

REGULAR SESSION

THURSDAY

March 29, 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 March 27, 2007 meeting(s) were presented to the Board. Mike Adelman made the motion to waive the reading of the minutes of the March 27, 2007 meeting(s) and approve as presented. Gary W. Bauer seconded the motion. Voting was as follows:

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

IN THE MATTER OF TRAVEL

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

Karen Fries, Recorder, on March 29, 2007, to Columbus, Ohio, for Carma-E-Discovery retention of records.

Gary W. Bauer, Commissioner, on March 30, 2007, to Columbus, Ohio, for CCAO standing committee, Agriculture.

DATE:	3/26/07		
TO:	Huron County Commissioners		
FROM:	Becky Fair, HCDJFS Fiscal Officer		
4/3-4	HR Spring Training B. Richards & L. Minor	Columbus, OH	\$500.00
4/4	HR Spring Training N. Brown, C. Robertson, C. Steffanni, C. Gottschling C. Leimbach, and M. Daniel	Columbus, OH	\$500.00
4/6	OCDA Monthly Meeting N. Brown	Findlay, OH	\$100.00
4/15-17	OCDA Conference C. Steffanni, M. Daniel and J. Gubala	Columbus, OH	\$500.00*

IN THE MATTER OF PROCLAMATION

In honor of the Huron County Public Service Employee

WHEREAS, the Board of Huron County Commissioners desires to recognize Huron County Public Service Employee, Mrs. Becky Berendt for her years of dedicated service to the residents of Huron County; and

WHEREAS, Mrs. Berendt has served Huron County residents for the past thirty years; and

WHEREAS, during this time, she fulfilled these duties with honor and respect, providing excellent customer service to the residents of Huron County. Her efforts and dedication to the Huron County Department of Job & Family Services has made it one of the best in the state of Ohio for many years;

NOW THEREFORE BE IT RESOLVED, that the Board of Huron County Commissioners on behalf of all residents of Huron County, does commend Becky S. Berendt for her commitment to our community for the many years of service, and bestow upon her the gratitude and respect she so richly deserves.

IN WITNESS WHEREOF

We have hereunto subscribed our names this 29th day of March in the year of our Lord, Two Thousand Seven.

HURON COUNTY COMMISSIONERS

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

Administrator/Clerk’s Report

Ms. Nolan presented two proposals for the AED battery, in which Tom Ashleman, Loss Prevention

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Coordinator had obtained. The board agreed to purchase the AED battery for \$159.95.

OTHER BUSINESS

Gary reported that he had a conversation with David Kniffin. Mr. Kniffin stated that he wanted to have a conversation with himself, Dick Houser, and Mike Adelman in regards to funding a new printer, and making a request to the budget commission. Mr. Adelman stated that he would prefer that they come before the board to request funding. Mr. Bauer also stated that J.W. Kelly called him this morning, to discuss the possibility of installing a roof where two buildings come together to park the tractor under. Mr. Kelly does not like having the tractor set out in the weather. Discussion was had in regards to whether or not this will need to go through Commercial Inspection. Mr. Bauer stated that they also had a discussion in regards to filling a ditch while there is such equipment out there at this time.

At 9:30 a.m. Bethany Dentler, NEDC, and Dave Gulden, Main Street Program Manager, came before the board. Ms. Dentler explained some of the programs and agreements that they are working on for micro-loans. Mr. Golden also discussed projects that he is working on at this time.

At 9:35 a.m. M -Mike Adelman moved to enter into **Executive Sessions ORC 121.22 (G) (3)** a conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action; **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; and **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. 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

10:25 a.m. Gary W. Bauer moved to end Executive Sessions ORC 121.22 (G) (3); ORC 121.22 (G) (1) and ORC 121.22 (G) (4). 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

Action from executive session:

The board agreed that their attorneys should proceed as they recommended with the Connre Dixon case.

Human Resource Director – Ralph Fegley will comprise a pay scale for this position by setting the pay per hour, and once this is complete and approved by board the position will be advertised.

Prosecutor's Report

Mr. Kasper stated that the old human services building is going back up for sale at public auction on April 16, 2007 @ 10:00 a.m., appraised at \$143,000.00. Ms. Kasper also reported that she had reached someone with ODOT and has a letter drafted to go out today.

Other Business Cont.

Mr. Bauer discussed conversation he had with Tom Jarrett. Mr. Jarrett wants to stay in the building because he is moving more because people know he is there, but is getting killed on electric costs. Mr. Bauer stated that he thinks they should do what they can to help him out. Mr. Fegley thinks we should call First Energy and see if we can get a different rate. Mr. Fegley will speak with Gary Mortison to see if anything can be done.

At 10:36 a.m. Don Ruffing came before the board in regards to setting the hearings for six year updates for maintenance bases. Mr. Ruffing stated that wanted to bring to the boards attention that the construction costs have increased. Mr. Ruffing discussed the changes for each, explaining that some have significant

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increases and explained why.

07-100

IN THE MATTER OF REVIEWING AND CHANGING MAINTENANCE BASES AND SETTING A DATE FOR HEARING ON THE CHANGES IN THE MAINTENANCE BASE FOR CAWRSE-CHANDLER #82 11-200; DALTON-STACKHOUSE #117 11-260; WOLF-WARD #119 11-840; STONE-CLAYTON #128 11-800; BILTON-LATERAL #135 11-120; McCLAFLIN-SCHMIDT #163 11-030

Mike Adelman moved the adoption of the following resolution:

WHEREAS, under Section 6137.11 of the Ohio Revised Code each six years the Board of Commissioners shall review the maintenance bases for each group on the county maintenance program, make any changes that are needed, and set a date for a hearing on the changes in the maintenance bases and/or benefits that have occurred since the last review; now therefore

BE IT RESOLVED, that the bases were reviewed, changes made, and that a hearing will be held on the changes in the maintenance base for the above-named projects at the Huron County Administration Building (top floor), 180 Milan Avenue, Norwalk, Ohio, on Tuesday, April 24, 2007 at 11:15 a.m.; and further

BE IT RESOLVED, that Huron County Soil & Water will notify each owner by first-class mail in a five-day return envelope with the words "Legal Notice" in plain view on the face of the envelope; 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

HURON COUNTY DITCH MAINTENANCE PROGRAM

MAINTENANCE BASE REVIEW; 6137.11 OHIO REVISED CODE

GROUP NAME:

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Cawrse-Chandler #82 11-200
Dalton-Stackhouse #117 11-260
Wolfe-Ward #119 11-840
Stone-Clayton #128 11-800
Bilton-Lateral #135 11-120
McClafin-Schmidt #163 11-030

It is the requirement under Section 6137.11 of the Ohio Revised Code that each six years the Board of Commissioners review the maintenance bases for each group on the county maintenance program. The Board of Commissioners may increase or decrease the respective benefit apportionments in accordance with changes in benefits and or maintenance bases that have occurred since the last review.

The maintenance bases have been changed in accordance with and under the authority of Section 6137.11 of the Ohio Revised Code. Pursuant to that Section, a hearing will be held on the changes made in the maintenance bases for the above mentioned groups:

The hearing will be held at the Huron County Commissioners' Office located in the County Administration

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Building, top floor, 180 Milan Avenue, Norwalk, Ohio on:

April 24, 2007**11:15 a.m.**

Enclosed please find a schedule "B" containing the parcels affected, the acres owned, the acres benefitted or units benefitted, the present or old maintenance base, and the new maintenance base for each parcel. Also enclosed is a summary of the old construction costs and the new construction costs for your group.

Your attendance at this hearing is not required, however, your concerns are important to us. Please contact Don Ruffing, Ditch Maintenance Supervisor, for answers to your questions. The Huron SWCD Office is located at 8 Fair Road, Norwalk, Ohio and the phone number is 419-668-4113 Ext. 3.

By order of the Board of Huron County Commissioners.

Mike Adelman

Gary W. Bauer

Ralph A. Fegley

Stan Obervich came before the board in regards to parking.

At 11:06 a.m. Tom Ashleman, Loss Prevention Coordinator came before the board in regards to an incident report from JFS pertaining to a fall on the sidewalk. Need to either breakup and replace the sidewalk or curb. Mr. Welch stated that it goes all around the building. Mr. Welch to call for recommendations and a cost.

At 11:12 a.m. Mr. Welch came before the board in regards to the cell phone policy. Mr. Welch wants to give an allowance of \$25 per month for them to carry their personal cell phones. The policy gives this right to the dept heads but is looking for the boards blessing. Mr. Bauer stated that his feeling is they can carry their own cell phone for personal calls and a county cell for business. Mr. Bauer stated that the county is not going to buy our way out of these contracts. Mr. Welch stated that they won't have to, for one the contracts can be changed over to their names with no fee that the county would have to pay to terminate the contract. All the contracts that we have are finished May 23 & 24, 2007. Mr. Welch explained that it would be cheaper to give an allowance you are going to save about half of what you are going to spend if you pay the allowance. Instead of the county paying \$50.00 per phone, to make them carry a county phone, it will cost the county \$25.00 for the allowance for them to carry a personal phone. This is approximately fifty percent of their bill. Mr. Welch stated that the standard contract for a cell phone is \$50.00 per month. The county gets a discount because we have four lines on one contract. Mr. Ashleman stated that if they give an allowance it would save on the auditing, very time consuming to break out the bill. Ms. Kasper stated that she thinks they would need to identify the positions because these are supposedly people under our policy that are responding and are often away from a regular phone and are required to be reached. Ms. Kasper stated that the county needs to estimate that the \$25.00 per month is the business use of the employee cell phone and we will review that estimate a year from now, because it is supposed to be for just the business use of the cell phone. Mr. Welch stated that at this time that more than half is being used for business. Mr. Adelman asked if we need something for Mr. Welch that will identify this use. Ms. Kasper stated that this will be income and will need to be part of the collective bargaining unit agreement just like the taxable benefit for providing uniforms. Mr. Welch stated that he does not think the county wants it in their agreement. Ms. Kasper stated that if it is not addressed in the union agreement they can claim an unfair labor practice. Mr. Welch stated then you want a letter of understanding from the union. Mr. Bauer asked then are we sanctioning them to use the cell phone for personal use any time they want on the job. Mr. Welch asked can they use the land line phone any time they want for personal use. Mr. Bauer stated that we can watch that.

Discussed restroom problems from uptown. Mr. Welch stated the cost of this would be between \$300.00 to \$400.00. The Board agreed to do this project. Also discussed the tractor situation.

Mr. Welch stated that Jerry Huffman is not going to be returning to work the 2nd or 3rd week of May. Mr. Welch also stated that Ron Myers is leaving May 4, 2007, and proposed hiring for a fulltime position and eliminate the part time position. Mr. Welch stated that Ron Myers will not be coming back, even though he doesn't have anything in writing yet, would like to offer to Merlin Baker and if he doesn't apply then they are clear to hire. Further discussion was had.

Mr. Welch asked if there is anything else that he needs to do with the electric bill for 22 East Main Street

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property, leased by Tom Jarrett. Mr. Fegley stated that the point is that he needs to have a conversation with First Energy dealing with the rates. The board will check with Poggemeyer Design in regards to adding this building to the energy project, by just running a line there from the boilers, as is being done for the old jail. Mr. Welch discussed link holes at the Shady Lane complex next, and stated that Cary Brickner, Soil and Water Conservation District is going to repair the tile, the cost will be less than \$500.00 to purchase additional tile.

Discussion was had in regards to the easement with ODOT at the landfill. Ms. Kasper stated that she needs to get a copy of the clean easement from Pete Welch, and the terms need to be sent off to ODOT. Stated that her cover letter states that the price of the easement is being negotiated by other individuals.

Mike Adelman moved to accept the agreement between the Board of Huron County Commissioners and the ASCME Ohio Council 8 Local 3764 as presented. 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

3/16/07	
<p>AGREEMENT BETWEEN HURON COUNTY COMMISSIONERS AND AFSCME, OHIO COUNCIL 8, LOCAL 3764</p> <p>AFSCME LOCAL 3764 AND THE HURON COUNTY BOARD OF COMMISSIONERS AGREE TO THE FOLLOWING CHANGES TO THE LATEST AGREEMENT DATED DECEMBER 1, 2003 THROUGH NOVEMBER 31, 2006 AND ALL TERMS THEREIN IN FULL COMPLIANCE WITH THE WAGE DETERMINER SPECIFICATIONS HEREIN WITHIN:</p> <p>① WAGES - 3% WAGE INCREASE DETERMINATIVE TO DEC. 1, 2006 THROUGH DEC. 1, 2007. THE UNION AND EMPLOYER AGREE TO REOPEN THIS AGREEMENT ON OR ABOUT OCT. 1, 2007 ON THE SUBJECT OF WAGE RATES FOR THE SUBSEQUENT TERM OF THIS AGREEMENT. SUCH NEGOTIATIONS SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 4117.02 RC.</p> <p>② PERSONAL DAYS - AT THE BEGINNING OF THE CALENDAR YEAR, EACH EMPLOYEE SHALL BE CREDITED WITH FIFTEEN HOURS OF PERSONAL LEAVE.</p> <p>WHEN AN EMPLOYEE DECIDES TO USE ALL/NEARLY PERSONAL TIME, HE/SH/ SHE SHALL NOTIFY HIS/HER IMMEDIATE SUPERVISOR WITHIN 48 HOURS OF THE TIME HE/SH/ SHE IS SCHEDULED TO REPORT TO WORK.</p> <p>PERSONAL TIME MAY BE UTILIZED IN INCREMENTS OF ONE HOUR.</p>	<p>PERSONAL TIME MAY NOT BE CARRIED OVER FROM YEAR TO YEAR.</p> <p>③ CONGRUITY PAY - THE PARTIES AGREE THAT THE CURRENT CONTRACT LANGUAGE WILL BE CHANGED TO THE FOLLOWING:</p> <p>ALL EMPLOYEES ON THE ACTIVE PAYROLL AS OF DECEMBER 31 OF EACH YEAR WHO COMPLETED FIVE YEARS OF SERVICE SHALL RECEIVE CONGRUITY PAY. THE CONGRUITY PAYMENT SHALL BE \$200 PER YEAR OF SERVICE FOR ALL FULL YEARS OF SERVICE WITH HURON COUNTY AS OF DEC. 31, TO A MAXIMUM OF \$1,700. SUCH CONGRUITY PAY SHALL BE PAID THE FIRST PAY PERIOD OF DECEMBER.</p> <p>PART-TIME AND/OR SEASONAL EMPLOYEES SHALL BE ELIGIBLE FOR PRO-RATA PORTION OF ANY CONGRUITY PAYMENT TO WHICH THEY WOULD OTHERWISE BE ENTITLED.</p>
<p>④ WEEKEND DIFFERENTIAL - THE PARTIES AGREE THAT EMPLOYEES WHO WORK SATURDAY AND/OR SUNDAY FOLLOWING NEW YEAR'S DAY, MEMORIAL DAY, INDEPENDENCE DAY, LABOR DAY, THANKSGIVING DAY AND CHRISTMAS DAY WILL BE COMPENSATED AT ONE AND A HALF (1.5) TIMES NORMAL RATE.</p> <p>⑤ BEREAVEMENT - THE PARTIES AGREE AT THE BEGINNING OF EACH CALENDAR YEAR (BEGINNING 2007), EACH EMPLOYEE WILL BE ENTITLED TO TWENTY-FOUR (24) HOURS OF BEREAVEMENT LEAVE WITH PAY AT THE REGULAR RATE FOR THE DEATH OF ANY FIVE (5) INDIVIDUALS TO BE ANNOUNCED BY THE EMPLOYEE OR FOR ANY FUNERAL THE EMPLOYEE WISHES TO ATTEND. (WHERE EXTENUATING CIRCUMSTANCES EXIST, AN EMPLOYEE MAY DEPOSIT UP TO FIVE (5) DAYS OF SICK LEAVE TO BE USED FOR BEREAVEMENT, BUT SUBJECT TO THE APPROVAL OF THE IMMEDIATE SUPERVISOR. BEREAVEMENT LEAVE IS SUBJECT TO VERIFICATION).</p> <p>AT THE END OF EACH CALENDAR YEAR ANY UNUSED BEREAVEMENT IS STRATIGATED. BEREAVEMENT LEAVE MAY NOT BE CARRIED OVER FROM YEAR TO YEAR.</p> <p>S-29-07 EMPLOYER: (Mik) Mike Adelman Ralph A. Fegley Gary W. Bauer</p>	(2)

At 11:43 a.m. Gary W. Bauer moved to adjourn. Mike Adelman seconded the motion. The meeting stood

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adjourned.

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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 March 29, 2007.

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 11:43 a.m.

Signatures on file.