

**REGULAR SESSION**

**THURSDAY**

**SEPTEMBER 11, 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 September 9, 2008 meeting(s) were presented to the Board. Ralph A. Fegley made the motion to waive the reading of the minutes of the September 9, 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

08-312

**IN THE MATTER OF CREATING NEW ACCOUNT LINES IN THE SPECIAL FUND #106 SHERIFF POLICING TO BE KNOWN AS ACCOUNT LINES 00125 SALARY; 00400 PERS; 00460 MEDICARE**

Gary W. Bauer moved the following resolution:

**WHEREAS**, additional line items are being requested in the Sheriff’s Policing Fund #106; and

**WHEREAS**, the Board of Huron County Commissioners wishes to create new account lines #106- 00125-106 Salary; 106-00400-106 PERS; 106-00460-106 Medicare in the #106 Sheriff Policing Fund; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby authorizes the Huron County Auditor to create a new account lines 106-00125-106 Salary; 106-00400-106 PERS; 106-00460 Medicare in the Sheriff Policing Fund; and further

**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
	106	00600	106	\$45,521.26	106	00125	106	\$ 39,418.26
		GFR				Salaries		
					106	00400	106	\$ 5,530.00
						PERS		
					106	00460	106	\$ 573.00
						Medicare		now therefore

**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** 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

**IN THE MATTER OF CREATING NEW ACCOUNT LINES IN THE SPECIAL FUND #635  
COMMISSARY TRUST TO BE KNOWN AS ACCOUNT LINES 00125 SALARY; 00400 PERS;  
00460 MEDICARE**

Ralph A. Fegley moved the following resolution:

**WHEREAS**, additional line items are being requested in the Commissary Trust Fund #635; and

**WHEREAS**, the Board of Huron County Commissioners wishes to create a new account lines #635-00125-635 Salary; 635-00400-635 PERS; 635-00460-635 Medicare in the #636 Commissary Trust Fund; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby authorizes the Huron County Auditor to create a new account lines 635-00125-635 Salary; 635-00400-635 PERS; 635-00460-635 Medicare in the Commissary Trust Fund; and further

**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
	635	00260	635	\$21,400.00	635	00125	635	\$18,545.00
		Expenditures				Salaries		
					635	00400	635	\$ 2,590.00
						PERS		
					635	00460	635	\$ 265.00
						Medicare		now therefore

**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** 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 APPROVING REQUESTS FOR EXPENDITURE OF OVER \$500.00  
SUBMITTED TO THE BOARD SEPTEMBER 11, 2008**

Gary W. Bauer 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 and Family Service**

Huron County Commissioners	copy paper	\$1,512.00	
United States Postal Service	presorted postage rate and business reply mail	\$ 565.00	
WLKR	Radio coverage	\$ 700.00	now therefore

**REGULAR SESSION**

**THURSDAY**

**SEPTEMBER 11, 2008**

**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.

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

08-315

**IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #099 IN THE GENERAL FUND TO FUND # 117 CHILD SUPPORT**

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

**WHEREAS**, an invoice for the first quarterly payment has been received for the Child Support Fund #117; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 099-00600-001/transfer out in the amount of \$12,500.00 to the Child Support Fund #117; 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 # 117 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

08-316

**IN THE MATTER OF ENTERING INTO A COOPERATIVE AGREEMENT WITH THE ERIE COUNTY COMMISSIONERS**

Ralph A. Fegley moved to adopt the following resolution:

**WHEREAS**, the Huron County Engineer has determined that the bridge on County Line Road 202 (a.k.a. Nash Road) is in need of replacement; now therefore

**BE IT RESOLVED**, this board hereby enters into an agreement with the Erie County Board of Commissioners, 2900 Columbus Avenue, Sandusky Ohio 44870, for the purpose of setting forth joint responsibilities for the replacement of the County Line Road 202 (a.k.a. Nash Road) Bridge TD-202-02.15, according to the provisions outlined in the attached documents; 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

**REGULAR SESSION**

**THURSDAY**

**SEPTEMBER 11, 2008**

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

08-317

**IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #004 IN THE GENERAL FUND TO FUND # 051**

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

**WHEREAS**, the real estate fund is in need of funding; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners hereby approves of the transfer of moneys from 004-00400-001 PERS in the amount of \$3,200.00 to the Real Estate fund #051-00400-001 PERS; 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 # 051 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

08-318

**IN THE MATTER OF TRANSFERRING FUNDS FROM THE TITLE ACCOUNT #132 TO GENERAL FUND**

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

**WHEREAS**, Susan Hazel, Clerk of Courts, has requested a transfer of \$7,500.00 from the Title Account #132 transfer out 132-00600-132 to the General Fund; now therefore

**BE IT RESOLVED**, that the Huron County Board of Commissioners hereby approves of a transfer of \$7,500.00 from the title account #132-00600-132 transfer out fund to the general fund; 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

REGULAR SESSION  
08-319

THURSDAY

SEPTEMBER 11, 2008

**IN THE MATTER OF AGREEMENT BY AND BETWEEN HURON COUNTY COMMISSIONER THROUGH THE HURON COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (hereinafter referred to as the "DEPARTMENT") AND HEATHER CARMAN(PROVIDER)**

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

**WHEREAS**, Department has agreed to contract for the provisions of legal services; and

**WHEREAS**, Provider desires to provide these services, and Provider agrees to provide qualifications and certifications as required prior to services rendered; and

**WHEREAS**, the Department and Provider have agreed to the services that Provider will furnish and the compensation the Department will pay Provider for said services; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners approves of the agreement with Heather Carman 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

\* Agreement on file Commissioners' Office.

08-320

**IN THE MATTER OF SUPPORT OF A FULLY-FUNDED RENEWAL OF THE CLEAN OHIO FUND BOND PACKAGE WHICH WILL BE PLACED ON THE NOVEMBER 4, 2008 BALLOT, IN ORDER TO MEET THE GROWING DEMAND FOR WATER AND GREEN SPACE CONSERVATION PROJECTS, BROWNFIELD REVITALIZATION, RECREATIONAL TRAIL DEVELOPMENT, FARMLAND PRESERVATION AND OTHER IMPORTANT PROJECTS RELATED TO THE CLEAN OHIO FUND**

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

**WHEREAS**, the State of Ohio is home to many beautiful natural areas and vibrant urban areas that are in need of conservation and revitalization; and

**WHEREAS**, voters across the State of Ohio will be asked to vote yes on Issue 2, which will be funded by the sale of bonds and not from a new tax levy, in November of this year; and

**WHEREAS** conservation purposes includes conservation and preservation of natural areas, open spaces and farmlands and revitalization purposes includes providing for and enabling environmentally safe and productive development and use or reuse of publicly and privately owned lands through mediation or clean up and reuse; and

**WHEREAS** to date the Clean Ohio fund has funded over 700 projects in 86 of 88 counties, preserving over 26,000 acres of natural areas and 16,000 acres of farmland creating more than 216 miles of recreational trails, and cleaning up 173 polluted sites; and

**WHEREAS** renewal of the Clean Ohio fund would help Ohioans maintain and enhance their current

**REGULAR SESSION**

**THURSDAY**

**SEPTEMBER 11, 2008**

quality of life, will create jobs and will improve the environment for this and future generations of Ohioans; now therefore

**BE IT RESOLVED**, that the Board of Huron County Commissioners does hereby fully support the renewal of the Clean Ohio fund and urges a “yes” vote for the Clean Ohio Program Renewal, also know as Issue 2, on the November 4, 2008 general election ballot; 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

**At 9:35 a.m.** Public Comment

Pam Hansberger, came before the board in regards to a new law that has been put into effect for recycling will need picture ID which starts today this is to cut down on stealing guard rails

**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

Bill Duncan, Dog Warden, on September 9, 2008, to Mansfield, Ohio, for transport of dog.  
Mike Adelman, Commissioners, on September 19, 2008, to Columbus, Ohio, for CCAO trustee meeting.

**SIGNING IN THE MATTER OF LETTER**

Mr. John Hart, Deputy Director  
Ohio Department of Transportation  
District 3  
906 N. Clark St.  
Ashland, Ohio 44805-1989

Dear Mr. Hart:

The Board of Huron County Commissioners is in agreement with Erie County and supports the design and replacement of the bridge over Rattlesnake Creek (near the Huron/Erie County boarder) as a four-lane bridge, not ODOT’s plan to keep this a two-lane bridge. All of our County’s comprehensive studies anticipate growth along the U.S. Route 250 corridor in northern Huron County and southern Erie County. This bridge is located on a very busy and heavily traveled route from Norwalk to Milan Village/Township and needs to support the growth in business as well as support the local traffic.

We would ask that you along with those in leadership at the state level take a very serious look at the design and re-evaluate this bridge project. Once you have done so we are confident that you will be in agreement that widening this bridge to four lanes is in the best interest of not only the local communities but the state as well.

Sincerely,

**HURON COUNTY BOARD OF COMMISSIONERS**

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

pc: Sue Morano, State Senator

Thomas Heydinger, State Representative

**REGULAR SESSION****THURSDAY****SEPTEMBER 11, 2008**

Bob Latta, US Congressman  
Erie County commissioners  
Milan Township Trustees  
Village of Milan Administrator

Shlrattlesnakecreek091108

**At 9:55 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. Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows: The roll being called upon its adoption, the vote resulted as follows:

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

**At 10:15 a.m.** Gary W. Bauer moved to end Executive Sessions **ORC 121.22 (G) (1) & ORC 121.22 (G) (3)**. 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

**OTHER BUSINESS**

The board discussed the meeting being held at the Department of Job & Family Services and with the board meeting agenda it does not look like the board will be able to attend will need to let Lowell Etzler, Interim Director know that the board is not able to make the session at DJFS on September 16, 2008. Mr. Adelman reported on the courthouse security meeting that he attended yesterday. Need to make some changes and Major England will be researching the homeland security funds. Mr. Adelman also reported on the Community Corrections Board meeting and stated that it doesn't look like their funding will be cut. Mr. Adelman stated that following these two meetings he met with Dick Carlisle in regards to the budget and the funding that the Veterans board is entitled to. Mr. Adelman stated that he asked Mr. Carlisle if his board would consider taking a lesser amount than what they are entitled to have appropriated which is essentially around \$495,000 and after doing some researching the amount that would cover what they needed would fall somewhere between \$300,000 and \$350,000. Mr. Carlisle stated that after attending the elected official and department heads meeting that he understands the impact that we are looking at with next year's budget and he didn't think that his board would have a problem with helping us out in that regard but he would like to approach it where we would appropriate the full amount at the interim budget, and then have his board state that they will help the county out and adjust the budget at the final budget. The board was in agreement to do so. Mr. Adelman referred to the letter that he had received from the Governor in response to the letter that he had sent to the Secretary of State in regards to the directives dealing with the upcoming election.

**At 10:30 a.m.** Pete Welch, Solid Waste District Coordinator came before the board explained why he needs to hire a full time replacement of the full time landfill scale clerk position. Mr. Welch stated that he has to have someone at the scale house and it is as simple as that. The board questioned why this needs to be done and Mr. Welch explained that he is going to post in house according to the union contract, Brenda our part time employee will bid on the job and we will award her the job and will not replace the part time person, but will use Pam Hansberger, Recycling Coordinator for that position as long as the union does not have a problem with that. Mr. Welch stated that Dean Shelly will be rehired as a casual employee to work on weekends. Mr. Bauer stated that you will replace the full time position but not the part time position. Mr. Welch stated that is correct as long as the union does not have a problem with it. Ms. Hansberger's salary will be paid out of the Solid Waste District and that is how he is going to divert costs. The board agreed to go ahead with that. The resolution will be brought back to do so. Mr. Welch discussed the fact that the lease is up on the loader that he has at the landfill in August. Mr. Welch stated that this machine is starting to see wear and tear and we were able to get a trade in deal with CAT to get a new one. They are

**REGULAR SESSION****THURSDAY****SEPTEMBER 11, 2008**

willing to give us \$100,000 for it and the payments for a new one would be around \$2,000 per month for seven years. Mr. Welch stated that this decision needs to be made very soon. The total for the machine is around \$250,000. Mr. Welch stated that the problem at the landfill is that they do not have a back up machine and if they run an old machine and it breaks down which it did about a month ago and the total bill was \$3,400 to rent one for a week. Mr. Welch stated that he has to keep that machine relatively new and that is why they trade it in and out when the lease is up. The finances does not change because the lease stays the same, it does not add anything to the finances but it doesn't take anything away either. The board agreed that he has to be able to run. Mr. Welch stated that he would get the paperwork to the board. Mr. Welch stated that the EPA meeting went well last Tuesday. They seemed to be very positive about the direction in which the district needs to go in.

**At 10:40 a.m.** the board recessed

**At 10:44 a.m.** regular session resumed. Ralph Fegley reported on the meeting that he attended yesterday in regards to Restoring Our Prosperity: How Ohio Can Revitalize Core Communities, by Bruce Katz, vice President, Brookings Institution. Mr. Fegley stated that Mr. Katz really set the stage for where the state is going on trying to restore prosperity. They are going to rewrite the rules that drive prosperity for Ohio.

Mr. Fegley also discussed the conversation that he had with Poggemeyer Design Group in regards to the project. Mr. Fegley stated that he had a discussion with Bob Schneider who is the person that goes after their delinquent payments. He was looking at us like we are delinquent, Mr. Fegley explained to him that if he would take a look at his own billing process that you are showing that the completion of all data and documents and records is only 95% complete you haven't finished that up. Mr. Fegley also stated that he asked by the way where are the as built and the final drawings for the project. Mr. Fegley asked if they were completed that that he has not seen them and why would you get paid if you have not finished your work. Mr. Fegley stated let me back up Bob, we have never had a discussion and I would like to give you a jest of how I feel about this project and explained the 5% accuracy they guaranteed at the beginning of this job which was based on an \$865,000 estimate and we ended up spending \$1.97 million on this job, and some of it was due to extras, but for the most part \$1.5 and \$1.6 million is what we spent on an \$865,000 job. Mr. Fegley also stated that \$250,000 or there about was promised in grants that would be used on this project and we received zero. Mr. Fegley stated that he just saw possible state grants the other day. Mr. Fegley also told him that the reason this job went over was because we had an incomplete design and how much responsibility do you have for that kind of thing, and then the last thing is the fact that they way you bill, you billed the project management on the basis of the estimate of the bids that came in at \$2.5 million and yet for the most part you only effectively worked on \$1.5 or \$1.6 and said that he told him that he does not think they should be charging us project management based on something that was not done. Mr. Schneider that it would take him a little while to go back and get this resolved. Mr. Fegley suggested a face to face session where we talk about some of these things and get them resolved. After reviewing the invoices we owe them about \$50,000 if we accept everything that they have submitted to us. This is the only bill that we have left for this project.

**At 11: 26 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 September 11, 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 11:26 a.m.

Signatures on File.



**REGULAR SESSION**

**THURSDAY**

**SEPTEMBER 11, 2008**