

**REGULAR SESSION**

**THURSDAY**

**MAY 22, 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 May 20, 2008 meeting(s) were presented to the Board. Ralph A. Fegley made the motion to waive the reading of the minutes of the May 20, 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

08-181

**IN THE MATTER OF AWARDING BIDS FOR PRESTRESSED CONCRETE BRIDGE BEAMS FOR USE BY THE HURON COUNTY ENGINEER/HIGHWAY DEPARTMENT**

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

**WHEREAS**, after notice was given pursuant to Section 307.87 of the Ohio Revised Code the Huron County Engineer sought bids for prestressed concrete bridge beams; and

**WHEREAS**, a bid was received and opened on Monday, May 19<sup>th</sup>, 2008 at 9:45 a.m. from United Precast (United) of Mt. Vernon, Ohio as follows;

**UNITED PRECAST:**

| <b>BEAM<br/>WIDE<br/>TYPE</b> | <b>FOR SPANS C/C BRDG. FT.</b> | <b>@ 24'0" WIDE<br/>W/6 BEAMS</b> | <b>@ 28'0" WIDE<br/>W/7 BEAMS</b> | <b>@ 32' 0"<br/>W/8 BEAMS</b> |
|-------------------------------|--------------------------------|-----------------------------------|-----------------------------------|-------------------------------|
| B12-48                        | 20 Foot through 30 Foot        | \$ 848.14 p/lf                    | \$ 916.89 p/lf                    | \$ 990.70 p/lf                |
| B17-48                        | 30 Foot through 45 Foot        | \$ 780.34 p/lf                    | \$ 906.65 p/lf                    | \$ 997.49 p/lf                |
| B21-48                        | 40 Foot through 55 Foot        | \$ 861.20 p/lf                    | \$ 965.51 p/lf                    | \$1051.93 p/lf                |
| B27-48                        | 50 Foot through 70 Foot        | \$ 930.27 p/lf                    | \$1060.42 p/lf                    | \$1167.25 p/lf                |
| B33-48                        | 60 Foot through 70 Foot        | \$ 987.26 p/lf                    | \$1131.98 p/lf                    | \$1268.03 p/lf                |
| B33-48                        | 71 Foot through 80 Foot        | \$1050.92 p/lf                    | \$1222.43 p/lf                    | \$1336.46 p/lf                |
| B42-48                        | 80 Foot through 90 Foot        | \$1178.38 p/lf                    | \$1381.94 p/lf                    | \$1548.92 p/lf                |
| B42-48                        | 91 Foot through 100 Foot       | \$1236.49 p/lf                    | \$1462.94 p/lf                    | \$1615.29 p/lf                |
| B42-48                        | 101 Foot through 110 Foot      | \$1247.68 p/lf                    | \$1468.59 p/lf                    | \$1639.47 p/lf                |
| B42-48                        | 111 Foot through 120 Foot      | \$1247.68 p/lf                    | \$1468.59 p/lf                    | \$1639.47 p/lf                |

**BEAM  
TYPE**

**COST DIFFERENTIAL ALLOWANCE FOR EACH 5° OF SKEW:**

|        |   |
|--------|---|
| B12-48 | \$ 0.50 Additional cost per foot for each ° (degree) of skew required |
| B17-48 | \$ 0.90   |
| B21-48 | \$ 1.00   |
| B27-48 | \$ 1.00   |
| B33-48 | \$ 1.20   |
| B42-48 | \$ 1.30   |

**WHEREAS**, these bids have been reviewed by the County Engineer as to their compliance with applicable terms and conditions of the bid with a recommendation from the Engineer that such bid be awarded to United Precast, Inc., Roundhouse Lane, Mount Vernon, Ohio; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners does hereby award the bid for prestressed concrete bridge beams to United Precast, Inc. until the end of said bid term on December 31<sup>st</sup>, 2008; and further

**BE IT RESOLVED**, that all further matters relative to the award of this bid is to be coordinated through and with the Huron County Engineer; and further

**BE IT RESOLVED**, that the foregoing resolution was adopted and all actions and deliberations of the

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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 follows:

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

08-182

**IN THE MATTER OF APPROVING REQUESTS FOR EXPENDITURE OF OVER \$500.00 SUBMITTED TO THE BOARD MAY 22, 2008**

Ralph A. Fegley 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 Department of Job & Family Services**

|             |   |            |               |
|-------------|---|------------|---------------|
| Shipleys    | reconfiguration of Workforce and the job store                              | \$1,200.00 |               |
| All Seasons | Install electric for circulation loop for water heater and Upgrade elements | \$1,327.50 | now therefore |

**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.

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

**THE MATTER OF REQUEST FOR LEAVE**

**Royal Chisholm**/Buildings & Grounds/sick/12:00 noon – 4:30 p.m. May 22, 2008/sick/2:00 p.m. – 5:00 p.m. June 13, 2008.

**Sue Bommer**/HR/unpaid leave/8:00 a.m. August 6, 2008 – 8:00 a.m. August 11, 2008.

**Administrator/Clerk’s Report**

Cheryl Nolan stated that an email was received from Humane Society in regards to kennels, requesting time with the board to offer some ideas in this respect to save money. Ms. Nolan was instructed to reply that the dog warden is on the agenda to discuss the kennels at the May 27, 2008 board meeting at 10:30 a.m.

**At 9:15 a.m.** Sharon Lockwood and Tom Gerrity, David Kniffin, Board of Elections came before the board in regards to the ADA signage in regards to polling places. Mr. Kniffin stated that they have received a very detailed letter from the Secretary of State in this regard which they are going to enforce. It was stated that the state has already completed a spot check in regards to one of Huron County’s polling which was found not in compliance. Mr. Kniffin stated that the ORC states that any citizen with a disability should be able to go into a polling place regardless of their disability, be able to get into it, receive instructions, and vote themselves without assistance in any polling place that the county has available and that is statewide. So all the grumbling that we hear and some of the discussion that we have heard that we have a very good solution the law says without assistance. The Secretary of State says that it will be done. So they took a survey to determine what the situation is, but the rock and the hard place is

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that a lot of folks in the rural areas do not see this as a big problem, because they just think there are ways to vote and this thing about going to a polling place and be able to vote unassisted is over the top. However, where they are in between a rock and a hard place is that this is not the county's rule, but they are going to have to sign an affidavit and they are going to have to make a decision on polling places probably 60 days before the elections because if they need to change a location this has to be done at least 30 days prior to the election which is law, so they can't wait until the last minute to make this decision. The problem is that throughout the county people love to vote in their townhall in a location central in the precinct so we understand that is a big issue, but on the other hand they hear that these changes are not going to be made to be ADA compliant we have already done improvements and here is another unfunded mandate. Mr. Kniffin stated that it seems like it is us telling them what to do, we are not going to tell them what to do. We are going to tell them that we can not have the polling place there in November if we are not compliant but we are not going to tell them what they have to do with their polling place. It is not within their right to do so, but they do have to have a polling place that is compliant. The board of elections and the staff thought that maybe the Board of Commissioner, Board of Elections, and Township Trustees meet at one of the commissioners meetings and talk about this situation. This has been done in other counties and the problem was resolved. Mr. Kniffin stated that he wanted the board to know what the approach is going to be to each of these townships, they have completed the survey, and they are not here to say that they are forcing them to do anything, but just letting them know that they can't have the polling location here if they are not compliant, show them what the affidavit is and ask them to work with them. At this point Mr. Kniffin informed the board that there is also going to be an August special election, for Bellevue city schools. Mr. Bauer stated that he has attended 14 of the 19 townships meeting and they are not blaming the board of elections from what he has heard at these meetings. Mr. Bauer stated that all understand that the board of elections is just the messenger, and stated that those that just need signs are going to do it, but feel that it is stupid, but those that need restrooms are not going to do it because they just don't have the funds to do so. Mr. Bauer asked what would happen if eight or ten locations were to say we are not going to have it? Mr. Kniffin stated that is a big problem, because voters are confused which is not a good situation, and a lot of people will be frustrated and the board of elections will have extra expense notifying a lot of people that there will be new sites. So it is cost, frustration and this is the rock and a hard place that we are talking about. No one felt that the signage is a problem to become compliant but the restrooms at some of the township buildings is a problem because of funding for such improvements. Tom Gerrity stated that the ORC requires public facilities to allow the board of elections to use their locations and all the board has to do is inform them that they are requesting to use their facility and they have to provide this use at no costs except for janitorial fees. If public facility states they are not going to do that, they don't have a choice. Mr. Bauer stated but they don't have to upgrade for you, Mr. Gerrity stated that is the difficult thing, does not feel that it is within the board of elections right to tell them that they have to do certain things to become compliant. Mr. Kniffin stated that a legal opinion may be needed to make them become ADA compliant, but would they want to go to the trouble of forcing them to do something like that, doesn't feel that it makes any sense. No one felt that it makes good sense to force the townships to abide, but they have to understand that they can not be a polling place unless they do abide. Mr. Gerrity referred to letter that is going to come to the commissioners, because they don't want to be referred to the neighbor bully with the stick that says you have to do this, what they are going to provide some documents that states that the county engineer has most of these signs that they need for the public locations, and will do a one on one meeting with them instead of just sending the letter. Mike Adelman stated that basically the only problem at the Administration building is the signs. Mr. Kniffin stated that was correct and that they needed some help with the political issues as well. Stated that they all have contacts and that the board of elections would like to keep the polling places where they are at currently so that they don't have turmoil for the November elections. Mr. Bauer stated that he does not feel that one township will be able to make the restroom changes. Mr. Kniffin also discussed the communication issues and the fact that cell phones not working. During the snow storm it was brought to like that communication is critical. Letters will be sent out within the week to the polling places. Mr. Adelman asked if there are problems did they want to then ask the townships to come in to a commissioners' meeting for discussion. Mr. Kniffin stated that perhaps that could be done. The board agreed to fix the signs at the Administration Building to bring it in compliance.

**At 9:30 a.m.** Public Comment

No comment

**Assistant Prosecutor's Report**

Discussed some of the leases that she has finished and passed on to Cheryl Nolan. Discussed a seminar that she had attended and will take another look at the policy for public records for another review.

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Requested an executive session for an update of a pending legal matter.

**At 10:50 a.m.** the board recessed to present handwriting certificates.

**At 10:30 a.m.** Regular session resumed.

**At 10:31 a.m.** Ralph A. Fegley moved to enter into **Executive Sessions 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; **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 121.222 (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

**At 11:00 a.m.** Gary W. Bauer moved to end Executive Sessions ORC 121.22(G) (1); ORC 121.22 (G) (3); 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 from ORC 121.22 (G) (4).

08-183

**IN THE MATTER OF RATIFICATION BY THE BOARD OF HURON COUNTY COMMISSIONERS OF THE AGREEMENT NEGOTIATED BETWEEN THE HURON COUNTY COMMISSIONERS/HURON COUNTY CUSTODIAL/MAINTENANCE UNIT AND THE OHIO COUNCIL 8, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 710**

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

**WHEREAS**, the Board of Huron County Commissioners recognize AFSCME as the exclusive bargaining representative for those employees represented by that organization in classifications listed and incorporated therein, in regard to terms and conditions of employment; and

**WHEREAS**, it has been brought to the attention of the Board of Huron County Commissioners that an agreement was reached between the Huron County Custodial/Maintenance Unit Local Department and the Ohio Council 8, American Federation of State, County and Municipal Employees (AFSCME), Local 710;and

**WHEREAS**, the Board of Huron County Commissioners has reviewed the agreement and find it to be in the best interest of the Huron County Commissioners/Huron County Custodial/Maintenance Unit Local 710 and employees to accept said agreement; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners does hereby on this 22<sup>nd</sup> day of May 2008 accept the agreement as negotiated in regard to terms and conditions of employment for the employees under this Board's jurisdiction; and further

**BE IT RESOLVED**, that the fully executed agreement 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. and further

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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

- Contract on file Commissioners' Office & HR Office.

**OTHER BUSINESS**

Gary Bauer referred to a thank you note from Salvation Army for the proclamation on their 120 year of service. Mr. Bauer also discussed the meeting coming up in regards to the Stieber ditch and all the players in this ditch.

Discussion was had in regards to dress codes and what they can wear in the summer. Further discussion was had in regards to the vehicle plan and the titles from the prosecutor's office.

Mr. Fegley discussed the purchase of a new truck for snow plowing and for SWD. Discussed using one of the veterans vans for the commissioners' office and sell the blue van currently used by the commissioners' office. Discussion was had in regards to the dog warden purchasing a new truck and passing his current truck to the auditor's office to be used by weights and measures. There will be six remaining vehicles left to sell on GovDeals. Mr. Fegley stated that it looks like this first step of the plan can be done, and will write this up as a proposal for Tuesday.

**At 11:25 a.m.** Don Ruffing, Soil & Water Conservation District, came before the board in regards to the 2004 Ohio Attorney General Opinion, and a pending house bill that helps to increase the base. At this time can go to the 20% but can not adjust the base. Further discussion was had and decided not to do any more six year updates until pending legislation is approved or not.

**At 11:55 a.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 May 22, 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 11:55 a.m.

Signatures on File.