

November 4, 2009

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **11 4 2009 Session**

Mrs. Obrecht moved the agenda be approved and Mr. Carmichael seconded the motion.
The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

Approval of minutes from the Commissioners' Regular Session held October 28, 2009.
Mr. Carmichael moved the minutes be approved and Mrs. Obrecht seconded the motion.
The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

Approval of minutes from Commissioners' Meetings and/or Hearings held Oct. 28 – November 3, 2009.
Mr. Carmichael moved the minutes be approved and Mrs. Obrecht seconded the motion.
The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

Resolutions follow this page.

There being no further business to come before the Board, Mr. Carmichael moved the meeting be adjourned and Mrs. Obrecht seconded the motion.
The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

Attest: _____
Diane L. Austen, Clerk

Scott S. Wiggam, President

Jim Carmichael, Vice-President

Ann M. Obrecht, Member
Wayne County Commissioners

Resolution

No. 2009-585

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009
Subject: Approval of County Bills

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

Computer run dated **November 3, 2009** for County Bills in the amount of **\$268,379.37** and the Interagency Transaction/Payment **batch #1323 & 1324** in the amount of **\$22,448.82** are hereby approved for payment.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-586

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009
Subject: Approval of County Home Bills

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Computer run dated **November 3, 2009** for County Home Bills in the amount of **\$20,181.92** are hereby approved for payment.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-587

Board of Wayne County Commissioners Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Approval of Appropriation Transfers

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following appropriation amounts be transferred by the Wayne County Auditor.

Department	Amount	From Appropriation	To Appropriation
Job & Family	\$250,000.00	H-H17 Contract Services	H-H33 Purchased Services
		026.0171.06.5430.000.000	026.0172.06.5620.000.000
For child care expenses through year's end			
Pros. Atty.	\$310.32	A14-A7 Medicare	A301-E10 Unemployment
		001.1910.01.5010.000.000	001.3700.01.5014.000.000
To cover necessary expenses			
Treasurer	\$2,500.00	A7-A4 Apiary Expenses	A1-C10 Bank Charges
		001.1420.08.5400.000.000	001.2100.01.5400.000.000
To meet necessary expenses			
Sheriff	\$1,900.00	A8-D3 BCMH Expenses	A8-D4 Web Check Services
		001.1822.05.5984.000.000	001.3680.03.5400.000.000
Sheriff	\$7,100.00	A4-A7 Equip.-Sheriff's Computers	A8-D4 Web Check Services
		001.0125.01.5360.000.000	001.3680.03.5400.000.000
To meet necessary expenses			

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-588

Board of Wayne County Commissioners Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009
Subject: Approval of Travel Expenses

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Dept./Person	Where	Date	Travel	Reg.	Seminar, Conf., Mtg., etc.
Child Support					
Deborah Watkins, Bradley Harp, Jonathan Hamers	Stark County	11/6/09	\$55.00	75.00	Attorney Networking Discussion
Angela Boudot	Columbus	11/10/09	\$ -0-		PET 2009 User Group
Clerk of Courts					
Tim Neal	Columbus	11/2/09	\$40.00		Title Committee Mtg.
Commissioners					
Ann Obrecht	Columbus	12/6-8/09		\$300.00	CCAO Annual Winter Conf.
Job & Family					
Richard Owens	Columbus	11/17/09	\$124.00		OJFSDA Fiscal Committee Mtg.
Richard Owens	Columbus	11/20/09	\$109.00		OJFSDA Annual Conf. Committee Mtg.
Carol Caswell	Hartville	11/19/09		\$45.00	Palliative Care & Hospice Services
Francesca Abruzzino	Hartville	11/19/09	\$20.00	\$45.00	Palliative Care & Hospice Services
Juvenile Court					
John Welling	Middleburg Hts.	10/15/09	\$10.74		Defensive Ethics

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-589

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Approval of Organizational Memberships

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Department	Organization	Person	Fee/Each	Total
Auditor	International Assoc. of Assessing Officers (IAAO)	Jarra Underwood		\$175.00
Commissioners	Northeast Ohio Four County Regional Planning and Development Org. (NEFCO)		2 nd half fiscal year 2010 (1/1/2010 – 6/30/2010)	\$8,675.50

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-590

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Approval of Board Appointment(s)

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Name of Board	Appointee/Address/PH	Term
Wayne County Board of Developmental Disabilities	Beverly Wire, 406 S. Walnut St., Orrville, OH 44667	1/1/2010 – 12/31/2013
Wayne County Board of Developmental Disabilities	Diana Frazier, 221 Crawford St., Fredericksburg, OH 44627	1/1/2010 – 12/31/2013
Wayne County Board of Developmental Disabilities	Cheryl Rodak, 6626 Martin Rd., West Salem, OH 44287	1/1/2010 – 12/31/2013

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-591

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Installation of Temporary Stop Signs at Norfolk Southern Railway
Crossing on County Road 228 (Willow Road)

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

WHEREAS, on September 15, 2009, the Public Utilities Commission of Ohio (PUCO) ordered under Case No. 09-768-RR-FED the installation of flashing lights and gates at the Norfolk Southern crossing on Willow Road (County Road 228) approximately 0.6 mi southeast of State Route 226; and

WHEREAS, the PUCO anticipates that Norfolk Southern Railway may not be able complete installation of the ordered crossing upgrades until September 15, 2010; and

WHEREAS, the Public Utilities Commission and the Ohio Rail Development Commission have recommended that Wayne County install interim safety enhancements such as stop signs at the railway crossing until the gates and lights are functional; and

WHEREAS, use of stop signs for this purpose is authorized by ORC Section 4511.61; and

WHEREAS, the Wayne County Engineer concurs with this recommendation;

NOW THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the Wayne County Engineer be directed to erect temporary stop signs at this crossing pending permanent railroad control devices.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-592

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Approval of Plat for Robert Coblentz Allotment

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the plat for Robert Coblentz Allotment, NE & SE Quarters of Section 20, T-17-N, R-13-W, Paint Twp, Wayne County, Ohio, owned by Robert I. Coblentz be approved.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-593

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Apply to Amend Grant Agreement, FY2010 with the Ohio Department of Rehabilitation and Corrections for Common Pleas Court

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

WHEREAS, Wayne County Common Pleas Court, office of Adult Probation, desires to expand its community-based corrections grant by increasing ISP and adding Day Reporting Programming; and

WHEREAS, the Ohio Department of Rehabilitation and Corrections may have subsidy grant funding available for addition to the program;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that Wayne County is authorized to apply to amend its grant agreement, FY2010 Community Based Corrections Programs 407 Subsidy Grant Agreement, with the Ohio Department of Rehabilitation and Corrections for a Community Based Corrections Act Grant in the amount of \$99,059.00 (\$33,489.00 for additional ISP and \$65,570.00 for added Day Reporting) for the period of July 1, 2009 to June 30, 2010, and that the Adult Probation Office of Common Pleas is designated as the implementing agency.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-594

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Approval for Tri State Capital Bank to Receive Inactive Public Funds

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that upon recommendation of the Wayne County Treasurer, the Board of County Commissioners hereby approves Tri State Capital Bank to Receive Inactive Public Funds.

Tri State Capital Bank
200 Public Square, Suite 3020
Cleveland OH 44114

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-595

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Approval of Change Order # 1 to the Ohio Purchase of Service Contract with Miller Cab and Wayne County Department of Job & Family Services for Medical Transportation (Title XX)

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

WHEREAS, both parties desire to enter into a change order for the Ohio Purchase of Service Medical Transportation contract for the period of July 1, 2009 - June 30, 2010 for an increased amount of \$35,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners hereby approves Change Order #1 to the Ohio Purchase of Service Contract with Miller Cab for a new total not to exceed \$70,000.00.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-596

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Resolution Setting Date and Time for Public Hearing on Road Vacation
in East Union Township

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

WHEREAS, on December 19, 2005, the Ohio Department of Transportation turned over a portion of U.S. Route 30 to the Wayne County Highway System, further described as follows:

Beginning at a point at the junction of the existing State Route US 30 and State Route No. US 250 eastbound directional ramp, said point also being referenced as SLM 11.28 on State Route No. US 30 and SLM 12.08 on State Route No. US 250; thence, in a northeasterly and easterly direction along the centerline of the existing State Route No. 30 eastbound directional ramp leading to Existing State Route No. 30 (East Lincoln Way), then continuing in an easterly direction along the centerline of Existing State Route No. US 30 (East Lincoln Way) to the intersection with County Road No. 94A (Carr Road) also being referenced as SLM 18.36 on State Route No. US 30 and there terminate. Said described portion having a total length of 7.08 miles and there terminate.

WHEREAS, on December 21, 2005, the Board of County Commissioners adopted Resolution 2005-761, which accepted the above described land into the Wayne County Highway System; and

WHEREAS, on September 16, 2009, Resolution 2005-761 was recorded with the Wayne County Recorder; and

WHEREAS, the Board of County Commissioners is of the opinion that it will be for the public convenience or welfare to vacate a portion of the above described area, being the following:

Situated in the Township of East Union, County of Wayne, State of Ohio, being part of the Northeast Quarter of Section 11, Township 16 N, Range 12 W, part of a record 3.011 acre parcel as conveyed to Riceland Development Corporation by Official Record Volume 558, Page 1949 as recorded in the Wayne County Recorder's Office, part of a record 17.240 acre parcel as conveyed to Riceland Development Corporation by Official Record Volume 311, Page 734 and Official Record Volume 311, Page 736 as recorded in the Wayne County Recorder's Office, and bounded and described as follows:

Commencing for reference at a 1 inch iron bar in a monument box found in County Road 94A (Carr Road) at the southeast corner of said Northeast Quarter of Section 11;

thence North 00 degrees 02 minutes 21 seconds West for a distance of 1056.58 feet, along the easterly line of said Northeast Quarter and with County Road 94A (Carr Road) to a point;

thence South 89 degrees 57 minutes 39 seconds West for a distance of 92.47 feet to an iron pin set and being the Principal Point of Beginning for the parcel described herein;

- 1) thence South 06 degrees 22 minutes 01 seconds East, along the westerly right of way line of County Road 94A (Carr Road) and the easterly line of said record 3.011 acre parcel for a distance of 136.12 feet to a point on the right of way of C.R. 30A (formerly U.S. 30);
- 2) thence South 89 degrees 30 minutes 07 seconds West, along the right of way of C.R. 30A (formerly U.S. 30), for a distance of 348.91 feet to a point;
- 3) thence South 80 degrees 24 minutes 42 seconds West, along the right of way of C.R. 30A (formerly U.S. 30), for a distance of 101.18 feet to a point on the westerly line of said record 3.011 acre parcel and the easterly line of said record 17.240 acre parcel, witnessed by a 5/8 inch rebar found North 69 degrees 34 minutes 10 seconds West at a distance of 0.11 feet;
- 4) thence continuing South 80 degrees 24 minutes 42 seconds West, along the right of way of C.R. 30A (formerly U.S. 30), for a distance of 361.92 feet to a point;
- 5) thence on a curve to the right having a radius of 8,694.37 feet, an arc length of 421.84 feet, a delta angle of 2 degrees 46 minutes 48 seconds, a chord bearing of South 81 degrees 48 minutes 06 seconds West, and a chord length of 421.80 feet, to a point on the right of way of C.R. 30A (formerly U.S. 30), the westerly line of said record 17.240 acre parcel and the easterly line of a record 1.476 acre parcel conveyed to Buckeye Expo LLC by Official Record Volume 582, Page 1355 as recorded in the Wayne County Recorder's Office, witnessed by an iron pin with Rolling & Lewis cap found South 00 degrees 24 minutes 02 seconds East at a distance of 0.15 feet;
- 6) thence North 67 degrees 22 minutes 34 seconds East for a distance of 841.33 feet to an iron pin set on the easterly line of said record 17.240 acre parcel and the westerly line of a record 1.05 acre parcel conveyed to Larry L. and Joyce E. Gerber by Deed Volume 435, Page 481 and Deed Volume 670, Page 349 as recorded in the Wayne County Recorder's Office;
- 7) thence South 00 degrees 37 minutes 52 seconds West, along the easterly of said record 17.240 acre parcel and the westerly line of said record 1.05 acre parcel, for a distance of 69.11 feet to an iron pin set at the northwesterly corner of said record 3.011 acre parcel and the southwesterly corner of said record 1.05 acre parcel;
- 8) thence North 87 degrees 12 minutes 35 seconds East , along the northerly line of said record 3.011 acre parcel, the southerly line of said record 1.05 acre parcel, the southerly line of a record 0.75 acre parcel as conveyed to Carlos L. and Beulah M. Phillips by Deed Volume 405, Page 87 as recorded in the Wayne County Recorder's Office, and the southerly line of a record 0.50 acre parcel as conveyed to Joshua S. and Leslie C. Krug by Official Record Volume 521, Page 1381 as recorded in the Wayne County Recorder's Office, for a distance of 432.61 feet to the Principal Point of Beginning and containing 3.163 acres.

This description was prepared from a field survey by Engineering Associates, Inc. in January 2007 under the direct supervision of D. Lynn Snyder P. S. 7287.

The Basis of Bearing for this description is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD 83(1986).

The iron pins set are 5/8 inch rebar 30 inches long with yellow plastic caps marked "Engineering Associates".

WHEREAS, R.C. 5553.05 requires that this Board conduct a Viewing, Public Hearing and that notice be sent to the abutting landowners of the above described area;

NOW, THEREFORE, BE IT RESOLVED, that the Viewing is scheduled for Wednesday, December 2, 2009 at 2:00PM and the Public Hearing is scheduled for Wednesday, December 9, 2009 at 8:30AM in the Commissioners' Meeting Room, 2nd Floor of the County Administration Building, 428 W. Liberty St., Wooster, OH; and

BE IT FURTHER RESOLVED that the Clerk of this Board is directed to publish notice of this hearing once per week for two consecutive weeks in the Daily Record. The Clerk shall also provide notice to each abutting property owner, the Director of Natural Resources and the Clerk of East Union Township at least 20 days prior to the Viewing and Public Hearing; and

BE IT FURTHER RESOLVED that the Clerk shall notify the County Engineer to provide a written report setting forth his opinion as to the public convenience and welfare of said vacation.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

Resolution

No. 2009-597

Board of Wayne County Commissioners Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: November 4, 2009

Subject: Award Contract to Kidron Electric, Inc. for Kidron Wastewater Treatment Plant Telemetry Project Subject to OH EPA Approval

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following contract be entered into with:

Name: Kidron Electric, Inc.
5358 Kidron Rd.
P.O. Box 248
Kidron, OH 44636

Purpose: Kidron Wastewater Treatment Plant Telemetry Project

Cost:	Base Bid	\$32,025.00
	Delete Item #3 (Electrical Work)	(\$8,735.00)
	Accept (Add) Item A3 Alternate Bid (Electrical Work, including Power Service Revision)	\$11,125.00
	Total Accepted	\$34,415.00

Effective Date: 11/4/2009

Unsuccessful Bidders:

Abbott Electric, Inc. Canton, Ohio Base Bid \$32,584.00 Alt. Added \$2,048.00 Total \$34,632.00	Ac Split Bolt, Inc. Wooster, Ohio Base Bid \$33,938.00 Alt. Added \$3,800.00 Total \$37,738.00
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Disqualified Bidder:

Spring Electrical Const. Mansfield, Ohio

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk