

REGULAR SESSION

THURSDAY

MAY 31, 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 May 24, 2007 meeting(s) were presented to the Board. Mike Adelman made the motion to waive the reading of the minutes of the May 24, 2007 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

07-176

IN THE MATTER OF APPROVING REQUESTS FOR EXPENDITURE OF OVER \$500.00 SUBMITTED TO THE BOARD MAY 31, 2007

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 Transfer Station

Sparks Commercial Tire Retread & foam fill 4 tires for loader \$10,616.00 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.

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

07-177

IN THE MATTER OF MEMORANDUM OF UNDERSTANDING BY AND BETWEEN AND HURON COUNTY BOARD OF COMMISSIONERS AND HURON COUNTY GENERAL HEALTH DISTRICT

Mike Adelman moved the adoption of the following resolution:

WHEREAS, the Huron County General Health District is responsible for providing public health support and assistance for the residents of Huron county and the city of Bellevue in the event an act of terrorism, bioterrorism, and/or pandemic or epidemic were to occur within the District’s jurisdiction; and

WHEREAS, the Health District recognizes that if such catastrophic event(s) arise, the need for an operational center to prophylaxis and or vaccinate the population would be absolutely necessary; and

WHEREAS the Health District requests that the Board of Huron County Commissioners make available the Huron County Fair Grounds for such emergencies, to be declared by the Director of the Emergency management Agency or designee; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners does approve making available the Huron County Fair Grounds for such emergencies, to be declared by the Director of the Emergency Management Agency or designee; and further

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BE IT RESOLVED, that the Board of Huron County Commissioners approves of the memorandum of understanding 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

**on file in Commissioners' Office*

07-178

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-C-06-036-1) DRAW DOWN #(346), SUBMITTED TO THE BOARD MAY 31, 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 CT Consultants, Inc., 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 | | | | | | |
|---|-------------------------------------|---|---|--|-----------------------------------|---|
| Section One: Request for Payment | | Name and Address of Grantee: | | | | |
| Submit to: Ohio Department of Development Office of Housing and Community Partnerships P.O. Box 1001 Columbus, Ohio 43216-1001 | | Huron County 100 Main Ave Norwalk, Ohio 44857 | | | | |
| Contact Person/Telephone Number: Phyllis A. Dunlap 440-530-2230 | Community/Nonprofit # | State Use Only | | | | |
| FTI Number: 24-640672 | Draw Number: 346 | Date: 5/31/07 | Vol/Draw # | Receipt # | | |
| Section Two: Itemization of Expenditures | | | | | | |
| Grant Number* | Activity Name* | Activity Inv.* | Enter the Housing Site Address (220C) and HOME/Federal Housing Activities (21F) | Amount Requested (Project Multiplier - State Use Only) | Approved Amount/Budget | Status of Activity/State Address Budget |
| B-C-06-036-1 | General Administration | 7 | | 6,450 | 38,800 | 32,350 |
| Total Amount of This Draw: | | | | \$6,450 | | |
| * Refer to the Attachment A of the Grant Agreement | | | | | | |
| Section Three: Certification of Itemization of Expenditures - Two Authorized Signatures Are Required | | | | | | |
| I certify that the 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 grantee's dispository. 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: 5/31/07 | Signature: <i>Phyllis A. Dunlap</i> | Signature: <i>Mike Adelman</i> | | | Signature: <i>Ralph A. Fegley</i> | |
| State Use Only | | State Use Only | | | State Use Only | |

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IN THE MATTER OF AMENDING RESOLUTION 07-156

Mike Adelman moved the adoption of the following resolution:

WHEREAS, resolution 07-156 in the matter of **APPROVING REQUESTS FOR EXPENDITURE OF OVER \$500.00 SUBMITTED TO THE BOARD May 15, 2007** needs to be amended; and

WHEREAS, the total amount to Belenky for dryer replacement/jail due to dryer fire in laundry needs to be increased by \$933.00 to include the deposit, as the total amount of the dryer is \$4,665.00; now therefore

BE IT RESOLVED, that the Board of Huron County Commissioners amends Resolution 07-025 as stated 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

07-180

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 #(256), SUBMITTED TO THE BOARD MAY 31, 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 | | | | | | |
|---|--------------------------------------|---|---|---------------------------------|------------------|----------------------------------|
| Section One: Request for Payment | | | | | | |
| Submit to: | | Name and Address of Grantee: | | | | |
| Ohio Department of Development Office of Housing and Community Partnerships P.O. Box 1001 Columbus, Ohio 43216-1001 | | Huron County Commissioners 180 Milan Avenue Norwalk, OH 44857 | | | | |
| Contact Person/Telephone Number: Sue Kiny, WSOE/CAC, Inc. 614-332-2211 | | Community/Nonprofit # 136 | | State Use Only Date: | | |
| FTI Number: 34-6400672 | | Draw Number: 256 | | Voucher #: Warrant #: | | |
| Section Two: Remization of Expenditures | | | | | | |
| Grant Number * | Activity Name * | Activity Nbr * | Enter the Housing Site Address (CDBG and HOME Funded Housing Activities Only) | Project Number (State Use Only) | Amount Requested | Approved Activity/Address Budget |
| B-F-08-036-1 | Street Improvements | 2 | | | 29,000 | 29,000 |
| | Erie Backlog Invoice #07018A01 | | | | | 0 |
| Total Amount of This Draw: | | | | | \$29,000 | |
| * NOTE: From the Attachment A of the Grant Agreement | | | | | | |
| Section Three: Certification of Remization 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) listed 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: 5/31/07 | Signature: <i>[Signature]</i> | Title: <i>President</i> | | | | |
| Date: 5/31/07 | Countersignature: <i>[Signature]</i> | Title: <i>Commissioner</i> | | | | |
| State Use Only Approved: _____ Date: _____ D65 (Rev. 9/04) DE1007Z | | | | | | |

Mike Adelman moved to release the warrant to Atlas for payment. 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 TRAVEL

Gary W. Bauer moved to approve the following travel requests. 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

Mike Adelman, Commissioner, to Columbus, OH on June 18, 2007 for CCAO/Courts & Corrections meeting.

Ralph A. Fegley, Mike Adelman, Gary W. Bauer, Cheryl Nolan, and Tom Ashleman, to Toledo, OH on June 10, 2007 – June 12, 2007 for CCAO summer conference.

IN THE MATTER REQUEST FOR LEAVE

Jeff Deeble /B&G/sick/ 6:30 a.m. to 9:00 a.m May 14, 2007 & May 17, 2007.

Maria Lyons/B&G/sick/9:30 a.m. May 21, 2007 to 3:00 p.m. May 23, 2007.

Ron Ackerman/B&G/sick/6:00 a.m. June 4, 2007 to 3:00 p.m. June 5, 2007.

Merlin Baker/B&G/Bereavement/8:00 a.m. to 4:30 p.m. May 24, 2007.

Bill Duncan/Dog Warden/sick/10:00 a.m. to 11:15 a.m. May 22, 2007.

Administrator/Clerk's Report

Ms. Nolan explained the following letter approving the transfer of funds from the commissary fund to the general fund.

May 31, 2007

Roland Tkach
Auditor
12 East Main Street
Norwalk, Ohio 44857

Dear Mr. Tkach:

Please be advised that the Board of Huron County Commissioners approves the transfer of funds from fund 635-00260-635 to the general fund to reimburse the general fund for 408 hours spent working on

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commissary.

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Sincerely,

HURON COUNTY BOARD OF COMMISSIONERS
Mike Adelman, Gary W. Bauer, Ralph A. Fegley

pc: Sheriff
file

At 9:30 a.m. no public comment

Clerk discussed the request for statement of qualifications for fire protection that was sent out in July of 2005 along with the list of vendors sent to. There was no response. Mr. Fegley to ask Poggemeyer to send a list of companies that would bid on the fire protection project at basement of the Treasurer's Office.

OTHER BUSINESS

Gary Bauer stated that the Master Gardeners bought bark for the park at Shady Lane and now they would like the Park District to pay for this. Mike Adelman asked that Nancy Brown write a letter, as she offered to do, to respond to the letter of complaint from Joseph Trolan. Discussed email from John Swartz in regards to vehicle for courier service. Ms. Nolan stated that she wasn't sure if DJFS is ready to release any cars yet. Discussed that if DJFS has a car that is in good shape that the commissioners' office could use for going out of town, then couriers could use the commissioners van for use in town. The van is not all that safe for traveling out of town, but is fine for in town travel. Board suggested pursuing this option and seeing what DJFS has available.

At 10:00a.m. Gary W. Bauer moved to Enter into Executive Session **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. 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 10:25 a.m. Gary W. Bauer moved to End Executive Session 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

At 10:30 a.m. Ben Kenny, WSOS came before the board in regards to the CDBG Fiscal year 2007 formula program allocation for Huron County and the City of Willard.

April 23, 2007

Huron County Commissioners
180 Millin Avenue
Norwalk, OH 44857

Dear Commissioners:

The CDBG Fiscal Year 2007 Formula program allocation for Huron County and the City of Willard is listed below:

| | |
|---|---|
| Huron County | \$ 107,000 |
| City of Willard | \$ 38,000 |
| Total | \$ 145,000 |
| General Administration | \$ 22,000 |
| Fair Housing | \$ 2,000 |
| Amount available for Huron County projects | \$ 121,000 Min \$38,000 + \$ 83,000 |

I have reviewed the enclosed applications and they all meet at least one of the national objectives to receive grant dollars. The following communities have submitted applications for assistance with project funding:

| Community / Applicant | Project Description | National Objective Met | Total Project Cost | Match | Requested Amount | Funded Amount |
|-----------------------------------|---|------------------------|--------------------|---------------------|----------------------|-----------------------------|
| Huron Co. Family & Children First | Transporting families that do not qualify for Medicaid, but whose income falls between the cutoff for Medicaid and HUD low-income threshold for Huron County residents Huron County Transit provides. | Limited Clientele | \$ 11,000 | \$ 1,000 | \$ 10,000 | |
| Ripley Township | Pave and widen Edwards Road from 1/4 to 1/2 between Wheeling Lake RR south to New York Central RR with stone berms. | 1.01 100% Survey | \$ 108,815 | \$54,407.50 | \$ 54,407.50 | |
| City of Willard | Existing pavement and base will be removed and 4" of aggregate base, 3 1/2" of asphalt concrete, new curbs, gutters and storm drainage. Curb ramps to be ADA approved. | 1.01 50 1% | \$ 84,451 | \$ 46,451 | \$38,000 | Included in total of bottom |
| TOTAL | | | \$ 204,266 | \$111,858.50 | \$ 102,407.50 | |

Updated May 15, 2007

Note: Of the \$83,000 available for County projects, proposals have been received to use \$64,407.50, leaving a balance of \$18,592.50. The County can either:

- Provide this balance to Ripley Township and lower their match; or
- Develop one or more additional projects to use the \$18,592.50; or
- Some combination of the above (use some for a new project, provide the remainder to Ripley Twp.)

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Mr. Kenny stated that we are in an interesting position in that we still have money left over. The board discussed uses for the extra \$18,592.50 and what projects would qualify. One repair that is needed is the roof at the Senior Citizens Center. Mr. Kenny will check this out to verify that it qualifies. Also, discussed the restrooms at the courthouse next to the jury room; not sure there would be enough money for this project. Mr. Kenny stated they may be able to work with a couple of contractor estimates but ideally an engineer or architects estimate is best, must contain prevailing wage. Need to have this estimate in a couple of weeks.

At 10:47 a.m. the board recessed.

At 10:57 a.m. resumed session

Reviewed tickler list of items for Daivia Kasper.

Daivia Kasper reported on Hettle Rd bridge wants to talk to Gary Gillen to see if they can get this wrapped up. Ms. Kasper stated she is still working on other items on list.

At 11:00 a.m. Pete Welch came before the board with an update on the tank at the courthouse. Tank has been pumped out this morning, got 2700 gallons out. It is not completely dry, tomorrow they will back it out and then clean the inside of the tank and bore holes through the bottom of the tank to take samples from below. It is non hazardous, it is a broken down petroleum product. Referred to permit that was required to file with the state. Permit was issued from the State; it states the abandonment of one tank. Mr. Welch clarified they will allow us to leave the tank in the ground. The fire inspector from the state will be out there tomorrow to take a look. They will pump the rest of the product out of the tank tomorrow, steam clean the tank on the inside, and drill holes through the bottom of the tank to pull samples. After doing all that, they can abandon the tank. Will bounce this off the fire inspector to make sure that it is alright that we abandon even though the permit does say that it's alright but he is out there and we want to be able to justify why we want to do that. As of right now the way things are going by Monday we should be able to grout that tank and leave it in place, so it will be done and said with for now until we get the analytical results back from the lab. If they come back bad they will try the risk assessment approach; which is basically we will prepare a report to the state saying that there are no portable water supplies that are impacted by this tank, human health is not impacted by this tank or what is left in the ground. Hopefully the state approves this and we will get an NFA on the tank and they you will be done with it forever. That is the best case scenario. If we do find that the ground water is contaminated, not just the soil, it could become a bigger issue; they might require us to put wells in around there to find out the direction of the ground water before they will approve a risk base approach on this. That is a potential depending on what the samples that we collect at the bottom of the tank find. GETCO started developing a cost, spoke with Tom Gillespie, he said this cost is a real tight cost, best scenario that everything goes right, is \$13,650.00. Got another cost from LAD they are at \$19,000.00. Basically, going to fall in between those to costs for a total price of the project.

Mr. Welch stated that Atlas pulled off the site, after talking with IPS they said they still have work they can be working on. Mr. Welch also stated the last time he met with Jeff, what we were doing now wasn't going to hold him out unless we went further into next week. Mr. Welch stated that he called Jeff and it turned out that they had something happen at a steel mill they had to go to so they are off the site working down there. Mr. Welch stated that what he doesn't want is them coming back saying that we delayed them for a couple of days because of the tank; that isn't the case here. Mr. Bauer stated that at the construction meeting it was stated there was no need for them to pull out of that project. Mr. Fegley agreed.

Mike Adelman moved to accept the quotation from GETCO for all labor, equipment, and materials necessary to access, clean and abandon in place one 5,000 gallon steel heating oil underground storage tank from the Huron County Courthouse property at a cost not to exceed at this time \$15,000.00. 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*

Mr. Fegley stated that this should come out of capital project.

The Board informed Mr. Welch of the additional CDBG monies and how they were discussing the roof over the Senior Center. Asked that Mr. Welch contact Dan Frederick from Milan. Mr. Welch to get a cost estimate to replace the roof, keeping in mind that it needs to be under prevailing wage. Estimate needs to

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be on architect letterhead. Also to get costs for roof over transportation. Total project and architect costs cannot go over \$18,000.00.

At 11:20 a.m. Mike Adelman 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 May 31, 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 11:20 a.m.

Signatures on file.