

May 19, 2009

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **5 19 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 May 13, 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 May 13 – May 18, 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 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. 2009-239

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

Adopted: May 19, 2009

Subject: Approval of County Bills

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

Computer run dated **May 18, 2009** for County Bills in the amount of **\$174,923.81** and the Interagency Transaction/Payment in the amount of **\$26,317.76** 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. 2009-240

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

Adopted: May 19, 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
Auditor	\$800.00	A1-B6 Contract Services	A1-B9 Other Expenses
		001.2000.01.5430.000.000	001.2000.01.5900.000.000
Vehicle repair			
Pros. Atty.	\$400.00	A1-E4 Supplies	A1-E10 Other Expenses
		001.3700.01.5100.000.000	001.3700.01.5900.000.000
To cover necessary expenses			
Sheriff	\$14,510.00	A14-A7 Medicare	A6-A61 Workers Comp
		001.1910.01.5010.000.000	001.3600.03.5013.000.000
To cover workers comp			

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. 2009-241

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

Adopted: May 19, 2009

Subject: Approval of Personnel Changes

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

Department	Name	Title	Pay Rate	Effective Date	Status
Care Center	Paige Perkins	AC Aide	\$8.00	5/21/09	New hire
Job & Family	Isabel George			5/11/09	Return from FMLA

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. 2009-242

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

Adopted: May 19, 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.
Auditor / License Bureau					
Jarra Underwood, Keely Zemrock, Diana Ogden, Bonnie Alfred	Columbus	5/14/09	\$50.94		Clemans Nelson-Hot Buttons 2009
\$50.94 is additional to previously approved travel by Res. 2009-206 (lunch was not included)					
Clerk of Courts					
Tim Neal	Columbus	5/19-20/09	\$220.00		Ohio Clerk of Courts Assoc. Spring Conf. & ATPS III Mtgs.
Commissioners					
Patrick Herron	Columbus	6/10/09	\$ -0-		CCAO Workers Comp. Mtg.
Common Pleas/Adult Prob.					
Cheryl Gerwig	Columbus	5/6-8/09	\$400.00		Offender Motivation & Assisting Behavior Change
Job & Family					
Richard Owens	Columbus	5/31-6/3/09	\$377.00		OJFSDA Annual Trng. Conf.
WCDJFS Employees	Columbus	6/1-6/3/09	\$4,523.00	\$2,800.00	OJFSDA Annual Trng. Conf.
Juvenile Court					
Joi Hemphill	Columbus	4/30-5/1/09	\$52.00		Juvenile Law Symposium
\$52.00 is additional needed for lodging & parking of previously approved travel by Res. 2009-81					

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. 2009-243

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

Adopted: May 19, 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	The Ohio Government Finance Officers Association (Ohio GFOA)	Jarra Underwood		\$70.00

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

CERTIFICATE

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Diane L. Austen, Clerk

Resolution

No. 2009-244

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

Adopted: May 19, 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 Planning Commission	Joel Montgomery 538 N. Market St. Wooster, OH 44691 263-5234	5/19/09 – 12/31/09 (remainder of the unexpired term of Val Jesionek)

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. 2009-245

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

Adopted: May 19, 2009

Subject: Adopt Storm Water Management Regulations and Rescind Sediment & Erosion Control Regulations which were adopted by Res. 2000-272

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

WHEREAS, authority for adoption of these regulations is granted in Section 307.79 of the Ohio Revised Code which reads, *the Board of County Commissioners may adopt, amend, and rescind rules establishing technically feasible and economically reasonable standards to achieve a level of management and conservation practices that will abate wind or water erosion of the soil or abate the degradation of the waters of the state by soil sediment in conjunction with land grading, excavating, filling, or other soil disturbing activities on land used or being developed for nonfarm commercial, industrial, residential, or other nonfarm purposes, and establish criteria for determination of the acceptability of those management and conservation practices; and*

WHEREAS, with the adoption of Storm Water Management Regulations the current Sediment & Erosion Control Regulations adopted by Resolution #2000-272 are not needed; and

WHEREAS, public hearings were held on May 6, 2009 and May 13, 2009 pursuant to Section 307.79(B) of the Ohio Revised Code with proper notice once a week for two weeks immediately preceding the hearings; and

WHEREAS, no opposition was presented;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners hereby rescind Sediment & Erosion Control Regulations and adopt Storm Water Management Regulations to become effective on June 19, 2009 (the 31st day following date of adoption as required by ORC 307.79(B)).

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. 2009-246

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

Adopted: May 19, 2009

Subject: Approval of Ohio Department of Job & Family Services Subgrant Agreements

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

WHEREAS, in order for counties to receive human services funding through the State, counties must sign subgrant agreements with the Ohio Department of Job & Family Services ("ODJFS") by July 1, 2009; and

WHEREAS, the subgrant agreements include language to help ensure counties remain in compliance with federal and state law, such as provisions that require ODJFS to provide technical assistance, training, and monitoring to counties;

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners, Wayne County, Ohio adopt and execute the ODJFS subgrant agreements for Wayne County Department of Job & Family Services, Wayne County Child Support Enforcement Agency, and the Wayne County Children Services Board.

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. 2009-247

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

Adopted: May 19, 2009

Subject: Approval of Area 7 Sub-Grant Agreements (Workforce Investment Board) (ARRA)

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that these two Agreements entered into by and between Area 7 Workforce Investment Board and Area 7 Chief Elected Officials Consortium and Workforce Policy Board and Chief Elected Officials of Sub-grantee 7285 herein referred to as Sub-grantee Wayne County, hereby established a grantee/sub-grantee relationship between Area 7 and Sub-grantee 7285 with authorization for the President of the Board to execute agreements:

- Sub-grantee Agreement 2009-7285-1 to account for American Recovery & Reinvestment Act 2009 funds (ARRA – Stimulus) effective beginning 2/17/09 for as long as the Act is in effect
- Sub-grantee Agreement #2009-7285-2 to account for Workforce Investment Act funding effective July 1, 2009 through June 30, 2010

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. 2009-248

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

Adopted: May 19, 2009

Subject: Authorization to Accept American Recovery & Reinvestment Act (ARRA) Workforce Investment Act (WIA) Stimulus Allocations

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

WHEREAS, the Wayne County Dept. of Job & Family Services has received notice of its ARRA 2009 initial WIA stimulus allocations for February 1, 2009 – June 30, 2010:

	Initial Allocations
WIA Stimulus Youth	\$295,580.70
Youth Stimulus Administration	\$29,553.51
Total Youth Stimulus Allocation	\$325,134.21
WIA Adult Stimulus	\$107,334.90
Adult Stimulus Administration	\$10,731.83
Total Adult Stimulus Allocation	\$118,066.73
WIA Stimulus Dislocated Worker	\$200,237.40
Dislocated Worker Stimulus Administration	\$20,020.65
Total Dislocated Worker Stimulus Allocation	\$220,258.05

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the 2009 WIA stimulus allocations be accepted.

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. 2009-249

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

Adopted: May 19, 2009

Subject: Authority to Approve Sub-Lease by Wayne County Park District to Cedar Lane Farms Corp. for Aquaculture

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that authorization to approve Sub-Lease by Wayne County Park District to Cedar Lane Farms Corp. for the use of farm ponds near the Wayne County Care Center for aquaculture is hereby granted.

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. 2009-250

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

Adopted: May 19, 2009

Subject: Resolution Setting Time & Place for Public Hearing to Consider FY '09
Community Development Block Grant (CDBG) Formula Project Selection

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

WHEREAS, the Ohio Department of Development, Office of Housing and Community Partnerships, has made available \$328,000 in Community Development Block Grant (CDBG) Formula Funds for eligible projects, and

WHEREAS, the CDBG Formula Funds are made available to benefit low to moderate income persons in Wayne County, and

WHEREAS, the following list of projects have been reviewed and have been determined to comply with CDBG program rules, and

City of Orrville Street Improvements / Resurfacing	40,000
City of Rittman Street Improvements / Street Light Replacement	32,000
Village of Apple Creek Water and Sewer Facilities	40,000
Village of West Salem Sidewalk Improvements	38,600
Community Action/Transportation Program Public Service	40,000
Viola Startzman Free Clinic Meds, Labs & Dental Public Service	50,000
Wayne County Batdorf Road Sewer Facility Improvements	22,400
Wayne County Public Defender Program Equipment	9,800
Fair Housing	6,000
Administration	49,200
Total	\$328,000

WHEREAS, the County Commissioners have authorized the Planning Dept. staff to hold the public hearing on their behalf.

NOW, THEREFORE BE IT RESOLVED the Board of Wayne County Commissioners sets a Public Hearing for Monday, June 1, 2009 at 2:00 p.m. in the Wayne County Administration Building Lounge to invite public comment on the FY'09 CDBG Formula project selection.

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. 2009-251

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

Adopted: May 19, 2009

Subject: Authority to Obtain Easements of Property Located in Wooster Township to Install and Maintain a Sanitary Sewer (Batdorf)

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that authority is hereby granted to obtain Easements to install and maintain a sanitary sewer pump station and sanitary sewer lines and all facilities, connectors, and appurtenances. These Easements involve property situated in the Township of Wooster, County of Wayne, State of Ohio, being part of the NE Qtr. of Sec. 29, T-15, R-13 and a part of a record 16.020 parcel as conveyed to Robert Smailes & Ruth Smailes, Co-Trustees by Official Record Volume 342, Page 1911

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. 2009-252

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

Adopted: May 19, 2009

Subject: Authority to Enter into Change Order #3 with VASU Communications, Inc. for Radio Communications Tower Replacement at the Wayne County Care Center

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

Name: VASU Communications, Inc.
2432 Ridgeland Dr.
Avon, OH 44011

Purpose: this change order consists of contractor providing labor and materials to install one additional antenna requested by Wayne County Emergency Management

Cost: Original Total \$298,953.31
Addition #1 \$24,873.50
Addition #2 \$2,043.54
Addition #3 \$130.69
New Total \$326,001.04

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. 2009-253

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

Adopted: May 19, 2009

Subject: Approval of Fee Schedule for Storm Water Management Regulations

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

WHEREAS, pursuant to Ohio Revised Code 307.79(A)(5) the Board may impose reasonable filing fees for plan review, permit processing, and field inspections;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the proposed Fee Schedule (see "attached" Fee Schedule) for Storm Water Management Regulations is hereby approved; and

BE IT FURTHER RESOLVED, that Storm Water Management fees are designated to be deposited to the General Fund.

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