

REGULAR SESSION

THURSDAY

MAY 24, 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.

07-166

IN THE MATTER OF APPROVING REQUESTS FOR EXPENDITURE OF OVER \$500.00 SUBMITTED TO THE BOARD MAY 24, 2007

Mike Adelman 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

Maximus	Quic/RMS maintenance	\$3,150.00	
MT Business	26 Dymo Label Writer 400 & 52 Boxes of Labels	\$ 3,120.00	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

07-167

IN THE MATTER OF APPROVING OF A REQUEST FOR PAYMENT ON LETTER OF CREDIT AND STATUS OF FUNDS REPORT (FORM DS5) FOR HURON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (B-F-06-036-1) DRAW DOWN #(255), SUBMITTED TO THE BOARD MAY 24, 2007

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

WHEREAS, a request for payment and status of funds report has been prepared and submitted to the Board of Huron County Commissioners as attached herein by WSOS CAC, Inc. & Huron County Development Council for the Board’s certification; and

WHEREAS the Board has reviewed the request for payment and status of funds report; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the request for payment and status of funds report as attached herein and certifies that the data reported is correct and that the amount of the Request for Payment is not in excess of current needs; 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 - Ralph A. Fegley

State of Ohio
Office of Housing and Community Partnerships
Request for Payment and Status of Funds Report

COPY

Section One: Request for Payment	
Submit to: Ohio Department of Development Office of Housing and Community Partnerships P.O. Box 1001 Columbus, Ohio 43216-1001	Name and Address of Grantee: Huron County Commissioners 180 Milan Avenue Norwalk, OH 44857
Contact Person's Telephone Number: Ben Kenny, WSOS GAC, Inc. 419-332-0331	Community/Nonprofit # 138
FTI Number: 34-6400672	Draw Number: 255
State Use Only	
Date:	Voucher #:
Warrant #:	

Section Two: Itemization of Expenditures						
Grant Number*	Activity Name*	Activity No.*	Enter the Housing Site Address (CDBG and HOME Funded Housing Activities Only)	Project Number (State Use Only)	Amount Requested	Approved Activity/State Address Budget
B-F-06-036-1	General Administration	6			4,020	21,000
	WSOS Invoice #12113					9,900
B-F-06-036-1	Fair Housing	5			240	2,000
	WSOS Invoice #12114					200
Total Amount of This Draw:					\$4,260	

* NOTE: From the Attachment A of the Grant Agreement

Section Three: Certification of Itemization of Expenditures - Two Authorized Signatures Are Required

I certify that this Request for Payment was drawn in accordance with the terms and conditions of the Grant Agreement(s) and that the amount drawn is proper for payment to the drawee's depository. I also certify that the data reported above is correct and that the amount of the Request for Payment is not in excess of current needs.

Date: 5/24/07 Signature: *Mike Adelman* Title: *County Engineer*

Date: 5/24/07 Countersignature: *Mike Adelman* Title: *County Engineer*

State Use Only: Approved: _____ Date: _____

07-168

IN THE MATTER OF SUPPORTING INCREASED FUNDING FOR INDIGENT DEFENSE REIMBURSEMENT TO THE COUNTIES

Mike Adelman moved the adoption of the following resolution:

WHEREAS, indigent defense reimbursement is being cut for the third biennium in a row; and

WHEREAS, the reimbursement rate to counties is estimated to fall to 25.3% in FY08 and 23.8% in 09 – all time lows; and

WHEREAS, the reimbursement rate was at 50% for the 9 years from FY 83 through FY 91 and averaged 44.6% for the 10 years from FY 92 through FY 01, but has spiraled downward ever since; and

WHEREAS, the cost of providing counsel to indigent defendants constitutionally entitled to representation continues to plague Ohio’s county governments, has increased almost 15% in the last 4 years, and is estimated to increase 10% during the FY08-09 biennium; and

WHEREAS, during the current biennium [FY 06/07] the state’s “under funding” of its 50% share has required Huron County to spend almost \$ 82,000.00 beyond what would have been our 50% share and the projected “shortfall” for all counties for the FY 08/09 biennium under HB 119 is estimated to be \$63 million. and

WHEREAS, the recent Report and Recommendations of the Supreme Court Task Force on Pro Se and Indigent Litigants states, “An excessive portion of the burden of providing indigent criminal representation is being borne by county governments,” and recommends that the state should be responsible for no less than 50% of the financial responsibility for indigent criminal defense; and

WHEREAS, the proposed funding level for purely discretionary civil legal services is approximately \$40 million for each year of the FY 08/09 biennium and is more than \$10 million greater in each year of the biennium than the amount of funding proposed for the constitutionally mandated obligation of providing criminal indigent defense; now therefore

BE IT RESOLVED BY THE HURON COUNTY BOARD OF COMMISSIONERS THAT the Ohio General Assembly and the Governor are hereby requested to take action in the State Biennial Budget bill, HB 119, to significantly increase funding for indigent defense reimbursement to the counties and to move in a positive direction towards restoring the 50/50 state/county partnership originally established to mutually share the State’s constitutional obligation to indigent defendants. and further

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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

07-169

IN THE MATTER OF LETTING BIDS FOR LIMESTONE FOR USE BY HURON COUNTY

Gary W. Bauer moved to adopt the following resolution:

WHEREAS, the Huron County Engineer has requested approval for seeking bids for the supply of and delivery of limestone products, as directed by the County Engineer; and

WHEREAS, notice of this must be placed in a newspaper of general circulation, pursuant to Section 307.87 of the Ohio Revised Code on Friday, May 25th, 2007 and further that the notice shall be posted on the Commissioner's website at www.hccommissioners.com and bids will be opened on Friday, June 8th, 2007 at 10:15 a.m.; now therefore

BE IT RESOLVED, the Board of Huron County Commissioners does hereby approve of letting bids for limestone products; 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 - Ralph A. Fegley

**NOTICE TO BIDDERS
Huron County Engineer
Norwalk, Ohio**

Sealed proposals will be accepted from bidders at the Office of the Huron County Commissioners until 10:15 AM on Friday, June 8th, 2007 for the supply of **limestone products (delivered)**. Bid packets are on file at the Office of the Huron County Engineer, 150 Jefferson Street, Norwalk, Ohio 44857. This advertisement will be published Friday, May 25th, 2007. This notice can be found on the County's internet site on the World Wide Web at: www.hccommissioners.com.
Publish: May 25th, 2007

07-170

IN THE MATTER OF TRANSFERRING FUNDS FROM ACCOUNT #040 IN THE GENERAL FUND TO FUND # 021

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

WHEREAS, building and grounds fund is in need of funding; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners hereby approves of the transfer of

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moneys from 040-00569-001 other expenses in the amount of \$33,867.63 to the Capital Improvement fund 021-00200-001 equipment; 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 # 021 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.

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

IN THE MATTER OF REQUEST FOR LEAVE

Vickie Ziemba/Commissioners/flex/2:00 p.m. – 4:30 p.m. June 1, 2007; flex/ June 4 & 5, 2007/vacation 8:00 a.m. – 4:30 p.m. June 6, 2007.

SIGNINGS

Ford Motor lease

IN THE MATTER OF LETTER

Senator Sue Morano
928 Broadway
Lorain, Ohio 44052

Dear Senator Morano:

Indigent defense is being cut for the third biennium in a row. HB 119, as introduced and as passed by the House, cuts the appropriation for reimbursement [GRF line item 019-501] to \$29.8 million in FY 08 and \$29.5 million in FY09. This lowers the anticipated reimbursement rates to 25.3% in FY 08 and 23.8% in FY 09 – all time lows.

The recent Report and Recommendations of the Supreme Court Task Force on Pro Se and Indigents Litigants states, "An excessive portion of the burden of providing indigent criminal representation is being borne by county governments," and recommends that the state should be responsible for no less than 50% of the financial responsibility for indigent criminal defense [Recommendation 41]. We whole heartedly agree and urge you to convince your colleagues to appropriate additional revenue to support indigent defense reimbursement to the counties.

At a minimum the constitutionally mandated obligation of providing indigent defense representation ought to be funded at a level equal to or greater than the funding provided for the purely discretionary civil legal services which is proposed at \$40 million in each year of the biennium. This would require increasing the current level of funding for indigent defense in HB 119 by an additional \$10 million per fiscal year.

We understand that the State Public Defender is recommending to the Senate Finance and Financial Institutions Committee a proposal which would, if adopted, increase funding available for indigent defense reimbursement to the counties by approximately \$10 million. These recommendations were each contained in the Supreme Court Task Force on Pro Se and Indigent Litigants.

The Public Defender's recommendations are a sound, fair, and appropriate step in a positive direction towards restoring the 50/50 state/county partnership originally established to mutually share the State's constitutional obligation to indigent defendants.

We encourage you, first and foremost, to increase funding for reimbursement to the counties for the

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provision of indigent defense. Also we ask that, at a minimum, you support the State Public Defender's proposal for additional funding.

Sincerely,

HURON COUNTY BOARD OF COMMISSIONERS

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

Assistant Prosecutor's Report

Daivia Kasper, Assistant Prosecutor presented the post trial motions coming up on June 13th to the board in regards to the Dixon case. Ms. Kasper also discussed the ODOT easement and stated that it is ready for discussion in regards to price for property.

OTHER BUSINESS

Gary Bauer stated that he had spoken with Lowell Etzler, Interim Director at Department of Job & Family Services, and Mr. Etzler is pulling all the vehicle work from the county garage as has other departments. Discussion was had in regards to interviewing for HR Director, tentative set for June 19th & June 21st afternoons starting at 1:00 p.m. Need to inform Karen Fries and Susan Hazel who will be included in the interview process.

Discussion was had in regards to WIA board meeting. Several topics were discussed that had come up at that meeting.

Mr. Fegley discussed a conversation that he had recently with Auditor Roland Tkach, and stated that they pictures are being taken and Mr. Tkach will also be discussing this with the Engineer to inquire if he has any vehicles that he would like to have pictures taken of as well. Once this process is complete Mr. Tkach will visit with the IRS take the pictures and get a clarification once and for all as to what vehicles meet the exempt status of the benefit tax. Mr. Tkach stated that he wants to make this trip on his own.

At 10:00 a.m. Jody Craig, Victims Assistance came before the board in regards to the VOCA grant. Explained the funding and explained the increase needed. Ms. Craig stated that she does not have another option for health insurance and is now on the county health insurance. Total requested from the county is \$53,401.28 VOCA grant requested for match is \$47,432.28 and Byrne Grant requested match is \$5,969.00. This is an additional request this year of \$12,871.25. Mike Adelman stated that he has not heard anything but good in regards to the job that is done by Ms. Craig and her staff in the county. Mr. Adelman also stated that the funds have been budget except for the additional \$12,871.25 but feels that this can be found in the budget. Ms. Craig also stated that she continues to look for additional funding. The board signed the application.

At 10:05 a.m. Mike Adelman 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 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:

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

At 10:40 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
Aye - Ralph A. Fegley

At 10:41 a.m. Discussion was had in regards to the tank found during construction at the Courthouse Complex Energy Project. A consultant was in attendance from Getco and he stated that they will follow the protocols, can request a variance that states removing the tank would disturb the buildings. Also explained

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the procedure for enclosing a tank and the testing that will need to be done to the soil around the area as well. Atlas will need to move the vault and will need to have a conversation with Ohio Edison to do so. Further discussion will be had as more answers are found.

At 11:15 a.m. Gary W. Bauer 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>
February 17, 2007	0	2	1	-0-	3
February 24, 2007	2	4	4	-0-	10
March 3, 2007	2	4	7	-0-	13
March 10, 2007	0	4	11	-0-	15
March 17, 2007	4	9	0	-0-	13
March 24, 2007	2	2	4	-0-	8
March 31, 2007	5	9	7	-0-	21
April 7, 2007	3	6	6	-0-	15
April 14, 2007	2	5	4	-0-	11
April 21, 2007	4	1	5	-0-	10

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 24, 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 11:15 a.m.

Signatures on file.