

REGULAR SESSION

TUESDAY

JULY 7, 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 J. Silcox.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the June 23, 2009 & June 30, 2009 meeting(s) were presented to the Board. Larry J. Silcox made the motion to waive the reading of the June 23, 2009 & June 30, 2009 minutes of the meeting(s) and approve as presented. Mike Adelman seconded the motion. Voting was as follows:

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

09-223

IN THE MATTER OF CERTIFYING CLAIMS SCHEDULES TO THE HURON COUNTY AUDITOR FOR PAYMENT:

Mike Adelman moved the adoption of the following resolution:

WHEREAS, as per Ohio Revised Code 305.10, a resolution must be made by the Board of Huron County Commissioners to accompany the Claims Schedule to the Huron County Auditor's Office for payment; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners does hereby approve Claim Schedule C 09-27 and authorize the Huron County Auditor to make the necessary warrants; 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

CLAIM SCHEDULE Page: 1
Batch Number: 27 Date: Reference: 09-27
I hereby certify that there are sufficient funds in the Various Appropriation Codes to cover the payment of the following claims.
We hereby approve for payment by the County Auditor the following vouchers as itemized below.
Vendor Amount PO/Line Warrant Account
001 GENERAL FUND
001-013 JUVENILE COURT
001-014 JUVENILE C PROBATION
001-016 PROBATE COURT

CLAIM SCHEDULE Page: 2
Batch Number: 27 Date: 07/08/2009 Reference:
Vendor Amount PO/Line Warrant Account
001-017 CLERK OF COURTS
001-022 BLDG & G-M & OPERATI
001-030 HEALTH & V STATISTIC

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CLAIM SCHEDULE Page: 3 Batch Number: 27 Date: 07/08/2009 Reference: Vendor Amount PO/Line Warrant Account

CLAIM SCHEDULE Page: 4 Batch Number: 27 Date: 07/08/2009 Reference: Vendor Amount PO/Line Warrant Account

CLAIM SCHEDULE Page: 5 Batch Number: 27 Date: 07/08/2009 Reference: Vendor Amount PO/Line Warrant Account

CLAIM SCHEDULE Page: 6 Batch Number: 27 Date: 07/08/2009 Reference: Vendor Amount PO/Line Warrant Account

CLAIM SCHEDULE Page: 7 Batch Number: 27 Date: 07/08/2009 Reference: Vendor Amount PO/Line Warrant Account

CLAIM SCHEDULE Page: 8 Batch Number: 27 Date: 07/08/2009 Reference: Vendor Amount PO/Line Warrant Account

CLAIM SCHEDULE					Page: 9
Batch Number: 27	Date: 07/08/2009	Reference:			
Vendor	Amount	PO/Line	Warrant	Account	
ACTION AUTO SUPPLY INC	509.93	30046/1	291842	00275	
CLAMP, MIRROR, FLASHER, PROTECTANT, OCT. BOOST, BELT	191.52	30046/1	291844	00275	
KASPER CHEVYLER DOOR JEEP	47.38	30046/1	291845	00275	
TUBE-FUEL, VISOR, SUPPORT FOR #95	32.22	30046/1	291847	00275	
MOTO ELECTRIC INC	446.12	30038/1	291842	00475	
OHIO CAT	389.61	30038/1	291842	00475	
WASHER FOR #437	367.03	30038/1	291915	00475	
ACTION AUTO SUPPLY INC	79.88	30038/1	291843	00475	
CLAMP, MIRROR, FLASHER, PROTECTANT, OCT. BOOST, BELT	228.85	30038/1	291840	00475	
DYNA SYSTEMS	637.34	30050/1	291849	00525	
SOLDER ELECTROPLUS, CRYO-BURR AD. CUT CTL, SOLDER STEELBON	4,103.88			Total **	
HOMER LUMBER COMPANY	72.00	30036/1	291851	00210	
MUD PAN, TAPING KNIFE, SCRWWS, BLADE COMB	1,000.00	30017/1	291850	00525	
PARTSMASTER	8,330.00	30018/1	291850	00525	
SOLDER STEELBOND, TAP CRYOTAP BOTTOMS	9,402.00			Total **	
SIESEL DISTRIBUTING LLC	14,155.21			Total **	
HAND SOAP, TOILET TISSUE, HAND SANITIZER, SUNSCREEN	243.38	30097/1	291852	00200	
TEDES HEITSCH TRUCKING LTD	500.00	30097/1	291853	00200	
STONE HAULED FOR LYME TWP AND TO NEW STATE RD	743.38			Total **	

CLAIM SCHEDULE					Page: 11
Batch Number: 27	Date: 07/08/2009	Reference:			
Vendor	Amount	PO/Line	Warrant	Account	
KAREN WARD	500.00	29846/1	291859	00150	
KFIP-SPENCER CIRSTY-PERPULY	148.26	29846/1	291860	00150	
AMERICAN ELECTRIC POWER COR	399.97	29846/1	291861	00150	
ESAA-LAURIE SHUPE FAMILY	350.00	29846/1	291862	00150	
BIG LOTS #34	275.00	29846/1	291863	00150	
ESAA-MONTANA F HOME	250.00	29846/1	291863	00150	
MIKE MYERS REALTY	120.00	29846/1	291864	00150	
ESAA-ROBYN CROLL FAMILY	120.00	29846/1	291864	00150	
GREGORY C KECK PHD	500.00	29846/1	291865	00150	
PASS-ALIX WAHL	500.00	29846/1	291865	00150	
GREGORY C KECK PHD	500.00	29846/1	291865	00150	
PASS-AMANDA WAHL	500.00	29846/1	291865	00150	
LISA A SYVOLA	500.00	29846/1	291865	00150	
PASS-AMANDA WAHL-RESPITE	500.00	29846/1	291865	00150	
LISA A SYVOLA	500.00	29846/1	291865	00150	
PASS-ALEX WAHL-RESPITE	500.00	29846/1	291865	00150	
JEANETTE K SMITH	500.00	29846/1	291865	00150	
KFIP-MARYLOW SMITH	500.00	29846/1	291865	00150	
JEANETTE K SMITH	500.00	29846/1	291865	00150	
KFIP-MAXIMILLIAN SMITH	500.00	29846/1	291865	00150	
HARRY JAMES SHAW	500.00	29846/1	291865	00150	
KFIP-MONTGOMERY WALLS	5,363.23			Total **	
HARRY JAMES SHAW	5,363.23			Total **	
KFIP-MILESS WALLS	2,697.50		291867	00525	
145 CHILDREN'S SERVICE F	1,348.75		291868	00525	
145 CHILDREN'S SERVICE F	1,348.75		291869	00525	
150 MARRIAGE LICENSE FEE	5,395.00			Total **	
150-150 MARRIAGE LICENSE FEE	5,395.00			Total **	
CATHOLIC CHARITIES	1,348.75		291867	00525	
FEE JANUARY-JUNE 2009	1,348.75		291868	00525	
SAFE HARBOR DOMESTIC VIOLE	1,348.75		291869	00525	
FEE JANUARY-JUNE 2009	5,395.00			Total **	
DOMESTIC VIOLENCE SHELTER I	5,395.00			Total **	
FEE JANUARY-JUNE 2009	310 PERMANENT IMPROVEMEN				
310-310 PERMANENT IMPROVEMEN					

CLAIM SCHEDULE					Page: 10
Batch Number: 27	Date: 07/08/2009	Reference:			
Vendor	Amount	PO/Line	Warrant	Account	
131 RECORDERS EQUIPMENT	743.38			Total **	
132 CLERK OF COURTS - TI	9.20	29881/1	291746	00475	
132-132 CLERK OF COURTS - TI	9.20			Total **	
FIRST COMMUNICATIONS LLC	9.20			Total **	
LONG DISTANCE	319.99	29877/1	291917	00260	
132 CLERK OF COURTS - TI	319.99			Total **	
134 CLERK OF COURT COMPU	319.99			Total **	
134-134 CLERK OF COURT COMPU	319.99			Total **	
SHIPLEYS OFFICE SUPPLY INC	200.00	29588/1	291855	00380	
TONER, DRUM	300.00	29588/1	291856	00380	
134-134 CLERK OF COURT COMPU	419.15	29590/1	291854	00475	
134 CLERK OF COURT COMPU	419.15			Total **	
137 DYS SUBSIDY-VARIABLE	919.15			Total **	
137-137 DYS SUBSIDY-VARIABLE	919.15			Total **	
137 DYS SUBSIDY-VARIABLE	200.00	29846/1	291857	00150	
145 CHILDREN'S SERVICE F	500.00	29846/1	291858	00150	
145-145 CHILDREN'S SERVICE F	500.00	29846/1	291858	00150	
NORWALK CATHOLIC SCHOOL	500.00	29846/1	291858	00150	
ADOPT OHIO KIDS	500.00	29846/1	291858	00150	
SHIRLEY A PULTON	500.00	29846/1	291858	00150	
KFIP-JULIE BRANT	500.00	29846/1	291858	00150	
SHIRLEY A PULTON	500.00	29846/1	291858	00150	
KFIP-CHRISTOPHER BURSLEY					

CLAIM SCHEDULE					Page: 12
Batch Number: 27	Date: 07/08/2009	Reference:			
Vendor	Amount	PO/Line	Warrant	Account	
DAN NIEDERMEIER	8,500.00	29832/1	291874	00545	
FRKING AT JAIL	8,500.00			Total **	
310 PERMANENT IMPROVEMEN	8,500.00			Total **	
310 PERMANENT IMPROVEMEN	183.97	30149/1	291875	00280	
500 LANDFILL	1,148.00	30149/1	291876	00280	
500-501 TRANSFER STATION	72.00	30149/1	291877	00280	
SAFETY-KLEEN SYSTEMS INC	3,478.76	30149/1	291918	00280	
QUARTLEY SERVICE	1,154.81	30149/1	291878	00280	
ENVIRO TIRE RECYCLING	6,037.54			Total **	
SCRAP TIRE REMOVAL	6,037.54			Total **	
POTABLE WATER	889.45		291879	00350	
MALCOLM PERIE INC	889.45			Total **	
ENGINEERING SERVICES	889.45			Total **	
SCHREID ENTERPRISES INC	889.45			Total **	
STONE & DELIVERY					
500-501 TRANSFER STATION					
500 LANDFILL					
600 EARLY INTERVENT COLL					
600-600 EARLY INTERVENT COLL					
OHIO Edison					
ELECTRIC BILL					
600-600 EARLY INTERVENT COLL					
600 EARLY INTERVENT COLL					
*** End of Report ***					

09-224

IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE GENERAL FUND #017

Larry J. Silcox moved the following resolution:

WHEREAS, there is a need for an appropriation adjustment; and

WHEREAS, the Board of Huron County Commissioners finds the request to be reasonable; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves the following appropriation adjustments:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	017	00475	001	\$1,550.00		017	00450	001	\$1,550.00
				Clerk's other					Unemployment and further

BE IT RESOLVED, that the Huron County Auditor is authorized and instructed to record said appropriation adjustment as approved; and further

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BE IT RESOLVED, that the Clerk of the Board is instructed to certify a copy of this resolution to the Huron County Auditor and the department requesting said adjustment; 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 – Larry J. Silcox

09-225

IN THE MATTER OF AUTHORIZING APPROPRIATION ADJUSTMENTS WITHIN THE GENERAL FUND #033

Mike Adelman moved the following resolution:

WHEREAS, there is a need for an appropriation adjustment; and

WHEREAS, the Board of Huron County Commissioners finds the request to be reasonable; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves the following appropriation adjustments:

FROM:	Dept.	Account	Fund	Amount	TO:	Dept.	Account	Fund	Amount
	033	00575	001	\$500.00		033	00450	001	\$500.00
		Relief Allowances					Unemployment		and further

BE IT RESOLVED, that the Huron County Auditor is authorized and instructed to record said appropriation adjustment as approved; and further

BE IT RESOLVED, that the Clerk of the Board is instructed to certify a copy of this resolution to the Huron County Auditor and the department requesting said adjustment; 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

Mike Adelman moved to approve the release of permissive tax funds to the city of Norwalk in the amount of \$135,000.00 to complete phase IV of the Cline Street road project. Larry J. Silcox seconded the motion.

Discussion: Larry Silcox stated that he had a couple of questions. Mr. Silcox stated that he understood that the original proposal for State Issue II money that the total project cost was \$635,000 and they must be elated that it came in at \$302,000.00 and asked about the other funding for this project. Mr. Silcox stated that according to the Mayor it is coming from State Issue II funds, how much is coming from State Issue II? Diane Eschen answered that it is about \$115,000.00. Mr. Silcox asked about the capital improvement money from the city. Ms. Eschen answered about \$52,000.00 and the loan Ms. Eschen answered that they are not going to take the loan which was for \$40,000.00. Mr. Silcox asked if any remaining money will be returned and not used on any other project according to revised code is

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that correct. Ms. Eschen stated yes as usual. Mr. Adelman stated that he is glad to see the project completed.

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 TRAVEL

Mike Adelman moved to approve the following travel request this day. Larry J. Silcox seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

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

Bill Ommert, EMA, on July 8, 2009, to Columbus, Ohio, for SERC meeting.

IN THE MATTER OF REQUEST FOR LEAVE

- Larry Burdue/Buildings & Grounds/sick/11:00 a.m. – 3:00 p.m. July 1, 2009.
Royal Chisholm/Buildings & Grounds/vacation/6:30 a.m. -5:00 p.m. July 29, 2009/vacation/6:30 a.m. – 5:00 p.m./ sick/8:00 a.m. – 4:30 p.m. June 24, 2009.
Bill Duncan/Dog Warden/Compensatory Time/8:00 a.m. – 4:30 p.m. June 27, 2009.
Richard O’Grady/Dog Warden’s office/skci/8:00 a.m. – 4:30 p.m. July 17, 2009/vacation/8:00 a.m. August 13, 2009 – 4:30 p.m. August 15, 2009.
Lon Burton/mechanic/sick/7:00 A.M. – 3:30 P.M. July 1, 2009.
Peter Welch/SWD/Buildings & Grounds/sick/10:00 a.m. – 1:00 p.m. July 7, 2009/sick/8:00 a.m. 11:00 a.m. July 15, 2009/sick/9:00 a.m. – 3:30 p.m. July 17, 2009.
Jerry Huffman/Buildings & Grounds/sick/6:30 a.m. – 3:00 p.m. July 1, 2009.

SIGNINGS

Huron County Buildings & Grounds Request Form
County office or department requesting service: Services for Aging and...
Signature of requesting official: [Signature]
Date of request: 7/2/09
1. Description of the repair work or renovation needed: 2 toilets in upstairs back bathroom that is used for storage. It's our only storage room - this would create more room for shelving unit.
2. Justification, purpose or pertinent documentation?
3. If an improvement, what is the expected cost?
4. Cost savings or "life expectancy," if applies?
5. Does this constitute a safety or health hazard? Explain and document: NO
6. Emergency or unexpected mandate?
7. If a renovation vs. a repair, how do you expect to fund this project?
8. Location of service? SPA Deck Pathway? Deadline involved?
Your request is OK'd Denied Reasons:
[Signature] Board President
[Signature] Supervisor
Huron County Board of Commissioners Buildings & Grounds
Work will commence

Huron County Buildings & Grounds Request Form
County office or department requesting service: Services for Aging and...
Signature of requesting official: [Signature]
Date of request: 7/2/09
1. Description of the repair work or renovation needed: Flooring needs to be replaced over grease trap area.
2. Justification, purpose or pertinent documentation? Grease traps were cleaned a month ago. Traps were covered with a metal screens not to let down employees use that area. It's a safety hazard.
3. If an improvement, what is the expected cost?
4. Cost savings or "life expectancy," if applies?
5. Does this constitute a safety or health hazard? Explain and document: Employee could slip, Trip or fall on the street. High traffic area by the sink and back door.
6. Emergency or unexpected mandate?
7. If a renovation vs. a repair, how do you expect to fund this project?
8. Location of service? Kitchen 9. Deadline involved?
Your request is OK'd Denied Reasons:
[Signature] Board President
[Signature] Supervisor
Huron County Board of Commissioners Buildings & Grounds
Work will commence

At 9:20 a.m. Gary Bauer left the meeting.

Administrator/Clerk’s Report

- 1) Cheryl Nolan stated that she had emailed Doug Brown, Willis to prepare the contract with MMO and have not heard back from him.
2) Scheduled Joint Ditch meeting with Lorain County at Elyria, on July 16, 2009 at 11:00 a.m.
3) Will be setting up the jail tour

**REGULAR SESSION
OTHER BUSINESS**

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Mike Adelman referred to an email that the board received from Pete Welch in regards to a quote that he received to install a footer tile on the east side of the administration building that quote would include the footer tile, down spout line to the road basin, and a sump pump with an estimated cost of \$13,800.00 and figuring some contingencies it would be around \$15,000.00. Mr. Welch would like to proceed with the project and get a couple additional quotes. Mr. Adelman stated that he had spoken with a contractor in regards to this project and he asked if that building had a sump pump. He said until you get a sump pump installed you will not be able to get the water away from there. Mr. Adelman stated that he felt that they should let him get a couple additional quotes and that a look at this and we do have some permanent improvement funds that could be used for such project. This problem is not getting better and it will get worse. Once this is finished then the inside wall can be fixed. Mr. Adelman also discussed the sample resolution that was received from the Buckeye Energy Brokers to put something on the ballot, but stated that additional information would be needed before taking action. Mr. Adelman also reported on the fair board meeting and stated that things are moving ahead for the fair. Their usable cash is down to \$9,100.00 but that is not unusual for this time of year. The pavement project is moving ahead and should be finished before the fair opens.

Larry Silcox stated that they had received an email from Mr. Welch in regards to the courthouse clock but would like to wait to discuss until Mr. Bauer is in attendance.

At 9:30 a.m. Sheriff Howard and Major England came before the board in regards to several things that he has on the table. The Sheriff stated that he has taken in \$42,000 from housing of out of county inmates, also asked the status of approving purchasing the bullet proof vests. The board stated that they had approved that at the meeting in which they had asked for approval. The Sheriff stated that they estimated the cost to be around \$6,000.00. Another question that he has is in regards to the parking lot at the sheriff's office which is showing some signs of needing some sealer and asked if that is something that can be taken care of this year. Larry Silcox stated to get some cost estimates. Sheriff Howard stated that he has thought about using inmate workers to do such work and stated that it is much easier to supervise them at that facility. The problems that they have had getting them outside the facility is that they are so short handed. The sheriff asked how this would affect the maintenance employees as to whether it would take over time away from them, would want to cost anyone any part of their pay checks. Mr. Silcox stated that we would like the cost of material as we think our maintenance staff has enough to do right now. Mr. Adelman asked if any additional lots could be done by inmate workers. The sheriff stated that the problem is the man power we only have five certified peace officers working inside the jail. The Sheriff also presented a flyer in regards to vehicle leasing but knows that this will not be done this year, and stated that the inmate medical hygiene line was felt to be in pretty good shape but however has received additional medical bills from last year in excess of \$48,000.00. Mr. Silcox asked if they are talking about the whole amount. The company that does the billing is very slow at billing. It will create a serious impact in the line item. Keep in mind we transferred the vast majority of that line item to jail salary to keep our jail open. This was unforeseen on his part. Mr. Silcox asked how the inmate medical bills are going this year, the sheriff answered excellent and outstanding. We are doing very well in medical hygiene. Mr. Silcox stated that you have to look at the history over several years. The sheriff stated that he will keep an eye on this and will keep the board up to speed. The last thing that was discussed was a project that Major England is working on. They did an inventory of the weapons and would like to update their weapons. This can be done without using any money. Major England reviewed the status of the weapons that they now have and looking at ways to trade these weapons in on weapons that they can use. Major England also stated that they have received quotes from Fin Fur and Feather, of around \$19,000.00 and would like to see each officer have the same type of weapon. With this program no money out of pocket, and are looking to lower liability. Major England also referred to the three machine guns that is registered to the department which are restricted and can only be sold to a dealer with a class three license and stated that they have a gentleman that is interested in them and gave them a quote of \$8,000.00 for those three weapons. Daivia Kasper, Assistant Prosecutor stated that she has explained to the sheriff that if the value of what we propose to sell exceeds the threshold and stated that we plan to buy some weapons also. The law allows us when we go to buy something to say in that notice we also have this to sell and give us a price that off sets the purchase price based on the sale price. If there are certain things that we want to sell that can only be sold to certain people we can put that in the notice as well. The board agreed to move forward with this the sooner the better. Daivia Kasper and Cheryl Nolan to work together to put together the advertisement.



HURON COUNTY SHERIFF'S OFFICE
255 Shady Lane Drive Norwalk, Ohio 44857

SHERIFF
DANE HOWARD
JAIL
ADMINISTRATOR
DAVE BATTLES
CHIEF FINANCIAL
OFFICER
TAMMY SCHAFFER
CRIMINAL DIVISION
(419) 665-2828
FAX (419) 665-2227
JAIL DIVISION
(419) 668-1996
FAX (419) 665-5341
CIVIL DIVISION
(419) 668-6912
FAX (419) 665-1380

Huron County Board of Commissioners
180 Milan Ave.,
Norwalk, Ohio 44857

June 24, 2009

Ref: Updating Weapons

Purpose: To use current resources to secure new equipment, without any additional cost. The objective is to issue a standard weapon for each deputy, to reduce our issues with training as well as issues with liability. This request is based on and supported by section 307.12(G) of the Ohio Administrative Code. (a copy has been added for your review) I have been in contact with the Huron County Prosecutor's Office and reviewed the facts thus far.

History: Currently some members of the Huron County Sheriff's Office have been issued county owned firearms which are well over ten years old. Many other deputies are carrying weapons that they personally own. Each deputy should be issued a standard weapon to carry on duty, and each weapon should be of the same caliber. The weapons should be in good working order and reliable.

Background: The Huron County Sheriff's Office currently has several weapons that are at our disposal. These weapons are part of our inventory and are not currently being used. These weapons are the personal property of the Huron County Sheriff's Office/Huron County Board of Commissioners. The remainder of these weapons are currently in use, however they are outdated and it is reported that several of these weapons are falling and therefore are unfit for use. A list of these weapons has been added to this proposal for your review. Note: Per Sec (g) OAC 307.12 - the estimated cost of the new weapons is well within the estimated value of the weapons that we currently own. No new monies would be needed to secure the new equipment. If agreed upon by the board, this office has the intent to use the property with the same firm that we would purchase the new firearms from, which is also consistent with the section provided.



HURON COUNTY SHERIFF'S OFFICE
255 Shady Lane Drive Norwalk, Ohio 44857

SHERIFF
DANE HOWARD
JAIL
ADMINISTRATOR
DAVE BATTLES
CHIEF FINANCIAL
OFFICER
TAMMY SCHAFFER
CRIMINAL DIVISION
(419) 665-2828
FAX (419) 665-2227
JAIL DIVISION
(419) 668-1996
FAX (419) 665-5341
CIVIL DIVISION
(419) 668-6912
FAX (419) 665-1380

Request: That the Huron County Board of County Commissioners review the facts of this information, and I request your support, by using these unfit weapons to secure modern safe operating firearms for the deputies at the Huron County Sheriff's Office.

Closing: Thank you in advance for your consideration in this matter. I believe that it is my obligation to be very mindful of the budget, as well as, my duty to provide a strong and safe work environment. Under these circumstances, if permitted by resolution, I can properly equip the deputies, at no cost to the county.

Sheriff Dane A. Howard
Huron County Sheriff's Office

Assistant Prosecutor's Report

Daivia Kasper discussed the resolution from the Buckeye Energy Brokers, in regards to adopting a plan. If you adopt a plan how people get in how people get out etc. Important to find what the potential savings will be. Need further information from Buckeye.

RUSSELL V. LEFFLER

Huron County Prosecutor
12 East Main Street, 4th Floor
Norwalk, Ohio 44857

Phone: (419) 668-8215
Fax: (419) 665-3844

July 7, 2009

Huron County Board of Commissioners
Attn: Cheryl Nolan, Clerk
180 Milan Ave
Norwalk, OH 44857

RE: Electric Aggregation Program ORC § 4928.20
Buckeye Energy Brokers Inc Proposal

Dear Board:

I have reviewed the proposed resolution prepared by Buckeye Energy Brokers for the Board to adopt an Electric Aggregation Program subject to approval by voters by election. In that matter, please be advised as follows:

The statute, ORC § 4928.20, provides for political subdivisions (municipalities, townships, and counties) "to create governmental aggregation programs that allow communities to combine their residents into buying pools and then contract for a supply of energy to the pools."¹ The residents that could be aggregated are "non-mercantile" customers in the geographical limits of the subdivision. Mercantile loads are commercial or industrial customers consuming more than 700,000 kilowatts per year. ORC § 4928.01(A)(19).

The statute permits the political subdivision to adopt one of two types of plans: (A) all non-mercantile customers are automatically aggregated unless they opt out; or (B) customers may be aggregated only if they opt in. If the county adopts plan A, in which customers are automatically aggregated unless they opt out, the plan must be put to the voters at election. Buckeye Energy proposes a plan A - automatic aggregation with an opt-out provision.

Under the statute, if the Board adopts a resolution for an Electric Aggregation Program, the Board "shall develop a plan of operation and governance for the aggregation program so authorized."² The Board is required to hold public hearings before adoption of the program. Further, before implementation of the aggregation program, the Board must disclose to all customers the rates, charges, and other terms and

¹ City of Monroe v PLECO (2004), 101 Ohio 834 S.4.
² ORC § 4928.20(C).

conditions of enrollment. Customers enrolled may opt out every three years without paying a switching fee.³

The proposed resolution for the Board covers a number of matters. It states the Board will adopt an Electric Aggregation Program of the type in which customers are automatically enrolled unless they opt out. It asks the Board of Elections to prepare a ballot issue on the question for the November general election. It hires Buckeye Energy Brokers Inc. It requires the Board or Buckeye to develop a plan for operation and governance of the Electric Aggregation Program.⁴

If the Board determined that it wished to pursue the development of an Electric Aggregation Program and to hire a broker to develop the program, I would recommend that the Board solicit proposals from interested brokers before the Board contracts with Buckeye. Although the representatives from Buckeye stated that Buckeye would be paid by the electric provider, certainly the terms and conditions of a broker contract should be reviewed and compared by the Board before a selection is made.

As the Board considers whether to pursue development of an Electric Aggregation Program, it may be useful to try to get some estimate of savings to be enjoyed by customers, the amount fees, rates, and charges under an aggregation program, and the amount of the switching fee - along with the terms of the contract with the broker, Buckeye or another broker. If the potential savings are substantial, the Board may wish to pursue this issue. If the potential savings are insubstantial - or too speculative - the Board may wish to pursue this matter at another time or in conjunction with another political subdivision.

Let me know if you have any questions or concerns regarding the above.

Sincerely,

Daivia S. Kasper
Daivia S. Kasper
Assistant Prosecutor

cc: file

³ The proposed resolution states every two years, but that is not correct. The statute was revised in 2008 to permit opt out every three years, not every two years.
⁴ The proposed resolution also includes language that it is an "emergency measure." This issue would not qualify as an "emergency measure" for the county so that language would have to be deleted.

At 10:00 a.m. Larry J. Silcox moved to adjourn. Mike Adelman seconded the motion. The meeting stood adjourned.

IN THE MATTER OF DOG WARDEN REPORT

<u>Weekending</u>	<u>Placed</u>	<u>Claimed</u>	<u>Destroyed</u>	<u>Other</u>	<u>Total</u>
March 07, 2009	4	2	7	-0-	13
March 14, 2009	3	6	3	-0-	12
March 21, 2009	1	10	3	-0-	14
March 28, 2009	6	10	3	-0-	19
April 04, 2009	3	3	4	-0-	10
April 11, 2009	6	5	-0-	-0-	11
April 18, 2009	5	5	5	-0-	15
April 25, 2009	2	4	2	1	9
May 02, 2009	6	7	4	-0-	17

REGULAR SESSION		TUESDAY			JULY 7, 2009
May 09, 2009	4	5	3	1	13
May 16, 2009	6	5	3	-0-	14
May 23, 2009	3	6	1	-0-	10
May 30, 2009	4	4	3	-0-	11
June 6, 2009	3	7	8	-0-	18

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 July 7, 2009.

IN THE MATTER OF ADJOURNING

The meeting was called to order at 9:00 a.m. With no further business to come before the Board, the meeting was adjourned at 10:00 a.m.

Signatures on File