

September 12, 2007

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **9 12 2007 Session**

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

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

Approval of minutes from the Commissioners' Regular Session held September 5, 2007.

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

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

Approval of minutes from Commissioners' Meetings held September 5 – September 11, 2007.

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

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

Attest: _____
Diane L. Austen, Clerk

Cheryl A. Noah, President

Ann M. Obrecht, Vice-President

Scott S. Wiggam, Member
Wayne County Commissioners

Resolution

No. 2007-525

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

Adopted: September 12, 2007

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 **September 4, 2007** for County Bills in the amount of **\$436,445.64** and the Interagency Transaction/Payment in the amount of **\$15,106.50** are hereby approved for payment.

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

Resolution

No. 2007-526

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

Adopted: September 12, 2007

Subject: Approval of County Home Bills

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

Computer run dated **September 4, 2007** for County Home Bills in the amount of **\$36,164.35** and the Interagency Transaction/Payment in the amount of **\$1,900.00** are hereby approved for payment.

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

Resolution

No. 2007-527

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

Adopted: September 12, 2007

Subject: Approval of Appropriation Transfers

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

Department	Amount	From Appropriation	To Appropriation
Commissioners	\$50,000.00	A4-A4 Equipment	A1-D3 Postage
To cover postage needs for county offices			
Commissioners	\$19,102.61	A14-C1 Taxes	A1-D2 Utilities
To cover necessary anticipated costs			
Veterans	\$2,200.00	A9-C9 Other	A9-C10 Vehicle Operation
To cover gasoline costs for 2007			

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

Resolution

No. 2007-528

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

Adopted: September 12, 2007

Subject: Authorization to Appropriate Funds

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

Department	Amount	To the Appropriation
Commissioners	\$1,620.00	W35-W1 State Indigent Applications
Commissioners	\$6,480.00	W35-W2 County Indigent Applications
To cover state and county share of Indigent Application fees for 2007		

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

Resolution

No. 2007-529

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

Adopted: September 12, 2007

Subject: Approval of Personnel Changes

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

Department	Name	Title	Pay Rate	Effective Date	Status
Care Center	Debra Barnes	Laundry Worker	\$8.00	9/13/07	New Hire – P/T
Care Center	Lora Hicks	STNA	\$9.90	9/17/07	New Hire – P/T
Care Center	Amber Anderson	STNA	\$9.30	9/17/07	New Hire – P/T
Job & Family	Emily Ault	Elig. Ref. Spec. 2	\$13.04	9/14/07	Resigned
Justice Center	Mary Rinard	Dispatch position		9/8/07	Resigned
Justice Center	Michael May	Dispatch position	\$12.98	9/9/07	P/T to F/T

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

Resolution

No. 2007-530

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

Adopted: September 12, 2007

Subject: Approval of Travel Expenses

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

Dept./Person	Where	Date	Exp. Not to Exceed	Seminar, Conf., Mtg., etc.
Auditor				
Jarra Underwood, Linda Rohrer, Keely Zemrock	Columbus	9/19/2007	\$90.00	CAAO Workshop / Continuing Education
Building Codes				
Ray Zytowiecki, Kevin Rogers	Cuyahoga Falls	9/13/2007	\$120.00	Five Building Officials Association (FBOA) Spring Seminar
Child Support				
Deborah Watkins, Bradley Harp	Canton	11/2/2007	\$95.00	Attorney Networking Roundtable Mtg
Deborah Watkins, Bradley Harp	Wooster	9/21/2007	\$250.00	Domestic Relations Seminar
Michelle Leighty, Elizabeth Keets, Cheryl Cline, Brenda Norris, Victoria Avila, Tina Rose	Akron	9/17/2007	\$90.00	Enforcement Default Training
Michelle Leighty, Elizabeth Keets, Cheryl Cline, Brenda Norris, Victoria Avila, Jennifer Burnham, Tina Rose	Akron	9/19/2007	\$105.00	Enforcement Income Withholding
Clerk of Courts				
Tim Neal, Dennis Archer	Columbus	10/17/2007	\$24.00	October OCCA Mtg.
Tim Neal, Dennis Archer	Columbus	10/16/2007	\$139.00	Ohio Digital Government Summit
Engineer				
Mark Spademan	Canton	10/17/2007	\$40.00	BWC Trng. on Recordkeeping
Mark Spademan	Garfield Hts.	11/7/2007	\$95.00	Intersection Safety
Justice Center				
Lynne Feller	Columbus	9/20/2007	\$ -0-	Mtg. w/Rep. Flowers re: 911 Legislation
Lynne Feller	Columbus	9/12/2007	\$ -0-	Qtly. NENA/APCO Chapter Mtg.
Juvenile Court				
Janel Usternul	Columbus	9/25/2007	\$ -0-	Drug-Free Action Alliance/Engaging Students in Your Coalition Efforts
Magistrate Roger Kienzle	Columbus	10/4-5/2007	\$90.00	Ohio Assoc. of Magistrates Conf.
Nancy Tyrrell, Dee Stidham, Joi Hemphill, Mark Russell, John Welling, Reginald Hackett	Columbus	11/7-9/2007	\$462.24	Judicial College
Veterans				
Larry Watson, Nelson Weirick	Norwalk	10/5/2007	\$150.00	Ohio State Assoc. of County Veterans Service Officers Regional Training

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

Resolution

No. 2007-531

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

Adopted: September 12, 2007

Subject: Approval of Special Events Expenses

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

Department	Event	Date	Expenses Not to Exceed
Child Support	25 Years Of Service Celebration For Marjorie Butler	9/14/2007	\$35.00

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

Resolution

No. 2007-532

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

Adopted: September 12, 2007

Subject: Approval of Organizational Memberships

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

Department	Organization	Person	Fee/Each	Total
Care Center	Board of Examiners of Nursing Home Administrators	Carole Van Pelt	\$250.00	\$250.00

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

Resolution

No. 2007-533

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

Adopted: September 12, 2007

Subject: Petition for Enterprise Zone Amendment

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

WHEREAS, the Ohio Enterprise Zone Act ("the Act"), under Ohio Revised Code Section 5709.61 through 5709.69 has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating, or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county; and

WHEREAS, the City Council of Orrville (“the Council”) upon due consideration desires to implement said Act and to designate an Enterprise Manager within the boundaries of Orrville (“the Municipality”) to promote the economic welfare of said Municipality; and

WHEREAS, it is necessary for the Council to formally request from the County Commissioners of Wayne County, Ohio, (“the Board”) the inclusion of the Municipality in an Enterprise Zone proposal and to include such an ordinance in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such a zone; and

WHEREAS, the Council finds and determines that designation of the zone pursuant to the Ohio Revised Code Section 5709.632 will promote the economic welfare of the residents of the Municipality by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said Municipality; and

WHEREAS, the Council understands that the Board of County Commissioners is required by law to administer all Enterprise Zone and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85, 2) to ensure that the Enterprise Zone Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property, 3) to forward copies of all Enterprise Zone Incentive Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code, 4) to notify affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school board as part of the review process as required under Ohio Revised Code Section 5709.83, 5) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council’s annual review of each agreement, and 6) to submit a comprehensive annual zone activities on or before March 31 of each year pursuant to Section 5709.68; and

WHEREAS, the Council is requesting an amendment of an Enterprise Zone which includes part of the municipal corporation and meets the population and boundary requirements to be certified as an Enterprise Zone under Section 5709.632; and

WHEREAS, the Board of County Commissioners will have primary responsibility for negotiating and administering Enterprise Zone Agreements. It is the intention of the Board to involve affected Municipalities in the negotiation process and to receive the consent and approval of the affected Municipality prior to formal approval by the Board; and

WHEREAS, the Council hereby agrees to the establishment of a Tax Incentive Review Council or Councils pursuant to Ohio Revised Code Section 5709.85 and will appoint two representatives to said Council within sixty days after the state Development Director certifies the zone;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the County to include the portion of the Municipality described in Exhibit A in the Enterprise Zone; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of County Commissioners, of Wayne County, Ohio is hereby authorized to include this resolution in the petition to the Director of the Department of Development of the State of Ohio.

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

Resolution

No. 2007-534

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

Adopted: September 12, 2007

Subject: Authority to Advertise for Bids of Bridge Replacement CHI-TR169-1.77

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

Section 1: The Budget Director is hereby authorized to advertise and receive bids for the following purpose:

Bridge Replacement CHI-TR169-1.77
Hametown Rd. over Silver Creek between Clinton Rd.(TR100) & Milly Dr.
Chippewa Township

Section 2: 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: Cheryl A. Noah yea Ann M. Obrecht yea Scott S. Wiggam yea

Resolution

No. 2007-535

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

Adopted: September 12, 2007

Subject: Resolution Certifying Delinquent Sewer Charges

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

WHEREAS, the Wayne County Sewer Department has submitted a request to the Wayne County Commissioners to certify delinquent sewer charges;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Wayne County Commissioners that the accounts listed on Exhibit "A" attached hereto are hereby certified delinquent to the Wayne County Auditor, effective September 12, 2007.

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

EXHIBIT A

NAME	ADDRESS	LOT #	PARCEL #	AMOUNT
BURBANK VILLAGE				
GERALD ROPER 0800118	12 N FRONT ST PO BOX 143 BURBANK OH 44214	N. PT. 43	08-00033.000	633.60
MICHELL TENNEY 0800120	101 S FRONT ST PO BOX 23 BURBANK OH 44214	8	08-00046.000	1200.00
ADDIE M LETNER 0800143 VIRGIL HOLBROOK/RENTER	54 S FRONT/BURBANK RD 9241 PAWNEE HOMERVILLE OH 44235	57	08-00073.000	96.00
DOUG JEFFERIES 0800156	61 S FRONT ST PO BOX 103 BURBANK OH 44214	2	08-00117.000	633.60
ROY MAXWELL 0800186	141 MILL ST PO BOX 141 BURBANK OH 44214	27	08-00110.000	633.60
SANDRA GUERNSEY 0800187	145 MILL ST PO BOX 6 BURBANK OH 44214	25	08-00105.000	453.60
SHAWNA MENG 0800202	126 W MIDDLE ST BURBANK OH 44214	88	23-00018.000	680.80
BERT REED 0800210 HEIDI EDWARDS/RENTER	244 E MIDDLE ST PO BOX 87 BURBANK OH 44214	14	08-00090.000	211.20
JENNIE WOHLGAMUTH 0800218 TROY ENGENE & ANGELA D	204 E MIDDLE ST PO BOX 56 BURBANK OH 44214	81	08-00157.000	628.80
TAMMY GALLATIN 0800225	111 W MIDDLE ST BURBANK OH 44214	V	23-00009.000	216.40
JONATHAN HEFFELFINGER 0800262	121 SOUTH ST PO BOX 174 BURBANK OH 44214	O.L.6	08-00045.000	288.00
TERRY MINKS 0800284	3523 W WEST SALEM RD BURBANK OH 44214	6	21-00119.000	422.40
KIM FANKHAUSER 0800295	3841 W WEST SALEM RD BURBANK OH 44214	1	21-00130.000	633.60
JEFFERSON GROUP LLC 0800290 APT 2	3713 W WEST SALEM RD (4806 W OLD LINCOLN WAY WOOSTER, OH 44691)	5	21-00053.000	403.20
JEFFERSON GROUP LLC 0800305 APT 3 (MELANIE HATFIELD)	3713 W WEST SALEM RD (4806 W OLD LINCOLN WAY WOOSTER, OH 44691)	5	21-00053.000	633.60
JEFFERSON GROUP LLC 0800306 APT 4 (RODGER WOLFE)	3713 W WEST SALEM RD (4806 W OLD LINCOLN WAY WOOSTER, OH 44691)	5	21-00053.000	633.60

BURBANK VILLAGE (cont.)				
JEFFERSON GROUP LLC 0800307 APT 6 (WILLIAM HEILMAN)	3713 W WEST SALEM RD (4806 W OLD LINCOLN WAY WOOSTER, OH 44691)	5	21-00053.000	552.00
JEFFERSON GROUP LLC 0800311 APT 5 (LORI SCOTT)	3713 W WEST SALEM RD (4806 W OLD LINCOLN WAY WOOSTER, OH 44691)	5	21-00053.000	259.20

MEADOW ALLOTMENT				
BRUCE GRADWOHL 1200653	13008 MARK PATH DOYLESTOWN OH 44230	54	12-00706.000	506.00
JAMES BAUGHMAN 1200680	12779 MARK PATH DOYLESTOWN OH 44230	82	12-00109.000	506.00
LISA JOHNSON 1200698	12190 VINCE DR DOYLESTOWN OH 44230	243	12-01433.000	506.00
DALE WOOD 1200722	12079 MILLY DR DOYLESTOWN OH 44230	134	12-02027.000	506.00
RIAL FINNEY 1200764	12161 VINCE DR DOYLESTOWN OH 44230	103	12-01418.000	331.00
CHARLES CLAWSON 1200849	17789 EDWARDS RD 12850 ST RT 226 BIG PRAIRIE OH 44611	7	12-01396.000	506.00
BRIAN PALMER 1200857	13050 HAMETOWN RD DOYLESTOWN OH 44230	12	12-01395.000	506.00

EASTWOOD ALLOTMENT				
ARTHUR H PINNICK 2700005	7695 JUDY AVE APPLE CREEK, OH 44606	1	27-00855.000	506.00
LONG SENEVORAVONG 2700024	364 CARDINAL ST APPLE CREEK OH 44606	17	27-01230.000	263.20
DON BARCZI 2700041	149 & 151 PARTRIDGE ST (PO BOX 13 CHIPPEWA LAKE, OH 44215)	49	27-00772.000	1092.00
RANDY MYERS 2700147	6996 E LINCOLN WAY APPLE CREEK, OH 44606	NMPT NE	27-00745-002	422.40
JAMES MILLER 2700155	7709 GAIL AVE APPLE CREEK, OH 44606	33	27-00288.000	506.00
ROBERT WALKER 2700165	290 PARTRIDGE APPLE CREEK OH 44606	42	27-00755.000	624.80

KIDRON WWTP				
DELORIS JUNE SOMMER 4800306	13505 JERICHO RD PO BOX 144 KIDRON OH 44636	NM PT NW	47-00051.000	275.00
L.E.H. ENTERPRISES LTD 4800442 ELAINE MILLER-RENTER	4663 KIDRON RD PO BOX 193 KIDRON OH 44636	SEPT SE	47-00002.004	540.00

GINGERY ALLOTMENT				
GREGORY ESTEP 5300045	7156 GEORGE CT WOOSTER OH 44691	24	53-00433.000	264.00
TOM CANTEY 5300056	2131 MYRTA DR WOOSTER OH 44691	14	53-00546.000	506.00
GEORGE GINGERY 5300062	7124 GEORGE CT WOOSTER OH 44691	21	53-00423.000	506.00

HILLCREST				
RAMESH ARORA CLASSIC IMPORTS INC 5600820	2018 GREAT TRAILS DR 1960 AUTUMNM RUN WOOSTER OH 44691	102	56-02543.000	250.40

TOTAL				18,336.00
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Resolution

No. 2007-536

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

Adopted: September 12, 2007

Subject: Approval of Application to the Wayne County Court of Common Pleas for a Special Prosecutor

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

WHEREAS, the Wayne County Prosecuting Attorney is charged with responsibility for prosecuting all violations of state law; and

WHEREAS, a relative of a current employee of the Prosecutor's Office is under investigation for a crime; and

WHEREAS, it is a conflict for the Wayne County Prosecuting Attorney to pursue this investigation and prosecution; and

WHEREAS, the Office of the Ohio Attorney General has created a Special Prosecutions Section for the purpose of prosecuting cases in which a conflict exists; and

WHEREAS, the Office of the Ohio Attorney General has agreed to assist the Wayne County Prosecutor's Office as a Special Prosecutor; and

WHEREAS, Revised Code 305.14(A) allows the Court of Common Pleas to appoint a Special Prosecutor "... upon the application of ... the board of county commissioners"

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners make application to the Court of Common Pleas of Wayne County, Ohio, pursuant to RC 305.14, to authorize the employment of Assistant Attorney General Paul Scarsella, or his designees, as Special Prosecutor in the matter of certain criminal investigation(s) and prosecution(s) for all matters involving relatives of current employees of the Prosecuting Attorney's Office.

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

Resolution

No. 2007-537

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

Adopted: September 12, 2007

Subject: Award Contract to Lytle Construction, Inc. for Bennington Farms Phase 2 Completion

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

Name : Lytle Construction, Inc.
P.O. Box 82
Wooster, OH 44691

Purpose: Bennington Farms Phase 2 Completion

Cost: \$62,274.97

Effective Date: September 12, 2007

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

Resolution *No. 2007-538*

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

Adopted: September 12, 2007

Subject: Termination of Lease with No Boundaries, Inc.

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

WHEREAS, on November 15, 2000 the Board of Wayne County Commissioners passed Resolution 2000-606 authorizing a Lease Agreement with No Boundaries, Inc. for the purpose of leasing real property of 10.5 acres from November 1, 2000 to October 31, 2025; and

WHEREAS, Section XII of said Lease Agreement states if No Boundaries fails to use or occupy the Leased Premises for a continuous period of thirty days, the Board may give written notice to No Boundaries of such default; and

WHEREAS, No Boundaries, Inc. has ceased using the premises for its intended purposes for a period of more than thirty days; and

WHEREAS, No Boundaries, Inc. has been notified of intent to terminate aforementioned Lease and are in agreement of its termination;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners terminate Lease Agreement with No Boundaries, Inc., P.O. Box 354, Wooster, OH 44691 and that No Boundaries, Inc. surrender possession of Leased Premises to the Board.

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