

December 16, 2009

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **12 16 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 December 9, 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 Dec. 9 – December 15, 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. 2009-650

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

Adopted: December 16, 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 **December 15, 2009** for County Bills in the amount of **\$709,282.60** and the Interagency Transaction/Payment **batch #1377 & 1379** in the amount of **\$133,326.45** 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. 2009-651

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

Adopted: December 16, 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 **December 15, 2009** for County Home Bills in the amount of **\$56,329.82** and the Interagency Transaction/Payment in the amount of **\$3,239.59** 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. 2009-652

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

Adopted: December 16, 2009

Subject: Approval of Appropriation Transfers

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

Auditor	To cover expenses		
\$7.90	From	A001-B02 Salaries	001.2000.01.5001.000.000
	To	A301-B02 Health Ins.	001.2000.01.5012.000.000
Child Support	To cover expenses for 2009, due to new employee added and existing employee insurance change		
\$700.00	From	C000-C16 Transfers	024.2701.06.6150.000.000
	To	C000-C09 Health & Life Ins.	024.2701.06.5012.000.000
Clerk of Courts	To cover expenses		
\$2,500.00	From	A302-E09 Unemployment	001.3301.02.5014.000.000
	To	A302-E02 Health Ins.	001.3301.02.5012.000.000
Clerk of Courts	To cover last 09 payroll		
\$8,633.00	From	A302-E09 Unemployment	001.3301.02.5014.000.000
	To	A002-E02 Salaries	001.3301.02.5001.000.000
Commissioners	To cover December insurance		
\$100.00	From	A101-A16 PERS Microfilm	001.0101.01.5011.000.000
	To	A306-C01 Health Ins. Loss Control	001.0130.01.5012.000.000
Common Pleas	to cover salaries		
\$1,988.00	From	B008-B01 Mediation Services	010.3104.02.5400.000.000
	To	B008-B02 Mediation Salaries	010.3104.02.5001.000.000
Common Pleas	to cover mediation PERS		
\$203.00	From	B008-B01 Mediation Services	010.3104.02.5400.000.000
	To	B008-B04 Mediation PERS	010.3104.02.5011.000.000
Common Pleas	To meet expenses for year end		
\$3,188.00	From	A102-B02 Salaries – Conv.	001.3100.02.5002.000.000
	To	A002-B02 Salaries Employees	001.3100.02.5001.000.000
Common Pleas	To meet expenses for year end		
\$6,017.51	From	A002-B07 Juror Fees	001.3100.02.5540.000.000
	To	A002-B02 Salaries Employees	001.3100.02.5001.000.000
Common Pleas	To meet expenses for year end		
\$493.92	From	A002-B10 Conf. Exp.	001.3100.02.5230.000.000
	To	A302-B02 Health Ins.	001.3100.02.5012.000.000
Common Pleas	To meet expenses for year end		
\$2,400.00	From	A002-B10 Conf. Exp.	001.3100.02.5230.000.000
	To	A002-B02 Salaries Employees	001.3100.02.5001.000.000

Common Pleas	To meet expenses for year end		
\$467.97	From	A002-B13 Salaries – Jury Comm	001.3101.02.5001.000.000
	To	A102-B25 PERS AP	001.3102.03.5011.000.000
Common Pleas	To meet expenses for year end		
\$180.00	From	A002-B13 Salaries – Jury Comm	001.3101.02.5001.000.000
	To	A002-B20 Salaries – AP	001.3102.03.5001.000.000
Common Pleas	To meet expenses for year end		
\$1,027.52	From	A102-B12 PERS	001.3100.02.5011.000.000
	To	A002-B20 Salaries AP	001.3102.03.5001.000.000
Common Pleas	To meet expenses for year end		
\$10.00	From	A102-B19 PERS – JURY COMM	001.3101.02.5011.000.000
	To	A002-B20 Salaries AP	001.3102.03.5001.000.000
Common Pleas	To meet expenses for year end		
\$2,583.92	From	A002-B08 Witness Fees	001.3100.02.5580.000.000
	To	A002-B20 Salaries AP	001.3102.03.5001.000.000
Common Pleas	To meet expenses for year end		
\$1,698.83	From	A202-B02 Medicare	001.3100.02.5010.000.000
	To	A002-B20 Salaries AP	001.3102.03.5001.000.000
Common Pleas	To meet expenses for year end		
\$116.25	From	A202-B02 Medicare	001.3100.02.5010.000.000
	To	A002-B09 Transcripts	001.3100.02.5555.000.000
Coroner	To cover necessary expenses		
\$100.00	From	A102-F12 PERS	001.3500.03.5011.000.000
	To	A302-F02 Health & Life Ins.	001.3500.03.5012.000.000
Emerg. Mgmt.	To cover health care		
\$75.00	From	A006-F06 Conference	001.0150.03.5230.000.000
	To	A306-F01 Health Care	001.0150.03.5012.000.000
Emerg. Mgmt.	To cover expenses		
\$67.00	From	A14-A7 Medicare	001.1910.01.5010.000.000
	To	A306-F01 Health Insurance	001.0150.03.5012.000.000
Engineer	To cover expenses		
\$3,500.00	From	K000-K25 Labor – Bridges	030.5002.04.5001.000.000
	To	K000-K11 Labor – Roads	030.5001.04.5001.000.000
Engineer	To cover expenses		
\$30.00	From	K000-K25 Labor – Bridges	030.5002.04.5001.000.000
	To	K201-K25 Health & Life Ins.–Bridges	030.5002.04.5012.000.000
Planning	Necessary expenses		
\$242.00	From	A14-A7 Medicare	001.1910.01.5010.000.000
	To	A301-I01 Health Ins.	001.0110.01.5012.000.000
Prosecutor	To cover PERS through end of year		
\$2,270.55	From	A301-E2 Health Ins.	001.3700.01.5012.000.000
	To	A101-E10 PERS	001.3700.01.5011.000.000

Sheriff	To meet expenses through the end of the year – litter grant		
\$744.90	From	H062-H05 Litter Grant – Vehicles	101.3690.04.5170.000.000
	To	H062-H15 Litter Grant – Ins.	101.3690.04.5012.000.000
Sheriff	To meet expenses through the end of the year		
\$67.97	From	H062-H05 Litter Grant – Vehicles	101.3690.04.5170.000.000
	To	H062-H11 Litter Grant – PERS	101.3690.04.5011.000.000
Sheriff	To meet expenses through the end of the year		
\$645.57	From	A006-A02 ADM – Salaries	001.3600.03.5001.000.000
	To	A6-A64 Health/Life Ins.	001.3600.03.5012.000.000
Sheriff	To meet expenses through the end of the year – Sheriff's Rotary CSEA		
\$503.18	From	X010-X09 CSEA Rotary – Other Exp.	042.3672.03.5900.000.000
	To	X010-X05 CSEA Rotary – Ins.	042.3672.03.5012.000.000
Treasurer	To cover December Insurance		
\$511.00	From	A014-A07 Medicare	001.1910.01.5010.000.000
	To	A301-C02 Health Insurance	001.2100.01.5012.000.000

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. 2009-653

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

Adopted: December 16, 2009

Subject: Approval of Fund Transfers

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

Department	Amount	From (Fund)	From Approp Acct	To (Fund)	To Receipt Acct
Commissioners	\$10,000.00	N7 Fund 356 Permanent Improv. Sewer Districts	N007-N02 Sewer Projects 356.0190.09.5431. 000.000	P011 Fund 357 Sewer Construction Batdorf Rd. Project	P011-B22 Batdorf Rd. Sewer Construction 357.0190.00.4401. 000.000
To provide improvement funds needed for project development					
Commissioners	\$40,000.00	A Fund 001 General Fund	A015-A15 Transfers-Out 001.915.13.6150.0 00.000	N000 Fund 300 Permanent Improvement	N001-B06 Transfers-In Improvements 300.1925.00.4904. 000.000
To provide improvement funds needed for exterior wall repair					

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. 2009-654

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

Adopted: December 16, 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.
Clerk of Courts					
Tim Neal, Dennis Archer, Ray Iannarelli	Columbus	1/19-1/20, 2/16, 3/23-24/2010	\$525.00		Monthly Ohio Clerk of Courts Assoc. Mtgs.
Commissioners					
Patrick Herron	Columbus	12/18/2009	\$ -0-		CCAO Recovery Zone Bonds: Implications for Counties
Engineer					
Terry Vorhies	Medina	4/6-7/2010			ACI Concrete Testing Certification
Previously approved on Res. 2009-629 for \$350/Reg. & \$20.00/Travel – this is just to show a change in date					

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. 2009-655

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

Adopted: December 16, 2009

Subject: Approval of Special Events Expenses

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

Department	Event	Date	Expenses Not to Exceed
Job & Family	Retirement for Barbara Richard (cake, drinks, paper products, nuts, chips)	12/30/2009	\$95.00

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. 2009-656

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

Adopted: December 16, 2009

Subject: Approval of Organizational Memberships

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

Department	Organization	Person	Fee/Each	Total
Commissioners	County Commissioners' Assoc. of Ohio (CCAO)			\$8,859.00

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. 2009-657

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

Adopted: December 16, 2009
Subject: Approval of Board Appointment(s)

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

Name of Board	Appointee/Address/PH	Term
Children Services Board	C. Eugene (Gene) Spittle 488 Meadow Lane Wooster, Ohio 44691	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. 2009-658

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

Adopted: December 16, 2009

Subject: Authorization to Enter into Lease Agreement with Wooster Local Foods Cooperative, Inc.

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that authorization is hereby granted to enter into a lease agreement with Wooster Local Foods Cooperative, Inc. for the use of property located at 140 South Walnut Street in the City of Wooster, Wayne County, Ohio. (see lease agreement for specific description of property)

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. 2009-659

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

Adopted: December 16, 2009

Subject: Resolution to Schedule Engineer's Annual Township & County Authorities Meeting (ORC 5543.06)

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the Engineer's Annual Township & County Authorities Meeting (ORC 5543.06) is hereby scheduled for December 10-18, 2009 to discuss construction/repair of roads and bridges in Wayne County.

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. 2009-660

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

Adopted: December 16, 2009

Subject: Authorization of Road Vacation in East Union Township

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

WHEREAS, Notice of Public Hearing was mailed at least twenty days before the date of hearing to abutting landowners and the Director of the Ohio Dept. of Natural Resources, and

WHEREAS, Legal Notice was published twice in the Daily Record in the month of November, and

WHEREAS, a Viewing was held on December 2, 2009 and a Public Hearing was held on December 9, 2009, and

WHEREAS, the County Engineer's Office has reviewed the vacation plat and description and finds them to be of suitable content and that the vacation meets the criteria set forth in Section 5553.06 of the Ohio Revised Code, and

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,

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners

1. The area described as follows shall be vacated.

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".

2. The said vacated property shall pass in fee to abutting landowner, Riceland Development, as provided by law, with any existing highway easements being extinguished, but said property being subject to the preservation of any existing permanent rights of way, over, or under such roadway, for service facilities by a public utility or rural electric cooperative, and the right of ingress and egress for service and maintenance of those facilities, and the right to trim or remove any trees, shrubs, brush, or other obstacles growing in or encroaching onto the permanent easement that may affect the operation, use, or access to those service facilities.

3. The Clerk of the Board is hereby authorized and directed to file a certified copy of this resolution and map with the Wayne County Recorder and in the proper record of roads.

4. The Clerk of the Board is hereby directed to mail a certified copy of this resolution to the following:

Director of the Ohio Dept. of Natural Resources
Fiscal Officer of East Union Township
Atty. Morris Stutzman, counsel for Riceland Development

5. The Clerk of the Board is also directed to provide the county Auditor and county Engineer with a copy of this resolution so that the tax maps and property valuations can be adjusted accordingly.

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