJECT, OPWC PROJECT NO. CI05K & CI06K

Gary W. Bauer moved to adopt the following resolution:

WHEREAS, the Huron County Engineer has been successful in obtaining financial assistance from the Ohio Public Works Commission to partially fund the replacing of a bridge in Norwalk Township, on Ridge Road, just south of the U.S. 20 bypass; and

WHEREAS, the Huron County Engineer has requested approval for seeking bids for the Ridge Road Bridge Project, Norwalk Township, Huron County, Ohio; and

WHEREAS, notice of this must be placed in a newspaper of general circulation, pursuant to Section 307.87 of the Ohio Revised Code;

WHEREAS, that notice of this will be placed in a newspaper of general circulation on Friday, January 18th, 2008 and on the Commissioner’s website at www.hccommissioners.com and bids will be opened on Friday, February 15th, 2008 at 1:00 p.m.; now therefore

BE IT RESOLVED, the Board of Huron County Commissioners does hereby approve of letting bids for the Ridge Road Bridge Project; 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. Voting as follows:

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

NOTICE TO BIDDERS
Huron County Engineer
Norwalk, Ohio

Sealed proposals will be accepted from bidders at the Office of the **Huron County Commissioners** until 1:00 PM on Friday, February 15th, 2008 for the **Ridge Road Bridge Replacement Project**. The project is located in Norwalk Township, Huron County, and is a replacement project. The date set for completion of this work shall be as noted in the bidding proposal. Specifications are on file at the Office of the Huron County Engineer, 150 Jefferson Street, Norwalk, Ohio 44857.

Publish: Friday, January 18th, 2008

08-022

IN THE MATTER OF ACCEPTING THE ANNUAL COUNTY MILEAGE CERTIFICATION

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

WHEREAS, the Huron County Engineer has submitted the annual county highway system mileage certification; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners approves the annual county highway system mileage certification presented by the Huron County Engineer 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 – Ralph A. Fegley

IN THE MATTER OF TRAVEL

Gary W. Bauer moved to approve the following travel request this day. 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

Jason Roblin/EMA/ on January 4, 2008 to Columbus, Ohio, for Mitigation Benefit/Cost Analysis Training.

DATE: 1/14/08
 TO: Huron County Commissioners
 FROM: Becky Fair, HCDJFS Fiscal Officer

1/15	CSEA Subpoena Staff member unknown at this time	Richland County	\$100.00
1/23	OCDA Fiscal Training B. Richards & A. Leibold	Columbus, OH	\$100.00
1/23-24	SETS Training S. Andres	Bowling Green, OH	\$100.00
1/25	Contract Monitoring K. Ott	Sandusky, OH	\$100.00

IN THE MATTER OF REQUEST FOR LEAVE

Jason Roblin/EMA/sick/2:45 a.m. – 4:30 p.m. January 9, 2008/sick/2:00 p.m. – 4:30 p.m. July 15, 2008/Compensatory Time/8:00 a.m. – 4:30 p.m. January 11, 2008/Compensatory Time/8:00 a.m. March 20, 2008 – 4:30 p.m. March 25, 2008.

SIGNINGS

Huron County Buildings & Grounds Request Form

County office or department requesting service: Clark Co. Title Office
 Signature of requesting official: Simon S. Fegley
 Date of request: 1/14/2008

1. Description of the repair work or renovation needed:
additional wiring and electrical outlets required
(see notes by Jeff Duple and discussed with Pat Nelson)

2. Justification, purpose or pertinent documentation?
necessary electrical support for scanning equipment and
equipment provided by state ATIS. List imaging
units will be required for each county filing office.

3. If an improvement, what is the expected cost?
3000 materials (for now)

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

5. Does this constitute a safety or health hazard? Explain and document:
wiring is not currently adequate in the
facility remedial action taken.

6. Emergency or unexpected mandate? required by state

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

8. Location of service? Beauregard Lane 9. Deadline involved? available with
file signature, Sharon Long 419-5717 - recorded all state

Your request is OK Denied Reasons: _____

Mike Adelman
 Board President
 Huron County Board of Commissioners

Supervisor
 Buildings & Grounds

Work will commence _____

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At 9:15 a.m. Gary W. Bauer moved to enter into **Executive Session ORC 121.22 (G) (4)** preparation for, conducting, or reviewing negotiations or bargaining sessions for public employees, concerning employee compensation or other terms and conditions of employment. 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

Gary W. Bauer moved to end **Executive Session ORC 121.22 (G) (4)**. 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

Action taken:

Ralph A. Fegley moved to accept the terms of the contract and approve the agreement by and between Huron County Department of Job and Family Services and OCSEA/AFSCME Local 11, Chapter 3900 and the non bargaining employees with raises of \$.80 per hour retro to July 1, 2007; \$.54 per hour effective July 1, 2008; \$.48 per hour effective July 1, 2009 with the health insurance premiums effective January 1, 2008 as follows:

Single Enhanced PPO \$46.30; Standard PPO \$33.80; Base PPO \$17.49; Family \$118.07 Enhanced PPO; \$86.18 Standard PPO; \$44.60 Base PPO. 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**

Clerk, Cheryl Nolan will prepare resolution for signature for both bargaining a non-bargaining motions for signature at the Thursday, January 17, 2008 meeting.

Mr. Etzler, Interim Director, DJFS also discussed the structure problems at DJFS. Mr. Fegley stated that he is still looking for the as built plans of the building and will discuss this further once the plans are reviewed.

Daivia Kasper stated that she would like to review one more thing before the annexation hearing and referred to a two sided sheet that she had prepared for reference. Ms. Kasper stated that she pulled off the section that speaks to the resolution either approves it or grants it and it identifies the pieces that has to be found either in a public hearing or some place else. Under one the commissioners have to find that the petition meets the requirements for filing and the clerk will check and report this part, number two that the owners of the property have signed and the agent asserts this, number 3 is that the municipal corporation has filed a letter stating what services it is going to be providing and when it is going to provide those services. Item numbers four, five and six are the things that the commissioners are going to try to ascertain at the public hearing. One is that they will eventually have to find that the territory proposed to be annexed is not unreasonably large. The next piece has some of the new language in it. The commissioners would have to find on balance that the general good of the territory proposed to be annexed will be served and that the benefits to the territory and the surrounding area will out way the detriments to the territory and surrounding area. That surrounding area is one half mile or less around the territory to be annexed. If the board were to find that approving the annexation may through in to question who provides water service in this area and may prevent the timely provision of these services this might warrant at least a continuance of the hearing and it might be sufficient to turn the petition down, if ultimately listen this can not be worked out and that is a real concern for us, because that would be a detriment to the territory proposed to be annexed and the surrounding areas. In addition we know that without an agreement this territory is not detached from the township, which means these property owners are taxed by both the city and the township. They are both residents of the city and the townships.

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401 ACRES BELLEVUE

PUBLIC ANNEXATION HEARING

10:00 A.M.

BOARD OF HURON COUNTY COMMISSIONERS
PUBLIC HEARING SIGN-IN SHEET

Held for the purpose of Petition of Regular Annexation of approximately 401 acres
to the city of Bellevue

Date: January 15, 2008 Time started: 10:00 a.m. Finished: _____

Name	Address
1 <u>Steve Ball</u>	<u>5585 US 20 E, Bellevue, OH 44811</u>
2 <u>John Hall</u>	<u>"</u>
3 <u>Don Denny</u>	<u>VFW Bellevue, OH</u>
4 <u>Joe Schmitt</u>	<u>VFW - Bellevue</u>
5 <u>Bill Hall</u>	<u>"</u>
6 <u>John Eastman</u>	<u>VFW Belden</u>
7 <u>Rick Tennill</u>	<u>"</u>
8 <u>Amanda Godfrey</u>	<u>Sandusky, Michigan</u>
9 <u>Don Sob</u>	<u>259 Miller Ave, Beldenville</u>
10 <u>Michael Kott</u>	<u>5286 21st 113 Bellevue</u>
11 <u>Robert Daniel</u>	<u>2855 Rd 27</u>
12 <u>Alan Wagner</u>	<u>7475 Co. Rd 27 BELLEVUE</u>
13 <u>Don E. Hill</u>	<u>10751 E. Rd. 199, Paris, OH (VFW 1234)</u>
14 <u>John Coppeler</u>	<u>115 W. PERRY ST., PORT CLINTON 43452</u>
15 <u>Robert G. Smith</u>	<u>110 W. MAIN, Beldenville, OH 44810</u>
16 <u>Don Denny</u>	<u>175 21st 113 Bellevue, OH</u>
17 <u>John Ball</u>	<u>5836 22nd 112 Bellevue, OH</u>
18 <u>Bruce Kant</u>	<u>7514 NLR 29 Flat Rock, OH</u>
19 <u>Mike Adelman</u>	<u>32087 country club Dr. Avon Lake, OH</u>
20 <u>Alan M. Owen</u>	<u>913 S. URBAN ST., HURON, OH</u>

Name	Address
20 <u>Don Yingling</u>	<u>2728 50th Ave, Bellevue</u>
21 <u>Tom Kilbuck</u>	<u>229 Weaver Rd, Beldenville, OH 44810</u>
22 <u>David Kitz</u>	<u>City of Bellevue</u>
23 <u>Jeff Coon</u>	<u>City of Bellevue</u>
24 <u>Mike Smith</u>	<u>47 W. Main, Co. Newark</u>
25 <u>Jesse Rieder</u>	<u>3810 U.S. 20W MONROEVILLE</u>
26 <u>Kevin Sauer</u>	<u>City of Bellevue</u>
27 <u>Ray Bowns</u>	<u>Bellevue Dept. Corp.</u>
28 <u>Luzica Olivi</u>	<u>Maple</u>
29 <u>Mike Tapp</u>	<u>6255 Seeley, Bellevue</u>
30 <u>Don Miller</u>	<u>120 Nord St, Bellevue</u>
31 <u>Tom Reese</u>	<u>Northern Ohio Rural District</u>
32 <u>Garrett Gibbs</u>	<u>191 Two Day, William</u>
33 <u>Harold R. Matthe</u>	<u>5417 57th-113F</u>
34 <u>Thomas Hamilton</u>	<u>4075 St. 4, Bellevue</u>
35 <u>Richard F. Fowles</u>	<u>11921 Sandusky St - Bell</u>
36 <u>THE MODERN GENERAL</u>	<u>LOGAN</u>
37 <u>Dave Wallingford</u>	<u>224 Fairfield Ave, Bellevue</u>
38 <u>Sharon Nichols</u>	<u>6050 Main E, Bellevue</u>
39 <u>John G. Smith</u>	<u>3500 Farmhouse Rd, Bellevue</u>
40 <u>Scott Goldenmeister</u>	<u>6146 U.S. Rt 20E, Bellevue</u>
41 <u>Peter H. Smith</u>	<u>5392 Opperman Rd, Bellevue</u>
42 <u>Paul B. Smith</u>	<u>60185 Avon Rd, Bellevue, Lower</u>

- Sylvia Sublett 6058 U.S. 20 E Bellevue, OH 44811
- Larren Wickel 4507 Tiffin Ave, Sandusky, OH 44870
- Robert Boehle 4507 Tiffin Ave, Sandusky, OH 44870
- Mary Jane Hill 145 E Washington, Sandusky 44870
- Donna Kambler 603 Southwest St, Bellevue, OH 44811
- Janna Stojan, Insurance's Office
- Robert A. Taylor 180 Miller Ave, Norwalk
- James Wiedel HCDC
- David Hepler 4138 Young Rd, Bellevue, Ohio
- Roger Hill 6014 SR113 Bellevue, Ohio

President, Mike Adelman stated that at this hearing this morning the board would take public comment and explained that when people are recognized to speak they will need to be sworn in and then they will need to state their name and the township or city in which they reside in for the record. Mr. Adelman also asked that remarks would be kept to three minutes so that everyone would have a chance to speak that wanted to. Introductions were made at this time. Mr. Adelman asked the clerk to state the purpose of the hearing. Cheryl Nolan, Clerk stated that the purpose of the hearing was to hear public comment for and or against the annexation of 401 acres of land in Lyme Township to Bellevue City. Ms. Nolan stated that the board has received a complete file and stated the pieces received. At this time Mr. Adelman explained the procedure for the hearing. Mr. Adelman called once for testimony in favor of the proposed annexation. **John Coppeler, 115 W. Perry St., Port Clinton** attorney for petitions stated that on behalf of the petitions we think that the provisions for approval of the annexation have been met as set forth by the Ohio Revised Code. Also stated that they would hear from the people speaking later that the general good of the territory will be served and the benefits of the annexation will out weigh the detriment to the territory and finally you will find that there is not street or highway being dissected by the proposed boundary line that would effect a road maintenance problem. The petitioners strongly feel that this is necessary to preserve existing jobs and bring new development to the area; we urge that the board would approve the annexation as the petitioners presented. **Ray Bowns, Bellevue, Ohio** stated that he represents the Bellevue Development Corporation, and spoke in favor of the annexation and stated that they foster development to help the whole Bellevue community. Also stated that a few years ago there was a master plan developed for the city of Bellevue and area that included input from each of the townships and the outcome of that plan was that they would focus commercial development on the east and the west sides of Bellevue. Mr. Bowns stated that for fire protection, police protection this annexation is necessary and stated that if this property is not annexed what is going to happen is that this land will not be developed and the property value will not grow for these land owners or other property owners adjacent to this and would not be able to have the job creation, in fact they are concerned right now that they will have a loss of existing jobs. Concluded by stating that they Bellevue Development Corporation strongly support the annexation. **Bruce Kant, 7514 NLR 29 Flat Rock, Ohio** Quarter Master of the Bellevue VFW, also stated that he agrees with what Ray Bowns has just said, and that they need services that the city can offer. Stated that they are looking at a future that is going down hill. Stated that at this time they can not expand or develop their

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post to better serve their members. They look at the city of Bellevue being their only hope for survival as you can see by the turn out today of our membership here today. Totally in favor of the annexation. **Jessie Roeder, 3810 U.S. 20 W., Monroeville, Ohio**, stated that one of the reasons she would like to see this area developed because it would be easier to shop at the grocery store etc. Would not have to run to Sandusky all the time. It would be beneficial for people getting older and do not want to travel so far and stated that she has an acre in that area. Mr. Adelman called twice for public comment in favor of the annexation. **Gail Ball, 5585 U.S. 20 E., Bellevue, Ohio** stated that she represents her mother who owns property in this area. Ms. Ball read a statement in favor of the development and what this would mean to the area. **Bob Beck, Huron, Ohio** and works for Erie Materials, which is property owner in Lyme Township that has frontage along route #113 and Prairie Road and U.S. 20 which a sizable piece of property of about 80 acres and we hope that the annexation will go forward and the infrastructure will follow to develop that property. They feel that the infrastructure is essential. **David Kile, City of Bellevue, Mayor** spoke to the resolution stating services. At this time the commissioners stated that they had a question in regards to the resolution providing services. Gary Bauer stated that according to information received from the Assistant Prosecutor, Daivia Kasper, that an approximate date that the city will provide the services upon annexation needs to be given to the board and stated that they do not this date included in the file. **David Wallingford, 224 Fairfield Ave., Bellevue, Ohio** spoke to this and stated that the resolution states that the services will begin immediately. Mr. Adelman called thrice for testimony in favor of the annexation. **Tom Kilbane, resident in the state of Washington at this time.** Stated that he ran a business in Greenwich for a number of years and was a Huron County Commissioner and owns property in this area. Stated that he would like to state his support for the annexation, and stated that when annexation takes place development occurs, jobs are created and that is something that is very important and has always been important in this county. Also stated that three things to remember are Jobs, Jobs, and Jobs and would like to encourage you to approve this petition. Mr. Adelman asked for any further comments in favor of the annexation, hearing none Mr. Adelman called for testimony against the annexation. **Paul B. Sackett, 6038 20 West, Bellevue, Ohio** stated that this annexation has had a lot of deception going on with this and stated that he has never been contacted the Bellevue Development the person that is supposed to be representing me and annexing me into the city of Bellevue. Stated that he absolutely no desire to be annexed into the city. Stated that he does not speak as just a property owner but as someone who lives in Lyme Township. Lyme Township is zoned agricultural residential township and would like to see it remain that way and has no desire to be annexed to the city of Bellevue. Stated that they have an agreement with the city for fire protection. Does not feel that it is a good thing for the township and feels it should stay as it is. **Susan Nichols, 6052 Prairie Road, E. Bellevue, Ohio** stated that she lives next door to Paul and agrees with everything that has said, and stated that she bought her property because it is outside the city limits, stated that she lives on a fixed income. Mr. Adelman called twice for testimony against the annexation. **Mike Nottke, 5286 St. Rt. 113, Bellevue, Ohio Lyme Township Trustee**, stated that the petition presented needs to have 100% of the owners sign and we the township own a piece of property within this annexation and did not receive a petition or notification whatsoever. Asked if the county engineer has filed his report. Ms. Nolan stated that the file has a letter from the County Engineer. Mr. Nottke also stated that the trustees believe that the territory is excessively large and is unreasonably shaped to the territory of our township. The tax value that the township is going to lose from this annexation is around \$5,000.00 which is about 5% of the township's total real estate value in their budget. Trustees are also concerned about the drainage, all this water that is on this property is going to have to run north to the residents that live of St. Rt. 113 and there is only about 1 or 2 ditches that can handle all this water from this development. The city has no storm water drainage in place. The trustees are also concerned about the traffic that will be created. Road maintenance there is a part of the annexation where it splits the road on Prairie about 105 feet of the road will be divided by the city and the township. Asked who takes care of the maintenance when we come to that part of the road. Also stated that they are concerned about the time frame in which the city can provide the services for the annexed area, and also concerned about the general good of the territory that is being annexed plus the adjacent property owners, by not knowing what is going to be built there. Mr. Nottke stated that since he has been a trustee the city has annexed around 400 acres out of Lyme Township and if this goes into effect it will be 800 hundred. One question that he needs to ask the commissioners is how you can annex a territory that can not legally serve water since there is a water district created through ORC 6119. Mr. Adelman called thrice for testimony against the annexation. **James Ball** who stated that he represents his mother who owns approximately 100 acres north of St. Rt. 20 and asked to confirm that this property is outside of the annexation. Mr. Ball stated that all he wanted to know is that if Margaret Ball's property is part of the annexation. Stated that he does not have an answer to this question and would like that confirmed today. It was agreed that the Margaret Ball property was not included. Mr. Adelman asked for any further comment. **Roger Hunker, Lyme Township Trustee 6014 S.R. 113, Bellevue, Ohio** stated that he had a

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couple further comments, stated that he just wanted to make the board of commissioners aware that there is a CEDA agreement that has been sent to the city and they are waiting for them to respond. Stated that this would take care of a lot of the situations as far as the taxes and those types of things. One other concern that the trustees do have is in regards to the forced annexation of the property owners that do not want to be included. Would like to see them excluded if possible. As you heard from two or three of them today that do not want to be included. Asked the question if they can be excluded. This is one of our main concerns that these people are being forced. One other would be the date of completion if this does go through as far as the services are concerned. Mr. Adelman asked anyone from the city to speak to the status of the CEDA agreement is. Mr. Kile stated that the CEDA agreement was delivered to him on January 3, 2008 and did not have a policy meeting until yesterday. The first notification of agreement with Lyme Township was sent by the city on March 21, 2005 and we received a reply from the township on August 6, 2007. The city does intend to reply but the council needs to review. The next meeting will be January 28, 2008. Mr. Adelman asked if it would be unreasonable to think that there would be some decision made by the city on the CEDA agreement at that council meeting on January 28, 2008. Mr. Kile stated that would be reasonable. Nothing much has changed on the CEDA agreement since 2005; the township would receive all the taxes in exchange for the right-a-way of water. That also stated that there would be no forced annexation. Further discussion was had in regards to the CEDA agreement. Mr. Adelman asked if the board would want to close the hearing today or continue it to see if a CEDA agreement could be completed. The board agreed to continue the hearing until after the Bellevue city council until February 7, 2008 at 10:00 a.m.

Mr. Fegley stated that he had the Expenditure Over \$500 that was submitted for Motor All DATA renewal software in the amount of \$1,500.00 and after further review feels that it is necessary to approve.

Ralph A. Fegley moved to approve the expenditure of over \$500 for Motor All DATA renewal software \$1,500.00 for the Huron County mechanic. 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 11:15 a.m. Ralph A. Fegley 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 15, 2008.

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 11:15 a. m.

Signatures on File.