

# AGENDA

## Wayne County Commissioners' Regular Session of March 2, 2011

- Pledge of Allegiance to the Flag
- Call to Order & Roll Call of Commissioners Present
- Approval of Agenda
- Public Remarks
- Approval of minutes of Regular Session held February 22, 2011
- Approval of minutes from Meetings and/or Hearings held February 22 – March 1, 2011

<b>Date</b>	<b>Res.#</b>	<b>Resolution Title</b>
3/2	2011-95	<b>County Bills Approval</b>
3/2	2011-96	<b>Appropriation Transfer Approval</b>
3/2	2011-97	<b>Travel Expense Approval</b>
3/2	2011-98	<b>Organizational Membership Approval</b>
3/2	2011-99	<b>Board Appointment Approval</b>
3/2	2011-100	<b>Annual County Highway System Mileage Certification (2010)</b>
3/2	2011-101	<b>Bid Authorization for Aggregate Stone for Wayne County Roads for the Wayne County Engineer</b>
3/2	2011-102	<b>Bid Authorization for Hot &amp; Cold Mix for Wayne County Roads for the Wayne County Engineer</b>
3/2	2011-103	<b>Bid Authorization for Liquid Asphalt for Wayne County Roads for the Wayne County Engineer</b>
3/2	2011-104	<b>Adoption of Amendment to Personnel Policy Manual</b>
3/2	2011-105	<b>Authority to Enter into a Legal Services Agreement with Daniel R. Lutz, Prosecuting Attorney, Wayne County, Ohio Regarding USDA RBEG Application for Local Wooster Foods Cooperative, Inc.</b>
3/2	2011-106	<b>Authorization for Grant Application to the Ohio Office of Criminal Justice Services (OCJS) for Narcotics Task Force Funding on Behalf of the Medway Drug Enforcement Agency</b>
3/2	2011-107	<b>Approval of Memorandum of Understanding Between the Wayne County Dept. of Job &amp; Family Services and Wayne County Child Support Enforcement Agency</b>
3/2	2011-108	<b>Authorization for County Administrator to Execute Documents for CCAO and State of Ohio Deferred Compensation Programs</b>

# Resolution

No. 2011-95

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

*Adopted:*   March 2, 2011  
*Subject:*   **County Bills Approval**

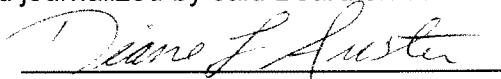
It was moved by Mr. Carmichael and seconded by Mr. Wiggam that the following resolution be adopted:

Computer run dated **March 1, 2011** for County Bills in the amount of **\$189,063.29**, Interagency Transaction/Payment **batch #1997** in the amount of **\$111,225.65** and the taxable travel reimbursements in the amount of **\$-0-** are hereby approved for payment.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-96

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

Adopted: March 2, 2011

Subject: **Appropriation Transfer Approval**

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

Prosecuting Attorney	To cover anticipated benefits charged to unemployment		
\$1,164.00	From	A014-A07 Medicare	001.1910.01.5010.000.000
	To	A301-E10 Unemployment	001.3700.01.5014.000.000

The vote is as follows: Jim Carmichael yea Ann M. Obrecht absent 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. 2011-97

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

Adopted: March 2, 2011

Subject: **Travel Expense Approval**

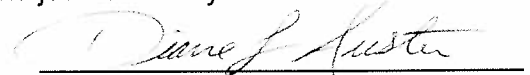
It was moved by Mr. Carmichael and seconded by Mr. Wiggam that the following resolution be adopted:

Dept./Person	Where	Date	Reg.	Travel	Travel (taxable)	Seminar, Conf., Mtg., etc.
<b>Auditor</b>						
Jarra Underwood, Jim Todd, Lori Jewell	Summit County	3/4/2011	60.00			NE Auditor Mtg.
<b>Commissioners</b>						
Patrick Herron	Columbus	4/13/2011		-0-		CCAO – State Budget & How it Affects Counties
<b>Job &amp; Family</b>						
Jamie Mosier	Medina	3/22/2011		28.93		CAWM Board Mtg.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht absent 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. 2011-98

## Board of Wayne County Commissioners

Jim Carmichael   Ann M. Obrecht   Scott S. Wiggam

*Adopted:* March 2, 2011

*Subject:*    **Organizational Membership Approval**

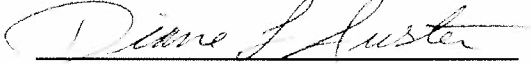
It was moved by Mr. Carmichael and seconded by Mr. Wiggam that the following resolution be adopted:

Department	Organization	Person	Fee/Each	Total
<b>Coroner</b>	Ohio State Coroners Assoc.	Amy Jolliff		\$2,048.00
<b>Job &amp; Family</b>	National Assoc. of County Human Services Administrators	Richard Owens		\$315.00

The vote is as follows: Jim Carmichael yea    Ann M. Obrecht absent    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. 2011-99

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

*Adopted:* March 2, 2011

*Subject:* **Board Appointment Approval**

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

Name of Board	Appointee/Address/PH	Term
<b>Airport Authority</b>	Ralph Hodgdon 1141 Forest Dr. Wooster, OH 44691	3/2/2011 – 12/31/2011 (to fill remainder of a term)

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-100

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

*Adopted:* March 2, 2011

*Subject:* **Annual County Highway System Mileage Certification (2010)**

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

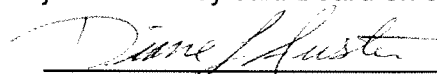
WHEREAS, the Wayne County Engineer has signed and requested signatures from the Board of Wayne County Commissioners for the 2010 Ohio Department of Transportation County Highway System Mileage Certification;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners hereby certifies a total of 498.997 County miles for the calendar year 2010.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-101

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

*Adopted:* March 2, 2011

*Subject:* **Bid Authorization for Aggregate Stone for Wayne County Roads for the Wayne County Engineer**

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

The Budget Director is hereby authorized to advertise and receive bids for the following purpose:

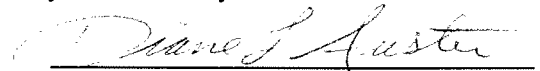
to request unit price bids for Aggregate Stone for Wayne County Roads on behalf of the Wayne County Engineer

Upon receipt of said bids, the Budget Director shall tabulate and review the same and present the tabulation to the Board for final disposition.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-102

## Board of Wayne County Commissioners

*Jim Carmichael   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* March 2, 2011

*Subject:* **Bid Authorization for Hot & Cold Mix for Wayne County Roads for the Wayne County Engineer**

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

The Budget Director is hereby authorized to advertise and receive bids for the following purpose:

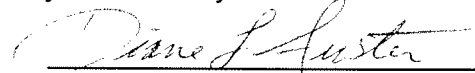
to request unit price bids for Hot & Cold Mix for Wayne County Roads on behalf of the Wayne County Engineer

Upon receipt of said bids, the Budget Director shall tabulate and review the same and present the tabulation to the Board for final disposition.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-103

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

*Adopted:* March 2, 2011

*Subject:* **Bid Authorization for Liquid Asphalt for Wayne County Roads for the Wayne County Engineer**

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

The Budget Director is hereby authorized to advertise and receive bids for the following purpose:

to request unit price bids for Liquid Asphalt for Wayne County Roads on behalf of the Wayne County Engineer

Upon receipt of said bids, the Budget Director shall tabulate and review the same and present the tabulation to the Board for final disposition.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-104

## Board of Wayne County Commissioners

Jim Carmichael   Ann M. Obrecht   Scott S. Wiggam

*Adopted:*   March 2, 2011

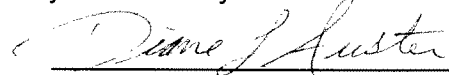
*Subject:*   **Adoption of Amendment to Personnel Policy Manual**

It was moved by Mr. Carmichael and seconded by Mr. Wiggam to adopt an amendment to Section 5.08 of the Personnel Policy Manual regarding Family and Medical Leave, as attached to this Resolution.

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

A. An employee who has been employed by the Employer for at least twelve (12) months and who has actually worked at least one thousand two hundred fifty (1,250) hours of service during the twelve (12) month period immediately preceding the commencement of the leave may be eligible for Family and Medical Leave as provided in this policy. The Act precludes the use of such leave by employees unless there are fifty (50) employees of the Employer within a seventy-five (75) mile radius.

B. An eligible employee may be permitted a total of twelve (12) work weeks of leave during the twelve (12) month period measured forward from the first date the employee uses Family and Medical Leave. Family and Medical Leave may be used for the following reasons:

1. To care for the employee's child after the birth of the child (see subsection (L) for the definitions of child and parent);
2. To care for a child after the child is placed with the employee for adoption or foster care;
3. To care for the employee's spouse, child, or parent who has a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the functions of the employee's position including a workers' compensation qualifying injury; or
5. Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent, ***or an individual which the employee has or had legal custody of***, is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation. Qualifying exigencies are one or more of the following: short-notice deployment, military events and related activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities, ***or if the military member has been injured, wounded or hospitalized while serving in active duty.***

C. An eligible employee may be permitted a total of twenty-six (26) work weeks of leave during the twelve (12) month period measured forward from the first date the employee uses Family and Medical Leave in order to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the service member. However, when Family and Medical Leave is used for this reason and one or more of the reasons listed in "B" above, the eligible employee will be entitled to a maximum combined total of twenty-six (26) work weeks of leave.

While on Family and Medical Leave, an eligible employee will be required to use all accrued vacation and sick leave (if appropriate),\* prior to being granted unpaid Family and Medical Leave. The combined period of leave, including vacation, sick leave, and unpaid Family and Medical Leave shall not exceed the total of twelve (12) or twenty-six (26) work weeks during the twelve (12) month period defined above. The designation of leave as Family and Medical Leave is the responsibility of the Employer only.

- D. An eligible employee will be required to provide the Employer with thirty (30) days advance notice of the employee's intention to take Family and Medical Leave. The only exception will be when unforeseen circumstances prevent the employee from providing the required notice.

*In the event of Military Family Leave, the Employee will be required to provide the Employer with fourteen (14) days notice prior to taking the leave if the leave is being taken because of a call to activity duty, or at least two (2) days notice prior to taking the leave if the leave is being taken because of an injury, wound or hospitalization. If the employee receives notice from a representative of the uniformed services that the injury, wound or hospitalization is of a critical or life-threatening nature, the employee make take the leave under this section, and/or including section 5.08(C), without providing notice to the employer.*

- E. The Employer will require the employee to provide medical certification from the employee's health care provider or the family member's health care provider in order to support a leave request to care for a spouse, child, or parent who has a serious health condition; or for leave due to a serious health condition that makes the employee unable to perform the functions of the employee's position.

The Employer, at the Employer's expense, may require a second opinion on the validity of the certification. Should a conflict arise between the opinions of the two (2) health care providers, a third opinion will be sought. The third opinion will be provided by a health care provider mutually agreeable to the employee and the Employer. The expense of a third opinion will be paid by the Employer. The finding of the third health care provider is final and binding on both parties.

*In the event of Military Family Leave, the Employer may require the Employee to provide certification from the appropriate military authority to verify that the Employee satisfied the criteria described herein.*

- F. In the event of the continuation, reoccurrence, or onset of a serious health condition of the employee, after such employee has exhausted the twelve (12) work weeks of leave as provided in this policy, the employee may request an unpaid leave of absence in accordance with the Employer's policy.

---

\* See Section 5.04 of this manual for appropriate uses of sick leave.

- G. The Employer will also require the employee to provide appropriate certification in order to support a leave request because of a qualifying exigency or to care for a covered service member with a serious injury or illness.
- H. In the event a husband and wife are both employed by the same Wayne County employer, and either or both request leave for the birth or placement of a child (bonding leave), the total number of work weeks of such leave to which both employees are entitled will be limited to a cumulative total of twelve (12) work weeks during the twelve (12) month period. In other words, a cumulative total of twelve (12) weeks of bonding leave is available to the parents of a child. The leave may be used by one parent or split between both parents.
- I. Leave due to the serious health condition of the employee or the employee's spouse, child, or parent, or to care for a covered service member with a serious illness or injury, may be taken intermittently or on a reduced leave schedule when medically necessary. The Employer may require an employee who takes leave in this manner for planned medical treatments to transfer temporarily to an alternative position which has equivalent pay and benefits and better accommodates the recurring periods of leave. Leave due to a qualifying exigency may also be taken on an intermittent or reduced leave schedule basis.

The taking of leave intermittently or on a reduced leave schedule will not result in a reduction in the total amount of leave to which the employee is entitled in accordance with this policy.

Leave due to the birth or placement of a child may not be taken on an intermittent or reduced leave schedule.

- J. It will not be considered a break in service when an employee takes leave in accordance with this policy, provided the employee returns to work at the expiration of the leave period.
- K. An eligible employee who takes leave in accordance with this policy shall, upon return from such leave, be restored to the position held by the employee when the leave commenced, or a similar position of equivalent pay and benefits. The Employer will require the employee's physician to certify that the employee is able to resume work as a condition of return to employment.
- L. During any period that an eligible employee takes leave in accordance with this policy, the Employer will maintain the employee's group health care coverage under the conditions coverage would have been provided if the employee had continued in employment for the duration of the leave. The employee will be responsible for paying the employee's share of the health insurance costs during the leave. If the employee does not return from the leave, the Employer may recover the premiums it paid for maintaining the health care coverage during the period of unpaid Family and Medical Leave.

M. Upon requesting Family and Medical Leave, an eligible employee will receive a written notice, from the Employer, outlining the employee's rights and obligations (Appendix D).

N. **DEFINITIONS**

For purposes of Family and Medical Leave, and in accordance with the Family and Medical Leave Act, the following definitions shall apply to the terms set forth herein:

1. Child

A biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee where the employee stands in loco parentis to that child, where the child is under the age of eighteen (18), or over the age of eighteen (18), but incapable of self-care because of a mental or physical disability.

2. Parent

A biological, adoptive, step or foster mother or father, or an individual who stands or stood in loco parentis to an employee when the employee was a child. (This definition does not include in-laws.)

<b>Original Adoption Date</b>	<b>Revision Number</b>	<b>Date</b>	<b>Approved</b>
<u>7/31/96</u>	<u>4</u>	<u>3/2/11</u>	<u>3/2/11</u>

# Resolution

No. 2011-105

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

*Adopted:* March 2, 2011

*Subject:* **Authority to Enter into a Legal Services Agreement with Daniel R. Lutz, Prosecuting Attorney, Wayne County, Ohio Regarding USDA RBEG Application for Local Wooster Foods Cooperative, Inc.**

It was moved by Mr. Carmichael and seconded by Mr. Wiggam that the Legal Services Agreement between the Board of Wayne County Commissioners and Daniel R. Lutz, Wayne County Prosecutor, for legal services involving the USDA Rural Business Enterprise Grant (REGB) Application for the Wane County Community Kitchen Project by Wooster Local Foods Cooperative, Inc. (dba Local Roots Market and Café) be approved.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-106

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

*Adopted:* March 2, 2011

*Subject:* **Authorization for Grant Application to the Ohio Office of Criminal Justice Services (OCJS) for Narcotics Task Force Funding on Behalf of the Medway Drug Enforcement Agency**

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

WHEREAS, the Ohio Office of Criminal Justice Services (OCJS) has made grant programs available to Medway Drug Enforcement Agency (Medway) in accordance with the provisions of the Ohio Drug Law Enforcement Fund (DLEF), ORC 5502.68; and

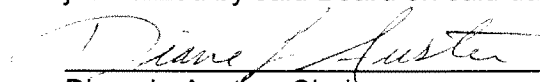
WHEREAS, Medway has requested to be authorized to apply for the grant as offered, agreeing to all requirements and conditions;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners approves application to the OCJS Grant for Narcotics Task Force to benefit the Medway Drug Enforcement Agency and authorizes Commissioner Jim Carmichael to execute the necessary application documents.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-107

## Board of Wayne County Commissioners

*Jim Carmichael   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* March 2, 2011

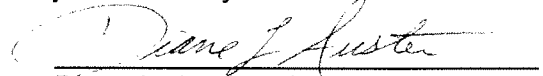
*Subject:* **Approval of Memorandum of Understanding Between the Wayne County Dept. of Job & Family Services and Wayne County Child Support Enforcement Agency**

It was moved by Mr. Carmichael and seconded by Mr. Wiggam that the Memorandum of Understanding Between the Wayne County Dept. of Job & Family Services (CDJFS) and Wayne County Child Support Enforcement Agency (CSEA) is hereby approved for the purpose of authorizing the payment of a portion of the State of Ohio's General Relief Funds provided to CDJFS and known as the Child, Family and Adult Community and Protective Services allocation in order for the CSEA to utilize the funds.

The vote is as follows: Jim Carmichael yea   Ann M. Obrecht absent   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. 2011-108

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

*Adopted:* March 2, 2011

*Subject:* **Authorization for County Administrator to Execute Documents for CCAO and State of Ohio Deferred Compensation Programs**

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

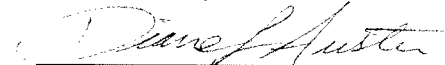
WHEREAS, the County Commissioners Association of Ohio (CCAO) and the State of Ohio Deferred Compensations programs often require approval by the Board of Wayne County Commissioners for actions requested by members;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that authorization is hereby granted to the County Administrator to execute any necessary documents.

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