

REGULAR SESSION

THURSDAY

OCTOBER 16, 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.

08-361

IN THE MATTER OF APPROPRIATING UNAPPROPRIATED FUNDS IN THE MR/DD TRUST FUND #605

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

WHEREAS, there are unappropriated funds in the MR/DD Trust Fund #605 that need to be appropriated for expenses; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of appropriating \$20,000.00 of unappropriated funds as follows:

TO: 605-00475-605 other expenses \$20,000.00 and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio, relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

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

08-362

IN THE MATTER OF APPROPRIATING UNAPPROPRIATED FUNDS IN THE MR/DD CONSTRUCTION FUND #305

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

WHEREAS, there are unappropriated funds in the MR/DD Construction Fund #305 that need to be appropriated for expenses; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of appropriating \$125,000.00 of unappropriated funds as follows:

TO: 305-00530-305 Contracts-Projects \$125,000.00 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

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OCTOBER 16, 2008

IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #040 IN THE GENERAL FUND TO FUND #019

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

WHEREAS, a transfer of funds is needed for the #019 Police & Muny Courts fund; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 040-00569-001 miscellaneous other in the amount of \$2,199.20 to the Muny Courts fund #019-00557-001 Sixth District Court of Appeals; and further

BE IT RESOLVED, that a certified copy of this resolution be sent to the Department requesting transfer, and the Huron County Auditor, and the Auditor's office will make the journal entry to the # 019 account; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio, relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

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

08-364

IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #040 IN THE GENERAL FUND TO FUND #012 HUMAN RESOURCE

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

WHEREAS, a transfer of funds is needed for the #012 Human Resource fund; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 040-00569-001 miscellaneous other in the amount of \$269.40 to the human resource fund #012-00475-001 other expenses human resource fund; and further

BE IT RESOLVED, that a certified copy of this resolution be sent to the Department requesting transfer, and the Huron County Auditor, and the Auditor's office will make the journal entry to the # 012 account; and further

BE IT RESOLVED, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio, relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

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

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

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08-365

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OCTOBER 16, 2008

IN THE MATTER OF APPROVING THE GRANT AGREEMENT BY AND BETWEEN THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HURON COUNTY FOR THE COMMUNITY HOUSING IMPROVEMENT PROGRAM

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

WHEREAS, the Board of Huron County Commissioners applied for grant funds for housing programs in the county; and

WHEREAS, the grant was approved by the State of Ohio, Home Investment Partnerships Program in the amount of Thirty-two thousand Six hundred Dollars and no cents (\$32,600.00); now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the grant agreement B-C-08-036-1 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

* Grant on file Commissioners' Office.

08-366

IN THE MATTER OF APPROVING THE GRANT AGREEMENT BY AND BETWEEN THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HURON COUNTY FOR THE COMMUNITY HOUSING IMPROVEMENT PROGRAM

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

WHEREAS, the Board of Huron County Commissioners applied for grant funds for housing programs in the county; and

WHEREAS, the grant was approved by the State of Ohio, Home Investment Partnerships Program in the amount of Three Hundred Twenty-eight Thousand Three Hundred Dollars (\$328,300.00); now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the grant agreement B-C-08-036-2 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.

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

- Grant on file Commissioners' Office.

08-367

IN THE MATTER OF APPROVING THE GRANT AGREEMENT BY AND BETWEEN THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HURON COUNTY FOR THE COMMUNITY HOUSING IMPROVEMENT PROGRAM

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

WHEREAS, the Board of Huron County Commissioners applied for grant funds for housing programs in the county; and

WHEREAS, the grant was approved by the State of Ohio, Home Investment Partnerships Program in the amount of Sixty-One Thousand Five Hundred Dollars no cents (\$61,500.00); now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the grant agreement C-08-036-1 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

- Grant on file Commissioners' Office.

IN THE MATTER OF TRAVEL

Gary W. Bauer moved to approve the following travel requests 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

Mike Adelman, Commissioners, on November 21, 2008, to Columbus, Ohio, for CCAO Trustee meeting.

IN THE MATTER OF REQUEST FOR LEAVE

Cheryl Nolan/Commissioners/vacation/8:00 a.m. – 4:30 p.m. October 17, 2008/vacation/8:00 a.m. November 26, 2008 – 4:30 p.m. December 5, 2008.

Darwin Pesnell/Buildings & Grounds/sick 10:05 a.m. – 11:05 a.m. October 14, 2008/sick/8:00 a.m. October 8, 2008 – 4:30 p.m. October 10, 2008.

Gary Ousley/Dog Warden's Office/Compensatory Time/8:00 a.m. – 4:30 p.m. October 17, 2008.

Richard O'Grady/Dog Warden's Office/sick/8:00 a.m. October 7, 2008 – 4:30 p.m. October 10, 2008.

Ron Ackerman/Buildings & Grounds/sick/6:00 a.m. – 2:30 p.m. October 20, 2008.

Lon Burton/Mechanic/sick/11:30 a.m. – 3:30 p.m. October 10, 2008.

At 9:30 a.m. Harry Brady invited the Commissioners to an open house for the apprentices for carpenters. The date is October 28, 2008 12:30 p.m. in Richfield Ohio.

REGULAR SESSION

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At 9:35 a.m. Gary W. Bauer 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 and **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. 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

* Ralph Fegley left for a meeting in Columbus, Ohio with CCAO.

At 10:33 a.m. Gary W. Bauer moved to end Executive Sessions ORC 121.22 (G) (1) and ORC 121.22 (G) (3). Mike Adelman seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

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

Action taken, Gary W. Bauer moved to suspend Lon Burton, mechanic for one day without pay. Mike Adelman seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

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

Disciplinary Notice

Employee: Lon Burton
 Department: Huron County Commissioners
 Date of Incident: September 12, 2008
 Date of Warning: October 16, 2008
 Discipline:

Disciplinary Action
 1) Verbal Instruction and Warning
 2) Written Reprimand
 3) Written Documentation and a one (1) ~~to three (3)~~ day suspension without pay
 4) Written Documentation and a five (5) to fifteen (15) day suspension without pay
 5) Removal

Type of Offense: Group One Group Two () Group Three

Statement of the problem: (violation of rules, standards, practices or unsatisfactory performance).

On September 12, 2008, a Gov Deals van was not ready for pick-up by the buyer because it would not start with a boost as advertised and it had seized up and was immovable. As Mechanic, you are responsible for the operation of County vehicles and Gov Deals vehicles as advertised. You were told that Gov Deals vehicles must be ready for pick-up on the date the Buyer's Certificate is issued and ten days after that date. You were advised that the vehicle in question was sold on August 25, 2008. You were called on September 10, 2008 and told that someone would be at the garage that afternoon to pick the vehicle up. In spite of more than ample notification, you failed to discharge your duties by assuring that this vehicle was ready for pick up. It would not start with a boost and would not move. Other County employees were called upon to perform the duties that should have been done by you, which required working beyond their normal shifts. In addition, a County Commissioner was called to the scene to help resolve the problem. This inattentiveness to your responsibilities could have cost the County the sale of this vehicle. When questioned at the hearing held at the Commissioners' office on October 14, 2008, you stated that you did not know when you had last moved this vehicle or tried to start it, and, in fact, second parked at even being asked the question. You further stated that you do not write these things down. Your inability to remember this signifies a lapse of time certainly beyond the date of pick-up or even ten days before as well as a general indifference toward a systemized approach to performing the tasks required of your position. You did not make sure that this vehicle was ready even though you were called and told someone was coming that afternoon to pick it up. You failed to act with the prudence that a reasonable person would exercise under the same circumstances. In spite of prior warnings about your unsatisfactory work performance, it would appear you did not perform to the best of your ability and acted in willful disregard of your employer's best interests.

Prior discussion or warnings on this subject: (oral, written, dates.) You have received two previous warnings: Verbal instruction and cautioning on March 13, 2008 for unsatisfactory work or failure to maintain required standard of performance; and a written warning on April 3, 2008, for unsatisfactory work or failure to maintain a required standard of performance.

Statement of company policy on this subject:

The Huron County Personnel Policy lists unsatisfactory work or failure to maintain a required standard of performance, along with failure to work cooperatively with other employees as Group 1 offenses. This Policy lists wanton or willful neglect of duties as a Group 3 offense.

Summary of corrective action to be taken: (Include dates for improvement and plans for follow-up): One day suspension without pay effective Thursday, October 23, 2008.
Consequences of failure to improve performance or correct behavior:

Further instances of unsatisfactory work performance, failure to work cooperatively with other employees, wanton or willful neglect of duties, or any other work offense or infraction will result in further disciplinary action up to and including termination.

Employee comments: I disagree with the Discipline. I did not do anything wrong.

Employee Signature: [Signature] Date: 10-16-08
Supervisor Signature: [Signature] Date: 10/16/08

Distribution: One copy to Employee, one copy to Supervisor and original copy for Personnel File.

At 10:40 a.m. Sue Bommer, HR referred to the offer from the Heart and Vascular team from Fisher Titus Medical Center. Ms. Bommer explained how the procedure would work and stated that it is a totally voluntary procedure. Sheriff Sutherland also came in to listen to the offer and stated that he would agree to offer this procedure to his deputies as long as it is totally voluntary.

Assistant Prosecutor's Report

Daivia Kasper discussed the Bellevue Municipal Court invoice and the payments. A discussion was had in regards to how the offer for payment would be made. Ms. Kasper will develop a letter to send to Bellevue.

**REGULAR SESSION
OTHER BUSINESS**

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OCTOBER 16, 2008

Mike Adelman referred to the email from the Joe Kovach, County Engineer for approval to be reappointed to the OPWC District 9 Integrating Committee. Mr. Adelman referred to a letter received from Ron Ackerman in regards to Gary Ousley purchasing the old cab from a John Deere lawn tractor will need to be placed on GovDeals to sell.

At 11:07 a.m. Gary W. Bauer moved to adjourn. Mike Adelman 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 October 16, 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 11:07 a.m.

Signatures on File.