

Wayne County Commissioners' Agenda

- Pledge of Allegiance to the Flag
- Call to Order Regular Session of September 21, 2022
- Announcement of Commissioners in Attendance
- Approval of Agenda
- Approval of minutes from September 14, 2022 through Sept. 20, 2022

| Date | Res. # | Resolution Title |
|------|----------|--|
| 9/21 | 2022-499 | Approval of County Bills |
| 9/21 | 2022-500 | Approval of County Home Bills |
| 9/21 | 2022-501 | Appropriation Transfer Approval |
| 9/21 | 2022-502 | Personnel Change Approval |
| 9/21 | 2022-503 | Travel/Training Expense Approval |
| 9/21 | 2022-504 | Board Appointment and/or Board Designation Approval |
| 9/21 | 2022-505 | Approval of Public Defender Fees and Rates |
| 9/21 | 2022-506 | Approval of Speed Reduction Request from the Wayne County Engineer for Carr Rd. (CR94A) from US250 to East Lincoln Way (CR30A) |
| 9/21 | 2022-507 | Adoption of Modified Subdivision Regulations for Wayne County |
| 9/21 | 2022-508 | Resolution Supporting Western Reserve Land Conservancy's Application Efforts to Secure Clean Ohio Green Space Conservation Funding to Purchase, Permanently Protect, and Restore the Killbuck Creek Headwaters Project in Canaan Township, Wayne County, Ohio |
| 9/21 | 2022-509 | Approval of Change Order #2 to the Contract with Kokosing Construction Company, Inc. for the Moreland Road Rehabilitation Project |
| 9/21 | 2022-510 | Approval of Purchase of Vehicles for use and benefit of Maintenance from Haasz Automall of Dalton, LLC |
| 9/21 | 2022-511 | Award Contract to McConnell Contracting Inc. for the Honeytown Road Bridge: Design-Build Project (WAY-CR54-1.60; PID 111123) |
| 9/21 | 2022-512 | Resolution Rejecting All Bid Proposals Opened September 13, 2022, for the Wayne County Engineer 2022 Scratch Pave Project |
| 9/21 | 2022-513 | Authorization to Accept Highway Safety Grants from Ohio Dept. of Public Safety, Ohio Traffic Safety Office (OTSO) on Behalf of the Wayne County Sheriff |
| 9/21 | 2022-514 | Approval of Memorandum of Understanding Between the Wayne County Children Services Board and the International Brotherhood of Teamsters (Union) |

Resolution

No. 2022-499

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

Adopted: September 21, 2022
Subject: **Approval of County Bills**

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

Computer run dated September 20, 2022 for County Bills in the amount of \$688,248.67; Interagency Transaction/Payment batch #7852 & 7861 in the amount of \$169,888.33; and any Then & Now Certificates are hereby approved for payment.

As taxing authority, the Then & Now Certificates submitted as of this date for Board of Elections; Children Services; Department of Developmental Disabilities; Mental Health & Recovery Services; Soil & 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. 2022-500

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

Adopted: September 20, 2022

Subject: **Approval of County Home Bills**

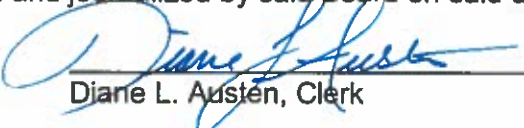
It was moved by Commissioner Foster and seconded by Commissioner Smail that the following resolution be adopted:

Computer run dated September 21, 2022 for County Home Bills in the amount of \$15,679.60, Interagency Transaction/Payment batch #7860 in the amount of \$3,761.28, 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. 2022-501

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

Adopted: September 21, 2022

Subject: **Appropriation Transfer Approval**

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

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

| Department | Amount | Prosecutor Legacy # | Victim Assistance GEMS | Account Name |
|------------|--------------|---------------------|--------------------------|--------------|
| From | \$ 1,170.00 | T081-T04 | 210.3702.03.5012.000.V10 | Health Care |
| To | \$ 1,170.00 | T081-T01 | 210.3702.03.5001.000.V10 | Salaries |
| From | \$ 155.00 | T081-T04 | 210.3702.03.5012.000.V10 | Health Care |
| To | \$ 155.00 | T081-T03 | 210.3702.03.5011.000.V10 | OPERS |
| From | \$ 10,700.00 | T081-T14 | 210.3702.03.5900.000.000 | Other |
| To | \$ 10,700.00 | T081-T09 | 210.3702.03.5001.000.V11 | Salaries |
| From | \$ 150.00 | T081-T14 | 210.3702.03.5900.000.000 | Other |
| To | \$ 150.00 | T081-T10 | 210.3702.03.5010.000.V11 | Medicare |
| From | \$ 1,500.00 | T081-T14 | 210.3702.03.5900.000.000 | Other |
| To | \$ 1,500.00 | T081-T11 | 210.3702.03.5011.000.V11 | OPERS |
| From | \$ 3,000.00 | T081-T14 | 210.3702.03.5900.000.000 | Other |
| To | \$ 3,000.00 | T081-T12 | 210.3702.03.5012.000.V11 | Health |
| From | \$ 200.00 | T081-T05 | 210.3702.03.5013.000.V10 | Workers Comp |
| To | \$ 200.00 | T081-T13 | 210.3702.03.5013.000.V11 | Workers Comp |

To move appropriations where needed

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. 2022-502

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

Adopted: September 21, 2022
Subject: **Personnel Change Approval**

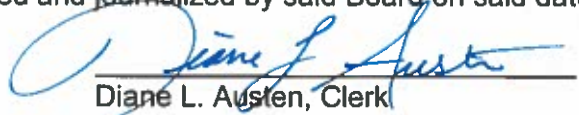
It was moved by Commissioner Foster and seconded by Commissioner Smail that the following resolution be adopted:

| Department | Name | Title | Effective Date | Status Change |
|---------------|--------------|----------------------------|----------------|---------------|
| Commissioners | Flo Bracken | Admin. Sec. / Intermittent | 6/14/2022 | Resignation |
| Job & Family | Jimmy Miller | Custodial Worker | 9/26/2022 | New Hire |

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. 2022-503

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

Adopted: September 21, 2022

Subject: Travel/Training Expense Approval

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

| Dept./Person | Where | Date | Travel | Travel (taxable) | Seminar, Conf., Mtg., etc. |
|--------------------------------------|----------------|---------------|----------|------------------|---------------------------------------|
| Bldg. Code | | | | | |
| Russ Arters, Jason Fritz, Dan Lloyd | Dublin | 11/6-8/2022 | 2,148.60 | 0 | OH Bldg. Officials Assoc. Conf. |
| Child Support | | | | | |
| Shayne Oehlhof | Columbus | 11/3&4/2022 | 185.24 | 27.00 | OCD A Strategic Planning Retreat |
| Engineer | | | | | |
| Scott Miller | Cuyahoga Falls | 10/7/2022 | 60.00 | 0 | AMATS Annual Mtg. |
| Andy Jones | Columbus | 10/24-26/2022 | 570.00 | 0 | Ohio Transportation Engineering Conf. |
| Job & Family | | | | | |
| Lisa Gunnels, Danielle Krimaschewicz | Columbus | 10/3&4/2022 | 668.00 | 0 | CFIS User Conf. 2022 |

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. 2022-504

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

Adopted: September 21, 2022

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

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

| Name of Board | Appointee/Address | Term |
|---|--|---|
| NEFCO (Northeast Ohio Four County Regional Planning and Development Org) General Policy Board | Jenn Kiper, Wayne County Planning Dept., 428 West Liberty St., Wooster, OH 44691 | 1/1/22 – 12/31/22 To fill open spot |
| NEFCO General Policy Board | Rob Kastner, Soil & Water, 428 West Liberty St., Wooster, OH 44691 | 1/1/22 – 12/31/2022 – Will be Jenn Kiper's alternate |
| NEFCO ERTAC (Environmental Resources Technical Advisory Committee) | Jenn Kiper, Wayne County Planning Dept., 428 West Liberty St., Wooster, OH 44691 | 1/1/22 – 12/31/22 will be a member now, to fill open spot |

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. 2022-505

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

Adopted: September 21, 2022

Subject: **Approval of Public Defender Fees and Rates**

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

WHEREAS, Wayne County recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel for indigent individuals charged with loss of liberty offenses and other statutorily granted rights of counsel proceedings in the Courts of Wayne County; and,

WHEREAS, Wayne County has a County Public Defender's Office to provide representation in indigent defense cases, however, in instances where there is an ethical conflict, multiple defendants, or for other reasons where representation cannot or is not provided by the County Public Defender's Office, the Commissioners wish to adopt a schedule of fees for those types of services; and,

WHEREAS, Pursuant to Section 120.33(A)(3) of the Ohio Revised Code, to receive reimbursement, a board of county commissioners must adopt a resolution to pay counsel appointed by the court, and must establish an up to date fee schedule which must be filed with the Office of the Ohio Public Defender, upon which reimbursement will be based.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WAYNE COUNTY, OHIO: The following plan is adopted for use by the Courts of Wayne County including the Ninth District Court of Appeals and Supreme Court.

Trial Level Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

| <u>Offense/Proceeding</u> | <u>Fee Maximum</u> |
|--|---|
| Aggravated Murder (w/specs) per ORC 2929.04(A) and 2941.14(B) | As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum. |
| Aggravated Murder (w/o specs) | \$15,000.00/1 attorney \$25,000.00/2 attorneys |
| Murder | \$10,000.00 |
| Felony with Possible Life Sentence/Repeat Violent Offender/Major Drug Offender | \$10,000.00 |
| 1 st /2 nd Degree Felonies | \$8,000.00 |
| 3 rd Degree Felonies | \$5,000.00 |
| 4 th /5 th Degree Felonies | \$3,500.00 |

| | |
|--|------------|
| 1 st -4 th Degree Misdemeanors | \$2,000.00 |
| OVI/BAC Misdemeanors | \$2,500.00 |
| Contempt of Court | \$500.00 |
| Violation (Probation/Community Control) | \$750.00 |
| Preliminary Hearings | \$300.00 |
| Sex Offender Classifications | \$750.00 |
| Other | \$750.00 |

4. Payment for guilty or no-contest pleas will be made on the maximum rate of \$75.00 per hour for both in-court and out-of-court services, up to the prescribed maximums for each classification.

Juvenile Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

| <u>Offense/Proceeding</u> | <u>Fee Maximum</u> |
|---|---|
| Aggravated Murder (w/specs) per ORC 2929.04(A) and 2941.14(B) | As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum. |
| Aggravated Murder (w/o specs) | \$7,500.00/1 attorney \$12,500.00/2 attorneys |
| Murder | \$6,000.00 |
| 1 st -2 nd Degree Felonies | \$5,000.00 |
| 3 rd – 5 th Degree Felonies | \$3,500.00 |
| 1 st -4 th Degree Misdemeanors | \$2,000.00 |
| OVI/BAC Misdemeanors | \$2,500.00 |
| Traffic | \$300.00 |
| Objections | \$750 |
| Unruly | \$1,000 |
| Bindover – Mandatory | \$750.00/1 attorney \$1,200.00/2 attorneys |
| Bindover – Discretionary | \$2,000.00/1 attorney \$3,000.00/2 attorneys |
| Reverse Bindover Amenability | \$1,500.00 |
| Serious Youthful Offender | Adult degree/1 attorney Adult degree +50% adult degree/2 attorneys |

| | |
|--|---|
| Serious Youthful Offender Invocation | \$2,000.00/1 attorney \$3,000.00/2 attorneys |
| Adult in Juvenile Court | \$1,500.00 |
| Violations (Probation/Community Control/Parole/Supervised Release) | \$750.00 |
| Violations of Court Orders | \$750.00 |
| Abuse, Dependency, & Neglect (AND) Initial Custody | \$1,500.00 |
| AND Annual Review | \$1,500.00 |
| Permanent Custody | \$2,500.00 |
| Contempt of Court | \$500.00 |
| Purge Hearing | \$150.00 |
| Sex Offender Classification/Reclassification/Declassification | \$750.00 |
| Expungement | \$300.00 |
| Other | \$750.00 |

Probate Court Proceedings

1. Payment for representation in trial level cases will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. The prescribed maximum fees in trial level proceedings are:

| Offense/Proceeding | Fee Maximum |
|---------------------------|--------------------|
| Adoption | \$2,500.00 |

Appellate Level Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in appellate level proceedings are:

| Offense/Proceeding | Fee Maximum |
|--|---|
| Aggravated Murder (death sentence imposed) | As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum. |
| Cumulative Minimum Sentence Exceeds 25 years | \$8,000.00 |
| 1 st /2 nd Degree Felonies - Trial | \$5,000.00 |
| 3 rd Degree Felonies - Trial | \$3,500.00 |
| 4 th /5 th Degree Felonies – Trial | \$2,500.00 |

| | |
|---|------------|
| 26(B) Murnahan Felonies 1 st -2 nd Degree - Trial | \$3,000.00 |
| 26(B) Murnahan Felonies 1 st -2 nd Degree - Trial | \$2,000.00 |
| 26(B) Murnahan Felonies 1 st -2 nd Degree - Trial | \$1,000.00 |
| Ohio State Court Jurisdiction memorandum | \$1,500.00 |
| 1 st -4 th Degree Misdemeanors – Trial | \$2,000.00 |
| Felonies - Plea | \$1,500.00 |
| Misdemeanors – Plea | \$1,000.00 |
| AND Permanent Custody | \$3,500.00 |
| Unruly | \$1,000.00 |
| Adoption | \$3,500.00 |
| Other | \$1,000.00 |

Post-conviction and Habeas Corpus Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

| <u>Offense/Proceeding</u> | <u>Fee Maximum</u> |
|---|---|
| Death Sentence | As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum. |
| 1 st /2 nd Degree Felonies – ORC 2953.21 Petition/New Trial Motion | \$4,000.00 |
| 3 rd Degree Felonies - ORC 2953.21 Petition/New Trial Motion | \$2,500.00 |
| 4 th /5 th Degree Felonies – ORC 2953.21 Petition/New Trial Motion | \$1,750.00 |
| 1 st -4 th Degree Misdemeanors – 60(B) | \$1,500.00 |
| Juvenile | \$2,500.00 |
| State Habeas | \$1,500.00 |
| Expungement | \$300.00 |
| Judicial Release | \$500.00 |
| Revocation | \$750.00 |
| Driving Privileges | \$150.00 |
| NGRI/Comp Review | \$750.00 |

| | |
|-------------------------------|------------|
| Jail Time Credit | \$300.00 |
| Resentencing | \$500.00 |
| Sex Offender Reclassification | \$750.00 |
| Withdraw of Guilty Plea | \$1,000.00 |

Extraordinary Fees/Hourly Rate

1. Cases eligible for extraordinary fees or extraordinary hourly rates are ones which, because of extraordinarily complex issues, multiple offenses, lengthy trials, or other reasons, warrant compensation at a rate which exceeds the maximums established by a county or the Ohio Public Defender. Payment for extraordinary fees/hourly rates are subject to the following requirements and are hereby enacted:
 - a. Wayne County hereby provides for extraordinary fees/hourly rates in this fee resolution adopted pursuant to ORC 120.33(A)(3).
 - b. Extraordinary fees must be clearly documented in the appropriate sections on the Motion, Entry, and Certification form.
 - c. The Judge hearing the case must indicate approval of the extraordinary fees and/or hourly rates by checking the "Extraordinary Fees Granted" box in the Judgment Entry section on the front of the form and a copy of the journal entry/entries must be attached.

Expenses

Payment for reasonable expenses requiring Court approval, such as transcripts or experts, associated with proving representation shall be made by motion and approved by the judge in advance of incurring the expense and the amount thereof is determined to be reasonable by the judge.

Payment of Fees

Payment of fees is contingent upon bills being submitted within thirty (30) days after the disposition of the case to allow the county to meet the ninety (90) day deadline for state reimbursement.

Amendments to the Fee Schedule

Wayne County Commissioners may amend this fee schedule at any time. Whenever the schedule is amended or revised, a copy of the resolution amending the fee schedule is directed to be sent to the Ohio Public Defender along with notice to all the courts and assigned counsel.


Effective Date

The effective date of the new Schedule of Fees for Assigned Counsel is November 1, 2022. Cases submitted to the court for payment after November 1, 2022 will be eligible for the fees established above even though the appointment may have been prior.

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. 2022-506

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

Adopted: September 21, 2022

Subject: **Approval of Speed Reduction Request from the Wayne County Engineer for Carr Rd. (CR94A) from US250 to East Lincoln Way (CR30A)**

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

WHEREAS, the Board of Wayne County Commissioners received a request from the Wayne County Engineer (Engineer), dated September 14, 2022, for a speed reduction of Carr Rd. (CR94A) from US250 to East Lincoln Way (CR30A); and

WHEREAS, the Engineer also provided a Speed Zone Study Evaluation recommending an allowable speed reduction from 55 to 50MPH with the Engineer's recommendation of approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Wayne County Commissioners that approval is granted for the Engineer to send said study evaluation to the Ohio Dept. of Transportation (ODOT) for their approval and if approved, notification shall be sent to the Board of Wayne County Commissioners, Law Enforcement and 50MPH signs shall be posted by the Engineer's Department.

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. 2022-507

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

Adopted: September 21, 2022

Subject: **Adoption of Modified Subdivision Regulations for Wayne County**

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

WHEREAS, these modifications are adopted by the authority granted in Section 711.101 of the Ohio Revised Code which reads, where a County Planning Commission has adopted plans for the major streets and highways of the County, and has adopted general rules governing plats and subdivisions of land falling within its jurisdiction, and

WHEREAS, the County Planning Commission has proposed changes to said Subdivision Regulations which were reviewed and discussed at the September 14, 2022 Planning Commission meeting and a Public Hearing on September 14, 2022, which were subject to and met all procedures required by the Ohio Revised Code such as public notification, and

WHEREAS, the County Planning Commission has recommended such changes be adopted, and

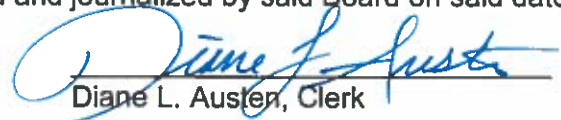
WHEREAS, the Board of Wayne County Commissioners held a Public Hearing on September 21, 2022 pursuant to Section 711.101 of the Ohio Revised Code with proper notice.

NOW THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the modifications as recommended for Wayne County Subdivision Regulations are hereby approved with an effective date of 9/21/2022.

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. 2022-508

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: September 21, 2022

Subject: **Resolution Supporting Western Reserve Land Conservancy's Application Efforts to Secure Clean Ohio Green Space Conservation Funding to Purchase, Permanently Protect, and Restore the Killbuck Creek Headwaters Project in Canaan Township, Wayne County, Ohio**

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

WHEREAS, the State of Ohio, through the Ohio Public Works Commission, administers financial assistance for the acquisition and related development of open spaces, through the Clean Ohio Conservation Fund; and

WHEREAS, Western Reserve Land Conservancy desires financial assistance under the Clean Ohio Program to purchase, protect in perpetuity, and restore the approximately 43-acre Killbuck Creek Headwaters property in Canaan Township, Wayne County; and

WHEREAS, preservation of the Killbuck Creek Headwaters property protects significant parcels that impact Killbuck Creek; and

WHEREAS, fee-simple acquisition, permanent protection, and restoration of the Killbuck Creek Headwaters property will protect water resources and benefit water quality of the region; and

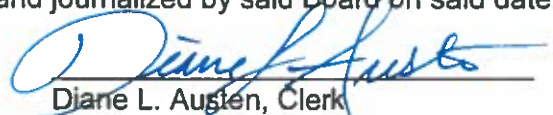
WHEREAS, it is the goal of the Wayne County Commissioners to retain acreage as farmland; however, since the probability for development also exists, it is important to maintain this parcel as open space and it will augment the adjacent 50-acre forest owned by Wayne County Park District while protecting the Headwaters Killbuck Creek Watershed for the benefit of the residents of Canaan Township and Wayne County.

NOW, THEREFORE, BE IT RESOLVED, that the Wayne County Commissioners approve the Western Reserve Land Conservancy's application to the Clean Ohio Conservation Fund for the Killbuck Creek Headwaters Preservation and Restoration Project.

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. 2022-509

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

Adopted: September 21, 2022

Subject: **Approval of Change Order #2 to the Contract with Kokosing Construction Company, Inc. for the Moreland Road Rehabilitation Project**

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

Name: **Kokosing Construction Company, Inc.**

Purpose: **Moreland Road Rehabilitation Project:**
Full depth reclamation and resurfacing of Moreland Road (CR077) from Honeytown Road (CR054) to Fountain Nook Road (CR187), a distance of 4.37 miles. Also included is the installation of aggregate berms.

Change Order #2 – Final quantities of materials needed for project varied from bid proposal, including among others changes, per the attached Exhibit A:

- Decrease: Adjustment to Quantity for Item 407 – Non-Tracking Tack Coat for Surface Course, As Per Plan
- Decrease: Adjustment to Quantity for Item 441 – 1.5" Asphalt Concrete Surface Course, Type 1, PG64-22 (448)

| | |
|---|----------------------|
| Original Contract Amount (Change Order 1) | \$ 724,027.04 |
| Change Order #2 | - \$ 34,741.30 - |
| New Total | \$ 689,285.74 |

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

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.

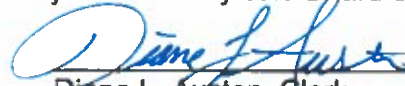

Diane L. Austen, Clerk

Exhibit A

WAYNE COUNTY ENGINEER

WAYNE COUNTY, OHIO

CHANGE ORDER

Change Order No.: **2** Change Order Date: **September 19, 2022**

Contract For **CR077 Moreland Road Rehabilitation Project**

Contractor: **Kokosing Construction Co.**

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes:

Final quantities above and below the plan quantities are to be as specified below.

Quantity and Cost Changes:

| ITEM # | QUANTITY | UNIT | DESCRIPTION | UNIT \$ | (+/-) | Total |
|--------|-----------|------|--|-----------|-------|----------------|
| 304 | 17.36 | CY | 2" Additional Limestone Aggregate Base, As Per Plan | \$ 80.00 | + | \$ 1,388.80 |
| 407 | -1,190.00 | GAL | Non-Tracking Tack Coat, For Surface Course, As Per Plan | \$ 2.25 | - | \$ (2,677.50) |
| 408 | -576 | GAL | Prime Coat, As Per Plan | \$ 7.32 | - | \$ (4,216.32) |
| 441 | -138.25 | CY | 1.5" (Avg.) Asphalt Concrete Surface Course, Type 1, PG64-22 (448) | \$ 196.00 | - | \$ (27,097.00) |
| 617 | -31.46 | CY | Compacted Aggregate, As Per Plan | \$ 68.00 | - | \$ (2,139.28) |
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TOTALS: \$ (34,741.30)

Net Change in Contract Price: \$ (34,741.30)

The sum of **-\$34,741.30** is hereby added to the previously adjusted/original contract price of \$ 724,027.04
 making the current contract price: \$689,285.74

The time provided for completion is CHANGED by zero calendar days. *(Insert Original Date)* Previous Payments \$ -
Contract Value \$ 689,285.74

This document will become a supplement to the contract and all provisions of the contract apply hereto.

Ryan P. Marthey, P.E. - Highway & Drainage Engineer -WCEO

Recommended - Co. Engr./Dep. Engr. Date: 9/19/22

Resolution

No. 2022-510

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

Adopted: September 21, 2022

Subject: **Approval of Purchase of Vehicles for use and benefit of Maintenance from Haasz Automall of Dalton, LLC**

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

WHEREAS, the Board is desirous of purchasing the following vehicles from Haasz Automall of Dalton, LLC for the use and benefit of the Maintenance Department; and

2022 Ram 3500 4WD Truck (White) \$47,102.50

2023 Ram 2500 4WD Truck (White) \$48,189.50

WHEREAS, the Board 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 approves the purchase of the following vehicles and pricing from Haasz Automall of Dalton, LLC

2022 Ram 3500 4WD Truck (White) \$47,102.50

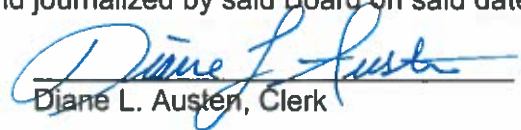
2023 Ram 2500 4WD Truck (White) \$48,189.50

Section 2. The Board is hereby authorized to execute the agreements referenced above in Section 1 and any and all documents related to said agreements. 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 2 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. 2022-511

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

Adopted: September 21, 2022

Subject: **Award Contract to McConnell Contracting Inc. for the Honeytown Road Bridge: Design-Build Project (WAY-CR54-1.60; PID 111123)**

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

Name:

| |
|---|
| McConnell Contracting Inc. 56194 County Rd. 4 West Lafayette, OH 43845 |
|---|

Purpose: Honeytown Road Bridge: Design-Build Project (WAY-CR54-1.60; PID 111123)

Cost: Not to Exceed **\$645,630.00**

Effective Date: September 21, 2022

Unsuccessful Bidder(s):

| | | |
|--|--|---|
| BUDS, Inc. 6260 Newark Rd. Nashport, OH 43830 BID: \$713,417.54 | The Crawford Construction Co, Inc. 782 Charles St. Galion, OH 44833 BID: \$690,452.00 | V.O. Menezes & Son, Inc. 8635 State Route 39 Millersburg, OH 44654 BID: \$709,914.10 |
|--|--|---|

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

The Board is hereby authorized to execute the awarded contract and any and all documents related to said awarded contract for the Honeytown Road Bridge: Design-Build Project (WAY-CR54-1.60; PID 111123) not to exceed \$645,630.00 to McConnell Contracting Inc. Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the awarded contract referenced herein and any and all documents related to said awarded contract.

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. 2022-512

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: September 21, 2022

Subject: **Resolution Rejecting All Bid Proposals Opened September 13, 2022, for the Wayne County Engineer 2022 Scratch Pave Project**

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

WHEREAS, the Board of County Commissioners of Wayne County, Ohio (Board), via Resolution 2022-433, dated August 10, 2022, authorized the County Administrator to accept to advertise for, receive and open bid proposals for the public improvement of various County roads as part of the 2022 Scratch Paving Contract (Project); and

WHEREAS, the following submitted bids:

| |
|---|
| Chagrin Valley Paving, Inc. 17290 Munn Rd. Chagrin Falls, OH 44023 Proposal: \$629,984.70 |
|---|

WHEREAS, the apparent low bidder was in excess of 10% of the Estimated \$365,440.00 of the Project; and

WHEREAS, the Wayne County Engineer's Office has rejected the bid due to the excess bid and the end of construction season.

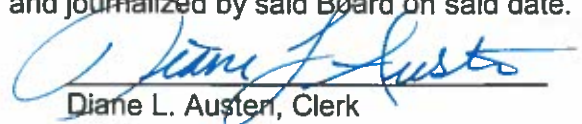
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that:

Section 1. The Board hereby rejects all bids for the Project, opened on September 13, 2022, for the 2022 Scratch Pave Project.

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. 2022-513

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: September 21, 2022

Subject: **Authorization to Accept Highway Safety Grants from Ohio Dept. of Public Safety, Ohio Traffic Safety Office (OTSO) on Behalf of the Wayne County Sheriff**

It was moved by Commissioner Foster and seconded by Commissioner Smail that the Board of Wayne County Commissioners authorizes acceptance of the Highway Safety Grants for a total of \$25,011.48 funding as follows:

2023 IDEP; Impaired Driving Enforcement Program; 248 hours; \$16,883.60

2023 STEP; Selective Traffic Enforcement Program; 248 hours; \$19,383.60

Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the aforementioned agreement 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. 2022-514

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

Adopted: September 21, 2022

Subject: **Approval of Memorandum of Understanding Between the Wayne County Children Services Board and the International Brotherhood of Teamsters (Union)**

It was moved by Commissioner Foster and seconded by Commissioner Smail that approval is hereby granted of a Memorandum of Understanding Between the Wayne County Children Services Board and the International Brotherhood of Teamsters (Union) for a 2022 Retention 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