

## July 2, 2008

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **7 2 2008 Session**

Mr. Wiggam moved the agenda be approved and Mrs. Obrecht seconded the motion.

The vote is as follows: Cheryl A. Noah absent                      Ann M. Obrecht yea      Scott S. Wiggam yea

Approval of minutes from the Commissioners' Regular Session held June 25, 2008.

Mr. Wiggam moved the minutes be approved and Mrs. Obrecht seconded the motion.

The vote is as follows: Cheryl A. Noah absent                      Ann M. Obrecht yea      Scott S. Wiggam yea

Approval of minutes from Commissioners' Meetings held June 25 – July 1, 2008.

Mr. Wiggam moved the minutes be approved and Mrs. Obrecht seconded the motion.

The vote is as follows: Cheryl A. Noah absent                      Ann M. Obrecht yea      Scott S. Wiggam yea

Resolutions follow this page.

There being no further business to come before the Board, Mr. Wiggam moved the meeting be adjourned and Mrs. Obrecht seconded the motion.

The vote is as follows: Cheryl A. Noah absent                      Ann M. Obrecht yea      Scott S. Wiggam yea

Attest: \_\_\_\_\_  
Diane L. Austen, Clerk

\_\_\_\_\_  
Ann M. Obrecht, President

\_\_\_\_\_  
Scott S. Wiggam, Vice-President

\_\_\_\_\_  
Absent  
Cheryl A. Noah, Member  
Wayne County Commissioners

# Resolution

No. 2008-342

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Approval of County Bills

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

Computer run dated **July 1, 2008** for County Bills in the amount of **\$794,865.56** and the Interagency Transaction/Payment in the amount of **\$235,774.67** are hereby approved for payment.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-343

## Board of Wayne County Commissioners

Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam

*Adopted:* July 2, 2008

*Subject:* Approval of Appropriation Transfers

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

Department	Amount	From Appropriation	To Appropriation
<b>Commissioners</b>	\$1.00	T50-T4 Sidewalk	T50-T10 Administration
Necessary to close all BF06 projects. Balance remains from rounding funding requests.			
<b>Commissioners</b>	\$15,000.00	A8-D1 Salaries (Health-Jail Medical)	A8-D2 Services (Health-Jail Medical)
To cover initial services for jail medical contract			
<b>Coroner</b>	\$2,000.00	A2-F6 Services	A2-F10 Veh. Ops.
To cover rise in fuel costs & volume of calls			
<b>Job &amp; Family</b>	\$30,000.00	H2-H22 WIA Youth	H2-H20 WIA Adult
<b>Job &amp; Family</b>	\$30,000.00	H2-H22 WIA Youth	H2-H21 WIA DLW
Moving to Adult & DLW to be in line with the most recent budget letters from the state			
<b>Job &amp; Family</b>	\$30,000.00	H2-H19 WIA One-Stop	H2-H20 WIA Adult
Expenses for One-Stop less than anticipated – moving to encumber contracts to provide client services			
<b>Job &amp; Family</b>	\$260,000.00	H-H15 Other Exp.	H-H17 Contracts
To cover expenses			
<b>Planning</b>	\$4,550.00	A1-I1 Salaries	A301-I6 Unemployment
To cover necessary expenses			
<b>Sheriff</b>	\$5,000.00	X3-X11 FRED Rotary – Reimbursement	X3-X9 FRED Rotary – Other Exp.
To cover necessary expenses			

The vote is as follows: Cheryl A. Noah absent      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. 2008-344

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Approval of Personnel Changes

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

Department	Name	Title	Pay Rate	Effective Date	Status
<b>Care Center</b>	Brittany Akers	Food Service Worker	\$7.20	6/25/08	new hire
<b>Care Center</b>	Kristen Hamilton	STNA		6/13/08	resigned
<b>Care Center</b>	Jennifer Campbell	Food Service Worker		6/21/08	resigned

The vote is as follows: Cheryl A. Noah absent      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. 2008-345

## Board of Wayne County Commissioners Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam

*Adopted:* July 2, 2008

*Subject:* Approval of Travel Expenses

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

Dept./Person	Where	Date	Travel	Reg.	Seminar, Conf., Mtg., etc.
<b>Auditor/License Bureau</b>					
Bonnie Alfred	North Canton	7/8/08	\$50.05		New Rules on Registration POA
<b>Child Support</b>					
Elizabeth Keets	Columbus	7/21/08	\$25.00		Efficiencies Sub-Committee
Marjorie Butler	Newark	7/9-11/08	\$388.80		OCDA Exec. & General Mtg.
Marjorie Butler, Deborah Watkins, Teresa Wengerd	Newark	7/14-15/08	\$456.01		QuIC+ 2008 User Group
<b>Clerks of Courts</b>					
Dennis Archer, Don James	Cambridge	7/17/08	\$111.20		Passport Trng. & Certification
<b>Engineer</b>					
Larry Warner	Akron	9/16/08	\$15.00		SCOUR Bridge Assessment
<b>Job &amp; Family</b>					
Richard Owens	Columbus	6/30/08	\$104.00		ODJFS / Office of Research, Assessment & Accountability
Donn Aukerman	Delaware	7/9/08	\$100.00	\$25.00	JFS Human Res. Assoc. Qtly.
Margie Byrd	Columbus	7/14/08	\$110.13		OJFSDA Child Care Committee
<b>Justice Center</b>					
Andrew Thornton	London	8/28/08	\$117.69	\$65.00	Dispatching for Emerg. Resp.
<b>Planning</b>					
Katie Myers	Reynoldsburg	7/29/08	\$6.00		Ag. Easement Purchase Program (AEPP) Technical Mtg.
<b>Victim Witness Assistance</b>					
Kathleen Reynolds	London	7/6-11/08	\$110.81		Basic Advocacy Skills in Crime Victim Services

The vote is as follows: Cheryl A. Noah absent      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. 2008-346

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Approval of Organizational Memberships

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

Department	Organization	Person	Fee/Each	Total
<b>Auditor</b>	National Conference on Weights & Measures	James Todd		\$75.00
<b>Commissioners</b>	Northeast Ohio Four County Regional Planning and Development Org. (NEFCO) (July 1 – December 31, 2008)			\$8,675.50

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-347

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Approval of Temporary Road Closure for Kidron Mennonite Relief Race

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

WHEREAS, the Wayne County Engineer, Roger Terrill, received a request from Mr. Chad Lehman on behalf of the Kidron Mennonite Relief Race Committee requesting permission to close Hackett Road (CR 188) between Kidron Road (CR 52) and Sommers Road (TR 434); and Zuercher Road (CR 98) between Hackett Road and Nussbaum Road (TR 237), for their annual 5K run; and

WHEREAS, the requested closure is for 7AM – 10AM on Saturday, August 2, 2008; and

WHEREAS, traffic control will be provided by volunteers and qualified safety forces throughout the event;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners approval is given for temporary road closure of the aforementioned roads on Saturday, August 2, 2008 from approximately 7:00AM - 10:00AM, for such event, on recommendation of Roger K. Terrill, County Engineer.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-348

*Board of Wayne County Commissioners*  
*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Approval of Tax Exemption for Mark Wertenberger for Land Located Within the Agricultural Security Area Established Under ORC 931

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

**WHEREAS**, House Bill 414 of the 125<sup>th</sup> General Assembly allows for the exemption from property taxation of a building, structure, improvement or fixture that is used exclusively for agricultural purposes, is located on land enrolled in an agricultural security area established under Chapter 931 of the Ohio Revised Code, and has a true value in money of \$25,000 or more; and

**WHEREAS**, Mark Wertenberger of 850 E. Clark Rd, Wooster, Ohio 44691 has applied to the Board of Commissioners of Wayne County and the Board of Township Trustees of Franklin Township for a tax exemption for this qualifying agricultural real property; Parcel number 3000937.000. The structure proposed for exemption is an 80'x 120' pole building intended for multiple agricultural uses including, but not limited to; office, shop, machinery storage and housing of livestock. Significant improvements within the building will be; concrete throughout, electrical wiring, plumbing and heat within the office (16' x 24') and shop (40' x 48'); and

**WHEREAS**, the Board of Commissioners of Wayne County and the Board of Trustees of Franklin Township have conferred with each other in accordance with Ohio Revised Code section 5709.28 and reached an agreement; and

**WHEREAS**, the building and improvement located at 8204 Haas Rd, Wooster, Ohio 44691 meets the qualifications of Ohio Revised Code section 5709.28 for qualifying agricultural real property and the application for exemption has been approved by the Board of Commissioners of Wayne County and the Board of Trustees of Franklin Township; therefore be it

**RESOLVED**; that the Board of Commissioners of Wayne County hereby approves a tax exemption of 50% of the taxable value of the qualifying agricultural real property; and be it further

**RESOLVED**, that maximum monetary value to be subject to the exemption is \$150,000 which is 100% of the total monetary value of the property; and be it further

**RESOLVED**, that this qualifying agricultural real property shall first become exempted in tax year 2009 which is the year following the year in which the construction of the property will be completed; and be it further

**RESOLVED**, that this tax exemption shall continue to be in force for a total 10 years; and be it further

**RESOLVED**, that this exemption may extend past the scheduled expiration date of the period of enrollment in the agricultural security areas (ASA) for the land on which the exempted property is located, provided that the enrollment of the land in the ASA is

renewed and otherwise continues during the tax years in which this exemption will apply; and be it further

**RESOLVED**, that this agreement shall be reviewed annually by the Tax Incentive Review Council of Wayne County in accordance with Ohio Revised Code section 5709.85 and applicant shall provide information to the Tax Incentive Review Council of Wayne County at their request; and be it further

**RESOLVED**, that the Auditor of Wayne County, in accordance with Ohio Revised Code section 5709.85, shall enter the qualifying agricultural real property described in this resolution on the list of property described in Ohio Revised Code section 5713.07; and be it further

**RESOLVED**, that an application under Ohio Revised Code section 5715.27 shall not be required to pay a fee with respect to the tax exemption granted in this resolution; and be it further

**RESOLVED**, that the Auditor of Wayne County shall remove this qualifying agricultural real property from the list of property described in Ohio Revised Code section 5713.07 if the Auditor discovers, or is notified in accordance with Ohio Revised Code section 931.07 that a withdrawal, removal or conversion of land from the agricultural security area on which this qualifying agricultural real property is located has occurred in a way that renders this property no longer eligible for exemption; and be it further

**RESOLVED**, that if the Auditor of Wayne County removes the property from the list of property that is exempt from taxation and the owner of the removed property claimed a tax exemption that was established by this resolution for a prior tax year, the amount of tax otherwise imposed on the property shall be increased and recoupment paid; and be it further

**RESOLVED**, that the amount of that tax increase shall equal the aggregate value of the tax exemption received by the taxpayer since the agricultural security area was most recently approved for establishment or renewal, as applicable, plus interest on that amount at the average bank prime rate, as determined under Ohio Revised Code section 929.02, at the time the Auditor removes the property from the list of property that is exempt from taxation; and be it finally

**RESOLVED**, that copies of this resolution shall be sent to the Franklin Board of Township Trustees, Auditor of Wayne County, Office of Farmland Preservation of the Ohio Department of Agriculture, the County Commissioners Association of Ohio (CCAO) and the Superintendent of Schools of each school district located within the agricultural security area (ASA) in which the qualifying agricultural real property is located.

The vote is as follows: Cheryl A. Noah absent                      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-349

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Approval of Amendment to Grant Agreement with the Center for Farmland Policy Innovation at The Ohio State University

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

WHEREAS, the Center for Farmland Policy Innovation at The Ohio State University (CFFPI) and the Board of Wayne County Commissioners (Grantee) entered into a Grant Agreement through CFFPI's Farmland Protection Partnership Program on February 9, 2007, hereinafter referred to as "2007 Grant Agreement" that shall terminate on July 31, 2008; and

WHEREAS, Art. 1 §1.2 of the 2007 Grant Agreement provides for renewal of its terms upon the written agreement of the parties; and

WHEREAS, CFFPI and Grantee agree that Grantee needs additional time to complete the Project Work Plan specified in the Grant Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners Amendment to Grant Agreement is approved as follows:

Project period for the 2007 Grant Agreement shall extend to November 30, 2008, at which time it may be renewed under the same terms and conditions by the written agreement of the parties.

The Project Work Plan, Final Report and final payment are hereby revised to reflect the extended termination date for the 2007 Grant Agreement.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-350

*Board of Wayne County Commissioners*  
*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Authority to Enter into a Purchase Agreement with William J. Baisden and Lois J. Baisden for Rails to Trails

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

WHEREAS, The Board of Wayne County Commissioners on behalf of Rails to Trails Wayne County are in the land acquisition phase of the Northern Wayne County Trail, an approximately 9 mile pedestrian/bicycle trail; and

WHEREAS, Parcel #0900729.000, located at 105 Myers Street, Creston, Ohio 44217, Wayne County, Ohio is desired to complete the project; and

WHEREAS, Partial acreage of the parcel totaling 3.270 will be used for the purposes of a pedestrian/bicycle trail; and

WHEREAS, The fair market value of \$16,200.00 was offered by Rails to Trails and accepted by the owners, William J. Baisden and Lois J. Baisden; and

WHEREAS, Rails to Trails Wayne County will provide the funding for the acquisition; and

WHEREAS, ODOT LPA Grant # 79840 is expected to reimburse 80% of the cost of acquisition.

NOW THEREFORE BE IT RESOLVED that the purchase agreement between the Board of Wayne County Commissioners and William J. Baisden and Lois J. Baisden for the above-mentioned property in the Village of Creston for the amount of \$16,200.00 be approved with authority granted to the President of the Board to execute the necessary documents.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-351

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Resolution to set Public Hearing for Proposed Amendments to  
Subdivision Regulations

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

WHEREAS, it has been requested by the Wayne County Planning Commission that this Board consider amending the current Subdivision Regulations; and

WHEREAS, it has also been determined that these amendments must be presented at a Public Hearing (ORC 711.101);

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners conduct a Public Hearing on Wednesday, August 6, 2008 at 1:00PM in the Wayne County Commissioners' Meeting Room, 428 W. Liberty St., Wooster, Ohio.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-352

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Authority to Enter into Memorandum of Agreement Between the Wayne County Sheriff and the Ohio Patrolmen's Benevolent Association

It was moved by Mr. Wiggam and seconded by Mrs. Obrecht that authority is hereby granted to enter into a Memorandum of Agreement between the Wayne County Sheriff and the Ohio Patrolmen's Benevolent Association.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-353

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Award Agreement to Premier Health Care Services, Inc. for Jail Medical Services

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

Name: Premier Health Care Services, Inc.  
332 Congress Park Drive  
Dayton, OH 45459

Purpose: Jail Medical Services

Unsuccessful Bidders:

Health Professionals, Ltd.
Advanced Correctional Healthcare
Amy Jolliff

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk

# Resolution

No. 2008-354

## Board of Wayne County Commissioners

*Cheryl A. Noah   Ann M. Obrecht   Scott S. Wiggam*

*Adopted:* July 2, 2008

*Subject:* Authority to Apply to Philips HeartStart Giving Program for AED Grant for Safety Equipment

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

WHEREAS, corporate assistance may be available for the purchase of necessary health and safety equipment, namely AED's (Automated External Defibrillator) from Philips HeartStart Giving Program up to a maximum value of \$30,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the AED Grant Application is hereby authorized and that the Wayne County Loss Control Coordinator be designated as implementing agent.

The vote is as follows: Cheryl A. Noah absent      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.

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Diane L. Austen, Clerk