

# AGENDA

## Wayne County Commissioners' Regular Session of April 12, 2017

- Pledge of Allegiance to the Flag
- Call to Order & Roll Call of Commissioners Present
- **Presentation of Proclamation for National Public Safety Telecommunication Week**
- Approval of Agenda
- Approval of minutes from Regular Session held April 5 and public meetings and/or hearings held April 5 – April 11, 2017

Date	Res.#	Resolution Title
4/12	2017-169	<b>Approval of County Bills</b>
4/12	2017-170	<b>Approval of County Home Bills</b>
4/12	2017-171	<b>Personnel Change Approval</b>
4/12	2017-172	<b>Travel Expense Approval</b>
4/12	2017-173	<b>Organizational Membership Approval</b>
4/12	2017-174	<b>Board Appointment and/or Board Designation Approval</b>
4/12	2017-175	<b>Request to Ohio Department of Transportation (ODOT) to Reduce Statutory Speed Limit on Winesburg Road</b>
4/12	2017-176	<b>Authorization to Apply to the Wayne County Court of Common Pleas for Employment of Outside Counsel for the Wayne County Auditor</b>
4/12	2017-177	<b>Acceptance of Surety Bond from Kinder Morgan Utopia, LLC</b>
4/12	2017-178	<b>Approval of Agreement with AEP Energy, Inc. for the Purchase of Electricity</b>
4/12	2017-179	<b>Approval of Inter-County Agreement for Transfer of Funds Between Wayne County Dept. of Job &amp; Family Services and Medina County Dept. of Job &amp; Family Services</b>
4/12	2017-180	<b>Approval of Contract with Adena Corp. for Bridge Replacement GRE-TR 216-0.35</b>
4/12	2017-181	<b>Approval of Addendum to Agreement with MCTV BusinessPro for a Bandwidth Increase to the Fiber-Optic Cable Connection</b>

# Resolution

No. 2017-169

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017  
*Subject:* **Approval of County Bills**

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

Computer run dated **April 11, 2017** for County Bills in the amount of **\$343,848.41**, Interagency Transaction/Payment **batch #4946 & 4947** in the amount of **\$54,829.87**, taxable travel reimbursements in the amount of **\$26.64** and any Then & Now Certificates are hereby approved for payment.

As taxing authority, the Then & Now Certificates submitted as of this date for the Board of Elections, Children Services, Department of Developmental Disabilities, Soil and Water and Veterans Services are approved for processing by the Auditor.

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-170

Board of Wayne County Commissioners  
Ann M. Obrecht Sue A. Smail Ron Amstutz

*Adopted:* April 12, 2017

*Subject:* **Approval of County Home Bills**

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

Computer run dated **April 11, 2017** for County Home Bills in the amount of **\$67,868.04**, Interagency Transaction/Payment **batch #4945** in the amount of **\$138,998.03**, and any Then & Now Certificates are hereby approved for payment.

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-171

Board of Wayne County Commissioners  
Ann M. Obrecht Sue A. Smail Ron Amstutz

Adopted: April 12, 2017

Subject: Personnel Change Approval

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

Department	Name	Title	Effective Date	Status
Care Center	Justin Smith	Cook	4/12/2017 (on or after)	New hire – f/t
Care Center	Christian Slagle	Dietary Aide	4/12/2017 (on or after)	New hire – p/t
Care Center	Candi Knowlton	Activity Dir.	4/26/2017	FMLA
Care Center	Jackie Tarpley	Food Service Worker	3/31/2017	Retired
Care Center	Amy McCaulley	LPN	3/22/2017	Released

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-172

Board of Wayne County Commissioners  
Ann M. Obrecht Sue A. Smail Ron Amstutz

Adopted: April 12, 2017  
Subject: Travel Expense Approval

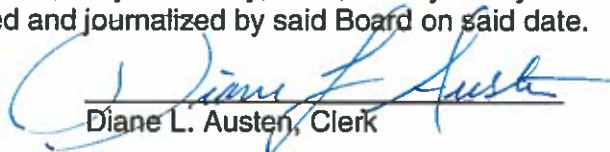
It was moved by Mrs. Smail and seconded by Mr. Amstutz that the following resolution be adopted:

Dept./Person	Where	Date	Reg.	Travel	Travel (taxable)	Seminar, Conf., Mtg., etc.
<b>Airport</b>						
Jessica Dufner	Columbus	4/18/2017	204.00			Ohio Aviation Assoc. Conf.
<b>Commissioners</b>						
Patrick Herron, Barb Chapin, Misty White	Canton	5/18/2017		-0-		Healthcare Training
<b>Engineer</b>						
Cindy Nolt	Orrville	4/26/2017	89.00			Admin. Prof. Day 2017 Seminar
<b>J. Center Dispatch</b>						
Josh Raymond, Josh Glessner, Kelsey Quillin, Allen Griffen, Andrea Woodward, Melisa Terrell	Sandusky	4/9-11/2017	240.00			APCO/NENA State Conf.
Ron McCollum, Betty Riggs	Columbus	5/18/2017		18.00		CIT Trng.
Ron McCollum, Betty Riggs	Richfield	5/25/2017		18.00		LEADS TAC In-Service
<b>Common Pleas Adult Prob.</b>						
Cindy Kuhl, Matt Zaleski, Courtney Curtis	Columbus	5/11/2017	150.00		27.00	How Does Trauma Fit in the Risk/Need & Resp. Model of Corrections
<b>Coroner</b>						
Dr. Amy Jolliff, Luke Reynolds	Columbus	5/11-13/2017		677.00		2017 Education Conf.

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-173

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Organizational Membership Approval**

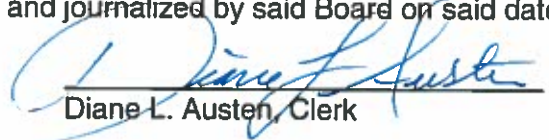
It was moved by Mrs. Smail and seconded by Mr. Amstutz that the following resolution be adopted:

Department	Organization	Person	Fee/Each	Total
<b>Airport</b>	Ohio Aviation Assoc.	Dave Gipp and Alt. Rep., Jessica Dufner		\$300.00 (based on # of aircraft 20-49)
<b>Common Pleas</b>	Ohio Assoc. of Magistrates	Ashley Newlon		\$125.00

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-174

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Board Appointment and/or Board Designation Approval**

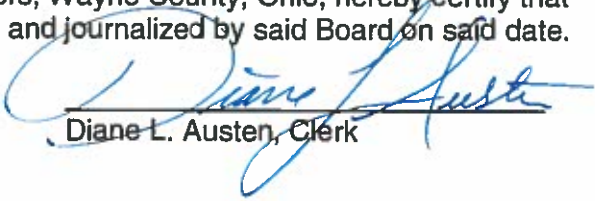
It was moved by Mrs. Smail and seconded by Mr. Amstutz that the following resolution be adopted:

Name of Board	Appointee/Address	Term
NEFCO General Policy Board	Ron Amstutz, Member Sue Smail, Alternate  Betsy Sparr, Member Trevor Hunt, Alternate  Steve Wheeler, Member Kristin Endsley, Alternate	Remainder of 2017
NEFCO Environmental Resources Technical Advisory Committee (ERTAC)	Ann Obrecht, Member Betsy Sparr, Alternate  <u>Wayne County Environmental Services:</u> Steve Wolfe, Member Betsy Sparr, Alternate  <u>Wayne County Planning Department:</u> Lisa Johnson, Member Trevor Hunt, Alternate	Remainder of 2017

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-175

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Request to Ohio Department of Transportation (ODOT) to Reduce Statutory Speed Limit on Winesburg Road**

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

WHEREAS, a request has been made to this Board that the statutory vehicular speed limit established by Sec. 4511.21, Revised Code of Ohio is greater than that considered reasonable and safe on Winesburg Road (C.R.37) between Durstine Road (T.R. 357) and Massillon Road (S.R. 241), in Paint Township; and

WHEREAS, this Board has caused to be made an engineering and traffic investigation upon the section of road described above; and

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

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

Section 1. By virtue of the provisions of Sec. 4511.21 Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Winesburg Road (C.R.37) between Durstine Road (T.R. 357) and Massillon Road (S.R. 241), in Paint Township.

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

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-176

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Authorization to Apply to the Wayne County Court of Common Pleas for Employment of Outside Counsel for the Wayne County Auditor**

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

WHEREAS, the Wayne County Prosecuting Attorney is charged with the responsibility of being the legal adviser to all county officers and township boards; and

WHEREAS, the Sugar Creek Township Board of Trustees, Wayne County, Ohio, has made certain demands of the Wayne County Auditor regarding Ohio Revised Code 505.371(D) that may result in imminent or contemplated litigation; and

WHEREAS, the Wayne County Prosecuting Attorney's Office is the statutory legal adviser to both the Wayne County Auditor and the Sugar Creek Board of Township Trustees; and a lawyer cannot undertake common representation of clients in contentious matters pursuant to Prof.Cond.R.1.7; and

WHEREAS, Prosecuting Attorney, Daniel R. Lutz, is of the opinion that a conflict of interest exists in this matter; and

WHEREAS, both the Board of County Commissioners and the Prosecuting Attorney believe it is necessary to secure outside counsel for the Wayne County Auditor in order to resolve this matter related to the distribution of funds under Ohio Revised Code 505.371(D); and

WHEREAS, Ohio Revised Code 305.14(A) allows the Court of Common Pleas to authorize the Board of County Commissioner to employ legal counsel to any county officer upon the joint application of the Board of County Commissioners and Prosecuting Attorney;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners and Prosecuting Attorney are authorized to make application to the Court of Common Pleas of Wayne County, Ohio, pursuant to RC 305.14, to authorize the employment of outside counsel for the Wayne County Auditor in matters related to the distribution of funds under Ohio Revised Code 505.371(D).

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-177

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Acceptance of Surety Bond from Kinder Morgan Utopia, LLC**

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

WHEREAS, the Board of Commissioners of Wayne County, Ohio ("County") negotiated and entered into that certain Roadway Use, Repair, and Maintenance Agreement ("RUMA") with Kinder Morgan Utopia, LLC ("Kinder Morgan") dated December 21, 2016 on behalf of the County and the respective townships in Wayne County that have since entered into the County's RUMA with Kinder Morgan;

WHEREAS, Kinder Morgan agreed, prior to commencing construction, to provide the County with a surety bond in the amount of \$150,000 per mile of county and township road utilized in Wayne County; and

WHEREAS, Kinder Morgan will be traversing across approximately 84.2 miles of county and township roads in Wayne County, Ohio, requiring Morgan Kinder to post bond in the amount of approximately twelve million, six hundred and thirty thousand dollars (\$12,630,000.00); and

WHEREAS, the RUMA authorizes Kinder Morgan to post a lesser surety amount if the County determines that a lesser amount will be sufficient to compensate for potential damage and prior written approval is obtained from the County; and

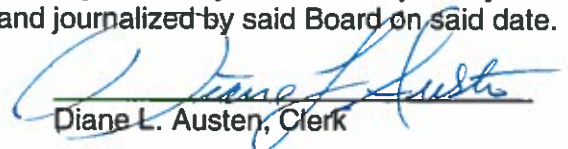
WHEREAS, it is the opinion of the Wayne County Engineer that a replenishable bond in the amount of one million dollars (\$1,000,000.00), as was negotiated and agreed to with the Rover Pipeline Company, will be sufficient to compensate for any potential damage to county and township roads in Wayne the County, Ohio caused by Kinder Morgan;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Wayne County, Ohio hereby authorizes and accepts a replenishable surety bond from Morgan Kinder in the amount of one million dollars (\$1,000,000.00).

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-178

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Approval of Agreement with AEP Energy, Inc. for the Purchase of Electricity**

It was moved by Mrs. Smail and seconded by Mr. Amstutz that approval is hereby granted of the Agreement with AEP Energy, Inc. for the purchase of electricity with authorization granted to County Administrator, Patrick Herron, to execute the Agreement.

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-179

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Approval of Inter-County Agreement for Transfer of Funds Between Wayne County Dept. of Job & Family Services and Medina County Dept. of Job & Family Services**

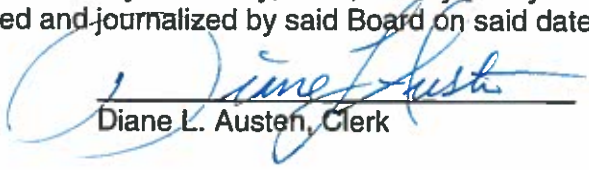
It was moved by Mrs. Smail and seconded by Mr. Amstutz that approval is hereby granted of the request made by the Wayne County Dept. of Job & Family Services to transfer funding as follows in accordance with 5101:9-6-82 of the Administrative Code:

\$250,000.00 in CCMEP TANF Regular Funds to Medina County Dept. of Job & Family Services

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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. 2017-180

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

*Subject:* **Approval of Contract with Adena Corp. for Bridge Replacement GRE-TR 216-0.35**

It was moved by Mrs. Smail and seconded by Mr. Amstutz that the following contract be awarded:

Name: Adena Corp.  
1310 West Fourth St.  
Mansfield, OH 44906

Purpose: Bridge Replacement GRE-TR 216-0.35  
Between CR29 (Rohrer Rd.) & TR145 (Chippewa Rd.)

Cost: \$108,323.85

Effective Date: 4/12/2017

#### Unsuccessful Bidders:

Denes Concrete Inc. 47599 St. Rt. 18 Wellington, OH 44090 \$112,381.75	V.O. Menezes & Son, Inc. 1016 S. Washington St. Millersburg, OH 44654 \$114,002.58	Wenger Excavating, Inc. 26 N. Cochran St. P.O. Box 499 Dalton, OH 44618 \$117,071.05	Lockhart Concrete Co. 800 W. Waterloo Rd. Akron, OH 44314 \$117,940.00
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The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz yea

#### CERTIFICATE

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Diane L. Austen, Clerk

# Resolution

No. 2017-181

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Ron Amstutz*

*Adopted:* April 12, 2017

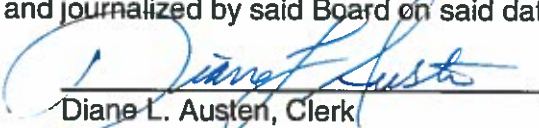
*Subject:* **Approval of Addendum to Agreement with MCTV BusinessPro for a Bandwidth Increase to the Fiber-Optic Cable Connection**

It was moved by Mr. Amstutz and seconded by Mrs. Smail that approval is hereby granted of an Addendum to the Agreement with MCTV BusinessPro for a bandwidth increase to the Fiber-Optic Cable Connection.

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Ron Amstutz 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