

December 30, 2009

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **12 30 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 absent

Approval of minutes from the Commissioners' Regular Session held December 22, 2009.
Mrs. Obrecht moved the minutes be approved and Mr. Carmichael seconded the motion.
The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam absent

Approval of minutes from Commissioners' Meetings and/or Hearings held Dec. 22 – December 29, 2009.
Mrs. Obrecht moved the minutes be approved and Mr. Carmichael seconded the motion.
The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam absent

Resolutions follow this page.

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

Attest: _____
Diane L. Austen, Clerk

_____ absent
Scott S. Wiggam, President

Jim Carmichael, Vice-President

Ann M. Obrecht, Member
Wayne County Commissioners

Resolution

No. 2009-670

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

Adopted: December 30, 2009

Subject: Authorization to Reduce Appropriations

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following request(s) to reduce appropriations be approved.

Department	Amount	Account	GEMS	Account Description
Various	(\$140,000.00)	K101-K26	030.5003.04.5120.000.000	Force Acct Materials Engr
Various	(\$16,145.52)	K000-K21	030.5001.04.5011.000.000	PERS Roads Engr
Various	(\$104,478.88)	H002-H18	027.0174.06.5700.000.000	WIA Expenses
Various	(\$12,375.00)	H002-H09	027.0174.06.5750.000.ITS	Gerst Tr Admin WIA
Various	(\$29,553.51)	H002-H02	027.0174.06.5750.000.X01	ARRA Youth Admin WIA
Various	(\$5,731.83)	H002-H04	027.0174.06.5750.000.X02	ARRA WIA Adult Admin
Various	(\$19,020.65)	H002-H06	027.0174.06.5750.000.X03	ARRA WIA Adult Admin
Various	(\$2,000.00)	H002-H11	027.0174.06.5750.000.YCG	Youth CG Admin WIA
Various	(\$30,000.00)	H002-H19	027.0174.06.5900.000.000	WIA One Stop
Various	(\$271,419.26)	H002-H20	027.0174.06.5930.000.000	WIA Adult
Various	(\$36,229.04)	H002-H03	027.0174.06.5930.000.X02	ARRA WIA Adult
Various	(\$31,334.79)	H002.H21	027.0174.06.5931.000.000	WIA DLW
Various	(\$58,549.48)	H002-H05	027.0174.06.5931.000.X03	ARRA WIA DLW
Various	(\$268,226.68)	H002-H22	027.0174.06.5932.000.000	WIA Youth
Various	(\$27,082.49)	H002-H01	027.0174.06.5932.000.X01	ARRA WIA Youth
Various	(\$3,420.00)	B017-B01	044.3600.03.5230.000.000	Cont Training WCSO
Various	(\$324.98)	U062-U01	458.3600.03.5983.000.000	Sheriff's Donation Fund
Various	(\$1,111.67)	U015-U04	509.3202.02.5665.000.000	Personal Expenses
Various	(\$24,926.42)	U015-U05	509.3202.02.5675.000.000	Placement Expenses
Various	(\$2,105.91)	U015-U06	509.3202.02.5900.000.000	Other Expenses
Various	(\$1.04)	U032-U01	512.1902.11.5980.000.000	Pub Impr Oberly
To adjust appropriations in agreement with actual receipts recorded to date in compliance with 5705.36 Grant funds with appropriations and obligations backed by revenue still in collection but based on a valid grant agreement are continued as the grant or program requires and are exempt from reduction (109,110,112,205,206,209,221,210,211,212,214,215,216,218,219,304,353)				

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

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. 2009-671

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

Adopted: December 30, 2009
Subject: Approval of Travel Expenses

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

Dept./Person	Where	Date	Travel	Reg.	Seminar, Conf., Mtg., etc.
Job & Family					
Donn Aukerman	Delaware	1/6/2010	\$100.00	\$25.00	Qtly Mtg

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

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. 2009-672

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

Adopted: December 30, 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
Wayne County Airport Authority	Brian Studer 5340 Beiler Road Smithville, OH 44677	1/1/2010 - 12/31/2012
Wayne County Airport Authority	Philip Mosher 4546 South Jefferson Road Wooster, OH 44691	1/1/2010 - 12/31/2012
Wayne County Airport Authority	Mark Moser 3686 East Pleasant Home Road Creston, OH 44217	12/30/2009 - 12/31/2011 (to fill an unexpired term)

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

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. 2009-673

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

Adopted: December 30, 2009

Subject: Authorization for Director of Job & Family Services to Enter Into Contracts for Project HIRE

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

WHEREAS, pursuant to ORC 329.01, the board of County Commissioners of Wayne County has established a department of Job and Family Services; and

WHEREAS, this board has appointed a director of its Department of Job and Family Services who has the authorities as outlined in ORC 329.02; and

WHEREAS, ORC 305.25 provides that : “no contract entered into by the board of county commissioners or order made by it, shall be valid unless it has been assented to at a regular or special session of the board, and entered in the minutes of its proceedings by the county auditor or the clerk of the board.”; and

WHEREAS, pursuant to 329.04(B), this board may assign to the county department of Job and Family Services any power or duty of the board regarding such family services duties and workforce development activities; and

WHEREAS, the department of Job and Family Services contracts for workforce development activities; and

WHEREAS, the department of Job & Family Services will submit funding requests for Project HIRE services to the Ohio Department of Job & Family Services (ODJFS); and

WHEREAS, ODJFS will allocate these funds to the local department of Job & Family Services upon ODJFS review and approval of the request; and

WHEREAS, the Ohio Department of Development strongly encourages local areas to develop processes that do not unnecessarily impede access to training services;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio that the Director of Wayne County Department of Job and Family Services is hereby authorized to enter into contracts for Project HIRE upon approval of the request by ODJFS; and

IT IS FURTHER RESOLVED that any such contracts entered into by the Director of Wayne County Department of Job and Family Services, must, however comply in each instance with the statutory requirements of the Ohio Revised Code, or any other applicable laws that apply to a particular contract.

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

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. 2009-674

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

Adopted: December 30, 2009

Subject: Request to Director of Ohio Department of Transportation to Set a Reasonable Prima-Facie Speed Limit on Maple Grove Road

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

WHEREAS, a speed limit reduction request has been made to the county engineer alleging the statutory vehicular speed limit established by Sec. 4511.21, Revised Code of Ohio is greater than that considered reasonable and safe on Maple Grove Road (CR 249) between State Route 3 and State Route 95; and

WHEREAS, the Wayne County Engineer's Office performed an engineering and traffic investigation upon the section of road described above; and

WHEREAS, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 mph is unrealistic;

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

Section 1. By virtue of the provisions of Sec. 4511.21 Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe speed limit on Maple Grove Road (CR 249) between State Route 3 and State Route 95.

Section 2. That when this board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the section of road described in Section 1 hereof, standard signs, properly posted and giving notice thereof, will be erected.

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

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. 2009-675

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

Adopted: December 30, 2009

Subject: Approval of Deed of Agricultural Easement Between the Director, Ohio Department of Agriculture, Ohio Easement Purchase Program and Mark Wertemberger

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

WHEREAS, the Director, Ohio Department of Agriculture, Ohio Agricultural Easement Purchase Program has approved and offered to purchase an agricultural easement from Mark Wertemberger for approximately 75.389 acres located at 8204 Haas Road Wooster, Ohio 44691 in Franklin Township; and

WHEREAS, approval of this deed of agricultural easement includes a requirement that Wayne County shall conduct at least an annual monitoring visit of the Protected Property verifying compliance with the terms and conditions of the deed;

NOW THEREFORE BE IT RESOLVED that the Board of Wayne County Commissioners hereby grants approval of the aforementioned deed of agricultural easement agreeing to the monitoring and enforcement of the easement with authority granted to the President or Vice-President of the Board to execute any necessary documents.

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

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. 2009-676

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

Adopted: December 30, 2009

Subject: Adoption of Amendment to Personnel Policy Manual

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael to adopt an amendment to Section 5.02(F) of the Personnel Policy Manual as follows:

VACATION SECTION 5.02

- F. Vacation leave requests must be submitted in writing to the employee's immediate supervisor for approval. Vacation may be taken in no less than half-hour increments. *Wayne County Care Center employees may take vacation in increments of one-quarter (.25) hour.*

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

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. 2009-677

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

Adopted: December 30, 2009

Subject: Authorization of Contract Change Order #1 with Scassa Asphalt, Inc. for Village of Mt. Eaton / Storm Sewer Improvements – CDBG/B-F-08-078-1 (02.2)

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted with authority granted to the President or Vice-President of the Board to execute the necessary documents.

Name: Scassa Asphalt, Inc.
4167 Beaumont Ave., NW
Massillon, OH 44647

Purpose: Change Order #1 – repair of village waterline and grade readjustment
Village of Mt. Eaton / Storm Sewer Improvements – CDBG/B-F-08-078-1 (02.2)

Cost: \$53,420.00 (original contract amount)
\$7,000.00 (additional amount for change order #1)
\$60,420.00 (new total not to be exceeded)

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

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. 2009-678

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

Adopted: December 30, 2009

Subject: Approval of Ohio Dept. of Transportation LPA Project Agreement No. 23268 for WAY-CR-0060-00.83; PID No. 87526

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

WHEREAS, the Wayne County Engineer has requested the Board of Wayne County Commissioners to authorize a Local Public Agency (LPA) Agreement with the State of Ohio for a bridge replacement project, WAY-CR-0060-00.83; PID No. 87526 (Seville Road over Sugar Creek); and

WHEREAS, the Wayne County Engineer has requested approval to serve as lead agency for the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners authorizes Local Public Agency (LPA) Federal Project Agreement No. 23268 with the State of Ohio, Department of Transportation, be entered into for bridge project, WAY-CR0060-00.83; PID No. 87526 and authorizes the President of the Board to sign necessary documents and approves the Wayne County Engineer to serve as lead agency for the administration of this project.

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

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. 2009-679

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

Adopted: December 30, 2009

Subject: Approval of Ohio Dept. of Transportation LPA Project Agreement No. 23267 for WAY-TR0129-05.35; PID No. 87527

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

WHEREAS, the Wayne County Engineer has requested the Board of Wayne County Commissioners to authorize a Local Public Agency (LPA) Agreement with the State of Ohio for a bridge replacement project, WAY-TR0129-05.35; PID No. 87527 (Kohler Road over Sugar Creek); and

WHEREAS, the Wayne County Engineer has requested approval to serve as lead agency for the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners authorizes Local Public Agency (LPA) Federal Project Agreement No. 23267 with the State of Ohio, Department of Transportation, be entered into for bridge project, WAY-TR0129-05.35; PID No. 87527 and authorizes the President of the Board to sign necessary documents and approves the Wayne County Engineer to serve as lead agency for the administration of this project.

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

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. 2009-680

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

Adopted: December 30, 2009

Subject: Approval of Plat for Gallapoo Estates No. 2

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the plat for Gallapoo Estates No. 2, being a replat & renumber of Lot No.'s 90 & 92 of the Gallapoo Estates, Plat Vol. 27, Pg. 350 SE Quarter of Section 20, T-16-N, R-13-W Township of Wayne, owned by Matt W. Gallapoo, Amy L. Redmond and Gwyneth P. Gallapoo be approved.

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

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. 2009-681

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

Adopted: December 30, 2009

Subject: Approval of Plat for Wapusun Allotment No.3

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the plat for Wapusun Allotment No. 3, being a replatting of Lot No. 4 as recorded in Plat Vol. 8; Pg. 552, Clinton Township, SE Quarter, Section 1 (Mile Strip) T-20; R-15, Wayne County, Ohio and owned by Shana R. Zemrock and Mitchell E. Zemrock be approved.

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

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