

## Wayne County Commissioners' Agenda

- Pledge of Allegiance to the Flag
- Call to Order Regular Session of February 2, 2022
- Announcement of Commissioners in Attendance
- Approval of Agenda
- Approval of minutes from January 26, 2022 through February 1, 2022

<b>Date</b>	<b>Res. #</b>	<b>Resolution Title</b>
2/2	2022-54	<b>Approval of County Bills</b>
2/2	2022-55	<b>Approval of County Home Bills</b>
2/2	2022-56	<b>Appropriation Transfer Approval</b>
2/2	2022-57	<b>Personnel Change Approval</b>
2/2	2022-58	<b>Travel/Training Expense Approval</b>
2/2	2022-59	<b>Organizational Membership Approval</b>
2/2	2022-60	<b>Approval of CHIP Loan Subordination for 18347 Back Massillon Road, North Lawrence, OH</b>
2/2	2022-61	<b>2021 County Highway System Mileage Certification (ORC4501.04)</b>
2/2	2022-62	<b>Disposal Authorization of Used Equipment</b>
2/2	2022-63	<b>Approval of MasterMind LLC Agreements to Provide Consultant Services for the 2022 Sign Inventory Project Under Ohio Department of Transportation Local Public Agency Grant Agreement No. 36727 for Safety Study Projects (PID Number 115294)</b>
2/2	2022-64	<b>Resolution Supporting the City of Orrville's Clean Ohio Fund – Green Space Conservation Program Application</b>
2/2	2022-65	<b>Authorization for Wayne County to Enter into a Housing Revolving Loan Fund Administration Agreement with the State of Ohio, Department of Development (ODOD)</b>
2/2	2022-66	<b>Approval of Agreement with PERRY proTECH on Behalf of Wayne County Job &amp; Family Services to Provide Equipment Maintenance</b>
2/2	2022-67	<b>Approval of Update to Policy Manual</b>
2/2	2022-68	<b>Approval of Indigent Burial Policy (ORC §9.15)</b>

# Resolution

No. 2022-54

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

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

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

Computer run dated February 1, 2022 for County Bills in the amount of \$447,584.26; Interagency Transaction/Payment batch #7499 & 7500 in the amount of \$20,158.16; 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, 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. 2022-55

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

*Adopted:* February 2, 2022

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

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

Computer run dated **February 1, 2022** for County Home Bills in the amount of **\$26,353.94**, 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, 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. 2022-56

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

Adopted: February 2, 2022

Subject: **Appropriation Transfer Approval**

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


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

<b>Common Pleas</b>	To transfer appropriations where needed			
\$.02	From	Return of Funds	T073-T15	109.3102.03.5955.000.000
	To	Medicare	T073-T02	109.3102.03.5010.000.PR8
<b>Common Pleas</b>	To transfer appropriations where needed			
\$.05	From	Return of Funds	T073-T15	109.3102.03.5955.000.000
	To	OPERS	T073-T03	109.3102.03.5011.000.PR8
<b>Common Pleas</b>	To transfer appropriations where needed			
\$1,771.75	From	Jail Confinement	T039-T29	115.3102.03.5520.000.TC3
	To	Drug/Alcohol Testing	T039-T38	115.3102.03.5500.000.TC2
<b>Common Pleas</b>	To transfer appropriations where needed			
\$99,784.96	From	Jail Confinement	T039-T29	115.3102.03.5520.000.TC3
	To	Return of Grant Funds	T039-T37	115.3102.03.5955.000.000

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-57

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

*Adopted:* February 2, 2022

*Subject:* **Personnel Change Approval**


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

Department	Name	Title	Effective Date	Status Change
Care Center	Melissa Watts	STNA	2/4/2022	New hire
Env. Serv./Sewer	Ryan West	Wastewater Operator 2	2/11/2022	Resignation

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-58

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

*Subject:* **Travel/Training Expense Approval**

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

Dept./Person	Where	Date	Travel	Travel (taxable)	Seminar, Conf., Mtg., etc.
<b>Emerg. Mgmt.</b>					
Joseph Villegas	Mansfield	2/2/2022	10.00	19.00	Coordinated Response Exercise Pipeline Safety Program
Barbara Pittard	Virtual	2/24, 3/3, 3/10, 3/17, 3/24/2022	400.00	0	CAMEO (software) for Facility Hazards Analysis
<b>Municipal Court</b>					
Timothy VanSickle, Michael Rickett	Dublin	1/26-28/2022	1,116.45	0	AMCJO (Judges) Winter Conf. 2022
\$1,116.45 is an addition to previously approved travel on Resolution 2021-681					

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-59

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

*Adopted:* February 2, 2022

*Subject:* **Organizational Membership Approval**

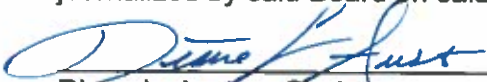
It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

Department	Organization	Person / Entity	Total
Probate Court	Ohio Assoc. of Probate Judges 00354-5	Judge Latecia Wiles	350.00
Recorder	Ohio Recorders Assoc.	Jane Carmichael	2,880.88

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-60

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

*Subject:* **Approval of CHIP Loan Subordination for 18347 Back Massillon Road, North Lawrence, OH**

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

WHEREAS, the Board of Wayne County Commissioners has federal funding available through the Community Housing Improvement Program (CHIP) to assist qualified low to moderate income residents with the purchase and/or rehabilitation costs that are associated with their home, and

WHEREAS, these HOME federal funds are considered a forgivable loan with a yearly declining balance provided the homeowner fulfills the required residency commitment terms and the terms and conditions of the loan, and

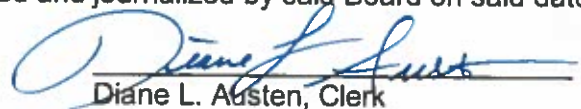
WHEREAS, the homeowner has not yet met the terms and conditions of the loan but desires to refinance for the purpose of lowering both the monthly interest rate and the monthly mortgage payment.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Wayne County, Ohio agree to subordinate the CHIP loan for the property located at 18347 Back Massillon Road, North Lawrence, OH.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-61

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

*Adopted:* February 2, 2022

*Subject:* **2021 County Highway System Mileage Certification (ORC4501.04)**

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

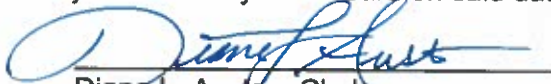
WHEREAS, the Wayne County Engineer has signed and requested signatures from the Board of Wayne County Commissioners for Ohio Department of Transportation County Highway System Mileage Certification in the amount of 498.819 miles of public roads as of December 31, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners hereby certifies a total of 498.819 County miles for the calendar year 2021.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-62

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

*Subject:*    **Disposal Authorization of Used Equipment**

It was moved by Commissioner Smail and seconded by Commissioner Foster 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](http://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.

Wayne County Emergency Management Agency (EMA)				
Item	Manufacturer	Model #	Serial #	Reason
Security System	Kantech	Intevo-ADV-3TB	I100813044000044	Outdated
Generator (Secrest)	Generac	51031	5005V08183	Broken
Computer	Dell	Powervault NX200	3PPJNQ1	Broken

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-63

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

*Adopted:* February 2, 2022

*Subject:* **Approval of MasterMind LLC Agreements to Provide Consultant Services for the 2022 Sign Inventory Project Under Ohio Department of Transportation Local Public Agency Grant Agreement No. 36727 for Safety Study Projects (PID Number 115294)**

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

WHEREAS, the Wayne County Engineer has recently submitted and received Highway Safety Improvement Project (HSIP) funding through the County Engineers Association of Ohio for Sign Inventory, Roadside Hazard Compliance and Software as part of Safety Study Projects; and

WHEREAS, the HSIP funding will reimburse the county 90% of the estimated total costs; and

WHEREAS, the Wayne County Engineer has requested the Board of County Commissioners of Wayne County, Ohio to approve an agreement prepared by MasterMind, LLC for consultant services for a Sign Inventory Study covering 500 miles at a total cost of \$49,995.00, which is provided for in the approved Local Public Agency (LPA) Agreement as reflected in Resolution 2021-665, dated December 8, 2021.

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

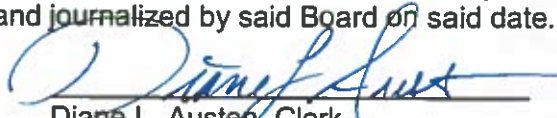
Section 1. The Board approves and accepts the agreement with MasterMind, LLC to perform the Sign Inventory Study, not to exceed the cost of \$49,995.00, 90% of which will be reimbursed by the HSIP funding.

Section 2. The Board is hereby authorized to execute the agreement referenced above in Section 1 and any and all documents related to said agreement. Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the agreement referenced above in Section 1 and any and all documents related to said agreement.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-64

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

*Adopted:* February 2, 2022

*Subject:* **Resolution Supporting the City of Orrville's Clean Ohio Fund – Green Space Conservation Program Application**

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

WHEREAS, the State of Ohio, through the Ohio Public Works Commission, administers financial assistance for the development of open spaces, through the Clean Ohio Greenspace Conservation Program, and

WHEREAS, the City of Orrville, Wayne County, Ohio, is applying for second Round 16 (due March 2022) grant funding from OPWC District 16 Clean Ohio Conservation Program to acquire 21.99 acres of open space, including tributaries of the Little Chippewa Creek, small woodland, open space and future trail, parking and restrooms east of Collins Boulevard in Orrville, Ohio, and

WHEREAS, the Wayne County Board of Commissioners recognizes the opportunity to preserve open space and provide opportunities for outdoor recreation for persons of all abilities, and

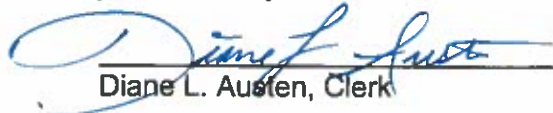
WHEREAS, the Wayne County Board of Commissioners recognizes this project supports the recommendations of the Wayne County Comprehensive Plan to support active transportation, support connecting the county through its railway system, and support pedestrian and bicycle accommodations in cities and towns in Wayne County;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Wayne County Commissioners supports the Application to the Clean Ohio Conservation Program from the City of Orrville, Wayne County.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-65

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

*Subject:* **Authorization for Wayne County to Enter into a Housing Revolving Loan Fund Administration Agreement with the State of Ohio, Department of Development (ODOD)**

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

WHEREAS, the Ohio Department of Development has determined that Wayne County is an eligible recipient of Community Development Block Grant (CDBG) and/or HOME funds, and

WHEREAS, Wayne County has been awarded CDBG and/or HOME funds from Ohio Department of Development for use to finance eligible activities that may generate program income, and

WHEREAS, the Ohio Department of Development has recognized the positive impact on community development initiatives when the use of program income is locally determined, and

WHEREAS, the Ohio Department of Development has permitted the establishment of Housing Revolving Loan Funds within local political subdivisions to meet the primary development goals of: 1) Improving the affordable housing stock, and 2) Providing for the affordable housing needs of low-and moderate-income persons of the Housing Revolving Loan Fund, and

WHEREAS, Wayne County agrees to administer and implement the Housing Revolving Loan Funds according to Community Development Block Grant guidelines.

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

Section 1. The Board may enter into an Administration Agreement with the State of Ohio, Ohio Department of Development (ODOD) to administer the Housing Revolving Loan Funds (program income).

Section 2. The Board is hereby authorized to execute the agreement referenced above in Section 1 and any and all documents related to said agreement. Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the agreement referenced above in Section 1 and any and all documents related to said agreement.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-66

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

*Subject:* **Approval of Agreement with PERRY proTECH on Behalf of Wayne County Job & Family Services to Provide Equipment Maintenance**

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

WHEREAS, PERRY proTECH, on behalf of Wayne County Job & Family Services, has prepared an Agreement to provide Equipment Maintenance for the term of one (1) year from date contract is signed and will auto-renew until contract is terminated for a monthly base total of \$392.19, the rate of which has been locked for three (3) years and

WHEREAS, the Board of County Commissioners may enter into an agreement to purchase equipment and services at a cost of fifty thousand dollars or less per ORC 307.86.

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

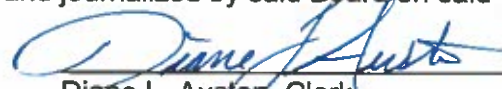
Section 1.     The Board hereby accepts the Agreement prepared by PERRY proTECH, on behalf of Wayne County Job & Family Services, to provide Equipment Maintenance for the term of one (1) year from date contract is signed and will auto-renew until contract is terminated for a monthly base total of \$392.19, the rate of which has been locked for three (3) years;

Section 2.     The Board is hereby authorized to execute the agreement referenced above in Section 1 and any and all documents related to said agreement. Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the agreement referenced above in Section 1 and any and all documents related to said agreement.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail 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. 2022-67

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

*Adopted:* February 2, 2022

*Subject:* **Approval of Update to Policy Manual**

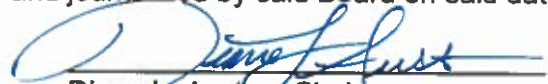
It was moved by Commissioner Smail and seconded by Commissioner Foster to replace Personnel Policy Manual Section 5.03, previously approved on January 19, 2022, with the following, which will be effective January 17, 2022 – see attachment.

2. DOG SHELTER EXCEPTION: Full-time and part-time employees who are non-continuous, if a holiday falls on Tuesday through Saturday, it will be observed on that day; if a holiday falls on Sunday, it will be observed on Saturday; if a holiday falls on Monday, it will be observed on Tuesday.

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

actual day of the holiday. (This provision has been adopted in accordance with RC 325.19[F].)

1. CARE CENTER EXCEPTION: Employees who are in positions of Continuous operations and start their shift the day of the holiday and end their shift the following day, will have that holiday both observed and paid for from the beginning of the shift.
  2. DOG SHELTER EXCEPTION: ~~Full-time and part-time~~ Employees who are ~~full-time and~~ non-continuous, if a holiday falls on Tuesday through Saturday, it will be observed on that day; if a holiday falls on Sunday, it will be observed on Saturday; if a holiday falls on Monday, it will be observed on Tuesday.
  3. AIRPORT EXCEPTION: Holidays will be observed on the actual holiday. However, the Airport will be closed on New Year's Day, Thanksgiving Day, and Christmas Day.
- G. Only employees in Active pay status will receive holiday pay. An employee who is not in Active pay status the day before a holiday or the day after a holiday will not receive holiday pay.
- H. CARE CENTER EXCEPTION: All employees may be required to work holidays on a rotation/on call basis.
- I. CARE CENTER EXCEPTION: Intermittent staff are required to work a minimum of one holiday per year to continue to qualify for PRN status.
- J. CARE CENTER EXCEPTION: Call offs on a scheduled holiday are unexcused absences. Shift trades are only allowed if approved by the supervisor in advance.
- K. CARE CENTER EXCEPTION: No request for paid leave will be approved for an absence on the day before or the day after a designated assigned holiday, except that sick leave will only be granted if employee is seen by a physician on said date and provides documentation of such, signed by said physician.

<u>Original Adoption Date</u>	<u>Revision Number</u>	<u>Eff. Date</u>	<u>Approved</u>
7/31/96	<del>78</del>	<del>1/19/22</del> 1/17/22	<del>1/19/22</del> 2/22



# Resolution

No. 2022-68

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* February 2, 2022

*Subject:* **Approval of Indigent Burial Policy (ORC §9.15)**

It was moved by Commissioner Smail and seconded by Commissioner Foster that the attached Indigent Burial Policy is hereby approved to comply with the provisions of Ohio Revised Code (ORC) §9.15. The purpose of this policy is to provide for the burial of indigents, or the burial of an indigent person claimed by an indigent person, for reasons of public health and sensibilities.

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

## **PURPOSE**

This Indigent Burial Policy is enacted to comply with the provisions of Ohio Revised Code (ORC) §9.15 pertaining to the burial of indigent persons when required by the County. ORC §9.15 defines "indigent person" as someone whose income does not exceed 150% of the federal poverty line when adjusted to the correct family size. The purpose of this policy is to provide for the burial of indigents, or the burial of an indigent person claimed by an indigent person, for reasons of public health and sensibilities.

## **POLICY REQUIREMENTS**

Pursuant to ORC §9.15(C), the County shall be responsible for the expenses required for burial or cremation of legal residents of Wayne County if both:

1. The deceased individual was found to be an
  - a. An indigent person who is unclaimed for private internment or cremation; or
  - b. An indigent person and the body is claimed by an indigent person.

AND

2. The deceased individual was
  - a. An inmate of a correctional institution of the county;
  - b. A patient or resident of a benevolent institution of the county, such as the Wayne County Care Center;
  - c. A person who had no legal residence in the state; or
  - d. A person whose legal residence is unknown.

"Legal residence" means a permanent place of abode used or occupied as living quarters at the time of a person's death, including a nursing home, hospital, or other care facility.

At the County's expense, the County shall provide at the grave of the deceased individual or, if the individual's cremated remains are buried, at the grave of the individual's cremated remains, a metal, stone, or concrete marker on which the deceased individual's name and age, if known, and date of death shall be inscribed.

In lieu of burial or cremation pursuant to ORC §9.15, the County may deliver the body to a college or the Board of Embalmers and Funeral Directors in accordance with ORC §1713.34, as permitted by 2012 OHIO OAG No. 12-006, 2012 WL 691619.

## **BURIAL LOCATION**

If the Policy Requirements are met, Wayne County shall bury or cremate the body of the indigent deceased at Wayne County Care Center Cemetery.

The County will provide plots only at Wayne County Care Center Cemetery for indigent deceased who were residents of Metro Housing Secret Village upon written request. The Township retains responsibility for all expenses and responsibilities related to burial of such individuals as required by ORC §9.15, including the burial or cremation costs and marker costs.

## **ADMINISTRATION**

The County Administrator is hereby appointed to be responsible for the administration of this indigent burial policy. If the next-of-kin of the deceased individual are not available or are unknown, the County Administrator shall have the authority to sign all documents necessary for the cremation.

The County may, at the County Administrator's discretion, cooperate with an indigent person who claims the body of an indigent deceased to be consistent with the preferences and sensibilities of the claimant to the extent reasonably possible within appropriate financial limitations of the County. However, the County will not authorize or pay for any bill submitted by an indigent person to cover the costs of independent arrangements or private funeral arranged for the indigent deceased. (1995 OHIO OAG No. 95-012)

The County's Indigent Burial Policy is not supplemental. The funeral director or funeral home personnel shall not ask for nor accept any funds for the burial or cremation of indigent persons beyond what is submitted to the County. Upon completion of the services, the funeral director shall submit an itemized bill to the County Administrator containing the following information:

1. Name and age of the deceased;
2. Place of burial;
3. Services performed;
4. Total costs of services;
5. Amount received from other sources; and
6. Amount due from the County.

## **DETERMINING INDIGENCE**

The Wayne County Department of Job and Family Services shall determine whether the deceased person is in fact indigent and, where the deceased person is claimed by an indigent person, whether the claimant is in fact indigent as defined by ORC §9.15.