

April 29, 2020

The Board of Wayne County Commissioners met in Regular Session.

The minutes can be found as a digital recording saved as **4 29 2020 Session**

Commissioner Smail moved the agenda be approved and Commissioner Amstutz seconded the motion. The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

Approval of minutes from Commissioners' Meetings and/or Hearings held April 22, 2020 – April 28, 2020.

Commissioner Amstutz moved the minutes be approved and Commissioner Smail seconded the motion. The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

Commissioner Amstutz made a motion to amend resolution 2020-201 by correcting the word lop to log. Commissioner Amstutz moved the correction be approved and Commissioner Smail seconded the motion. The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

Resolutions follow this page.

There being no further business to come before the Board, Commissioner Foster declared the meeting adjourned.

Attest: Jennifer L. Bates
Jennifer L. Bates, Deputy Clerk

Rebecca S. Foster, President

Sue A. Smail, Vice-President

Ron Amstutz, Member
Wayne County Commissioners

Resolution

No. 2020-196

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Approval of County Bills**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

Computer run dated April 28, 2020 for County Bills in the amount of \$97,732.94, Interagency Transaction/Payment batch #6583 in the amount of \$6,578.20, 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: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.


Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-197

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Approval of County Home Bills**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

Computer run dated April 28, 2020 for County Home Bills in the amount of \$7,271.02, and any Then & Now Certificates are hereby approved for payment.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.



Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-198

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Appropriation Transfer Approval**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

The following appropriation amounts are to be transferred by the Wayne County Auditor.

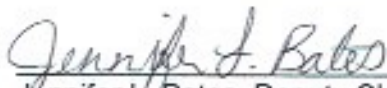
Appropriation Transfers:

Airport	To cover necessary expenses			
\$3,926.00	From	Other Exp.	Q009Q15	375.1400.09.5900.000.000
	To	Unemployment	Q009Q06	375.1400.09.5014.000.000
Commissioners	To cover necessary expenses			
\$30,000.00	From	Medicare	A014A07	001.1910.01.5010.000.000
	To	Unemployment (COVID 19 Exps)	A015A20	001.1915.11.5014.000.000
Job & Family	To cover necessary expenses			
\$5,000.00	From	Salaries – IM/SHARED	H000H01	026.0171.06.5001.000.000
	To	Unemployment	H101H03	026.0171.06.5014.000.000
Soil & Water	To cover necessary expenses			
\$954.20	From	Salaries	L000L01	507.2800.07.5001.000.000
	To	Unemployment	L000L15	507.2800.07.5014.000.000

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.


Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-199

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Personnel Change Approval**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Department	Name	Title	Effective Date	Status Change
Justice Center Dispatch / Communications	Jana Paige	Dispatcher	4/29/2020	Resignation

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.



Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-200

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

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

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

Name of Board	Appointee/Address	Term
Wayne County Land Reutilization Corporation	Board of Directors: Commissioner Sue A. Smail Commissioner Rebecca S. Foster	n/a – Board of Directors appointment

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.



Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-201

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Request to the Ohio Department of Transportation Director Regarding
Statutory Speed Limit Reduction Requests**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, at the request of the Plain Township Trustees, the Engineer has caused to be made a speed zone study, upon the following sections of road, to determine a safe and reasonable reduced speed limit; and

West Old Lincoln Way (CR30A)
Within the unincorporated village limits of Reedsburg in Plain Twp.
Beginning log point 0.85 to ending log point 1.37

WHEREAS, it is the opinion of the county engineer that preliminary findings of this study justify lowering the statutory vehicular speed limit of 55 mph to 45 mph;

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

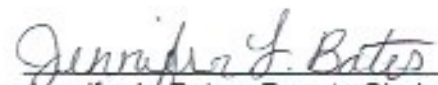
Section 1. By virtue of the provisions of Sec. 4511.21 Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare reasonable and safe speed limits on the sections of road described above.

Section 2. That when this board is advised that the Director of Transportation has determined and declared reasonable and safe speed limits on the sections of road described above hereof, standard signs, properly posted and giving notice thereof, will be erected by the Engineer or Township.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.


Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-202

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Request to the Ohio Department of Transportation Director Regarding
Statutory Speed Limit Reduction Requests**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

WHEREAS, at the request of the area residents, the Engineer has caused to be made a speed zone study, upon the following sections of road, to determine a safe and reasonable reduced speed limit; and

Sylvan Rd (CR12)
From Hillcrest Drive to the dead end of Sylvan Rd. in Wooster Twp.
Beginning log point 2.494 to ending log point 3.246

WHEREAS, it is the opinion of the county engineer that preliminary findings of this study justify lowering the statutory vehicular speed limit of 55 mph to 45 mph;

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

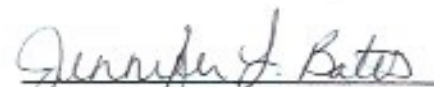
Section 1. By virtue of the provisions of Sec. 4511.21 Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare reasonable and safe speed limits on the sections of road described above.

Section 2. That when this board is advised that the Director of Transportation has determined and declared reasonable and safe speed limits on the sections of road described above hereof, standard signs, properly posted and giving notice thereof, will be erected by the Engineer or Township.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.



Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-203

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Approval of Professional Services Proposal with Strollo Architects
(Amster/Frick Bldg.)**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that approval is hereby granted of the Professional Services Proposal with Strollo Architects for the Amster/Frick Bldg. Adult Probations, Law Library and Façade Renovations.

Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the aforementioned proposal and any and all documents related to said proposal.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.



Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-204

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Bridge Load Limit Update Authorization (O.R.C. 5591.42)**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that authorization is hereby granted of bridge load limits, recommended by the Wayne County Engineer, as referenced in correspondence dated April 23, 2020 for the bridges listed below.

CHE-CR186-1.97 Overton Road .50 mi. North of Flickinger Rd.

CLI-CR3-1.76 McFadden Road .75 mi. West of Elyria Rd.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.



Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-205

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Authorization to Appoint John M. Williams as Special Prosecutor**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

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

WHEREAS, Revised Code 305.14(A) allows the Court of Common Pleas to appoint a Special Prosecutor upon the application of the Prosecuting Attorney and the Board of County Commissioners; and

WHEREAS, it is necessary and desirable for a Special Prosecutor to assist the Wayne County Prosecuting Attorney as the Prosecuting Attorney pursues its appeal regarding *State v. Stutzman*, 2019 AP-X 000050; and

WHEREAS, Attorney John M. Williams is a retired assistant prosecutor, formally with the Wayne County Prosecutor's Office, and has worked the Rodney Stutzman case since its beginning in 2011; and

WHEREAS, Attorney John M. Williams was the attorney of record and filed and briefed the appeal in *State v. Stutzman*, 2019 AP-X 000050 regarding the Wayne County Common Pleas Court's August 19, 2019 decision; and


WHEREAS, Attorney John M. Williams, c/o 115 West Liberty Street, Wooster, OH 44691, is qualified and capable and has agreed to assist the Wayne County Prosecuting Attorney as it appeal pursues and as Ninth District Court of Appeals hears oral arguments in *State v. Stutzman*, 2019 AP-X 000050.

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners authorize the Prosecuting Attorney to file an application with the Administrative judge of the Court of Common Pleas, Wayne County, Ohio, pursuant to RC 305.14, authorizing the employment of Attorney John M. Williams as Special Prosecutor to assist, aid, and represent the State of Ohio as appellate counsel in all matters related to Rodney Stutzman in *State v. Stutzman*, 2019 AP-X 000050.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.


Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-206

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Disposal Authorization of Used Equipment**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, Wayne County Department(s) have requested to dispose of excess property owned by the County which is surplus and no longer use; and

WHEREAS, the items to be disposed of will be posted for auction on www.GovDeals.com or by eligible method. Any item valued in excess of \$2,500.00 (indicated with *) shall be published in a newspaper of general circulation in the country, stating the time, place and manner of the sale, at least ten days prior to the sale. Same notice shall also be posted in the offices of the County Auditor and the Board of County Commissioners, at least ten days prior to the sale.

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the used equipment listed below is approved for sale by auction or disposal by eligible method including but not limited to, transfer to another department.

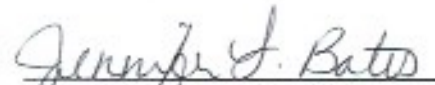
Care Center:

2 Kyocera, ECOSYS FS-1320D Copiers; Serial #'s Q620706035 & Q620706028

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.


Jennifer L. Bates, Deputy Clerk

Resolution

No. 2020-207

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 29, 2020

Subject: **Establishing the Wayne County Land Reutilization Corporation for the County Treasurer's Office, in Accordance with Ohio Revised Code Section 5722.02, Effective April 29, 2020, Approving Initial Articles of Incorporation.**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, division (A) of Section 5722.02 of the Revised Code authorizes a county to elect to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries; and

WHEREAS, division (A) of Section 1724.04 of the Revised Code authorizes a county that elects to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to organize a county land reutilization corporation for the purpose of exercising the powers granted to a county under Chapter 5722 of the Revised Code; and

WHEREAS, the Board of County Commissioners of Wayne County, Ohio (the "Board"), has determined that the current economic conditions in the County and the conditions of the real estate market in the County, including, but not limited to, the foreclosures for mortgage and tax payment delinquencies, are such as to necessitate the adoption and implementation of the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries; and

WHEREAS, division (B) of Section 5722.02 of the Revised Code permits a county that adopts a resolution under division (A) of such section to cause to be organized a county land reutilization corporation under Chapter 1724 of the Revised Code to act on behalf of and cooperate with the county in exercising the powers and performing the duties of a county with respect to land reutilization under Chapter 5722 of the Revised Code; and

WHEREAS, the Board now desires to adopt a resolution under division (A) of Section 5722.02 of the Revised Code adopting and implementing the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries; and

WHEREAS, in furtherance of the implementation of an effective land reutilization program and in accordance with division (B) of Section 5722.02, the Board also desires to organize a county land reutilization corporation under Chapter 1724 of the Revised Code to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county under Chapter 5722; and

WHEREAS, the Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board, and that all the deliberations of this Board, and of its committees, if any, which resulted in formal actions, were taken in meetings

open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

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

Section 1. In accordance with division (A) of Section 5722.02 of the Revised Code, this Board hereby finds and determines that the existence of nonproductive land within its boundaries due to foreclosures from mortgage and tax payment delinquencies and other reasons is such as to necessitate the implementation of a land reutilization program to foster either the return of such nonproductive land to tax revenue generating status or the devotion thereof to public use.

Section 2. This Board hereby elects to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

Section 3. In furtherance of the implementation of a land reutilization program for the County, this Board hereby authorizes and directs that a county land reutilization corporation (the "Corporation") shall be organized under Chapters 1724 and 1702 of the Revised Code and hereby authorizes and directs the County Treasurer (the "Treasurer") to incorporate the Corporation in accordance with Section 1724.04 of the Revised Code by the execution and filing of its initial articles of incorporation in the form heretofore on file with the Clerk of the Board.

Section 4. Pursuant to and in accordance with Section 1724.04 of the Revised Code, this Board hereby approves the form of initial articles of incorporation heretofore filed with the Clerk of this Board.

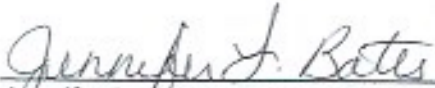
Section 5. Pursuant to division of Section 5722.02 of the Revised Code, the Clerk of this Board is authorized and directed to deliver a certified copy of this resolution to the Auditor of the County, the Treasurer and the Prosecuting Attorney of the County.

Section 6. This resolution shall take effect and be in force immediately upon its adoption.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy 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.


Jennifer L. Bates, Deputy Clerk