

Wayne County Commissioners' Agenda

- Pledge of Allegiance to the Flag
- Call to Order Regular Session of March 6, 2024
- Announcement of Commissioners in Attendance
- Approval of Agenda
- Approval of minutes from February 28, 2024 through March 5, 2024
- **Proclamation Presentation:** DD Awareness Month, put on March 6 Session

Date	Res. #	Resolution Title
3/6	2024-111	Approval of County Bills
3/6	2024-112	Approval of County Home Bills
3/6	2024-113	Appropriation of Funds Authorization
3/6	2024-114	Personnel Change Approval
3/6	2024-115	Travel/Training Expense Approval
3/6	2024-116	Board Appointment and/or Board Designation Approval
3/6	2024-117	Special Event Expense Approval
3/6	2024-118	Disposal Authorization of Used Equipment
3/6	2024-119	Order Fixing Annual Compensation of John Drumm for 2024 Additional Legal Counsel for the Board (ORC Sections 305.14 and 309.09)
3/6	2024-120	Authorization of Letter of Agreement & Hand Receipt on Behalf of Wayne County Emergency Management
3/6	2024-121	Authorization of Co-Application of Ohio Dept. of Natural Resources (ODNR) Clean Ohio Trail Fund (COTF) Grant on Behalf of the Wayne County Engineer (Engineer) and Rails to Trails Wayne County (RTWC) for the HEARTLAND TRAIL, PHASE 4A Project
3/6	2024-122	Approval of Mutual Agreement to Terminate Independent Contractor/Non-Employee Consultant Engagement Agreement
3/6	2024-123	Approval of up to \$497,924.50 of the County's Coronavirus Local Fiscal Recovery Fund Payment from the Fiscal Recovery Fund to be earmarked for the Secret Village Apartments Sanitary Sewer Project, for which such use of Funds satisfies the Eligible Use category for Making Necessary Investments in Water and Sewer Infrastructure and is an enumerated Capital Expenditure under applicable federal statutes and regulations, including the Clean Water State Revolving Fund, with funds to be Obligated by December 31, 2024 and Expended by December 31, 2026
3/6	2024-124	Approval of up to \$6,664,000.00 of the County's Coronavirus Local Fiscal Recovery Fund Payment from the Fiscal Recovery Fund to be earmarked for the Sterling Area Wastewater Improvements Project, for which such use of Funds satisfies the Eligible Use category for Making Necessary Investments in Water and Sewer Infrastructure and is an enumerated Capital Expenditure under applicable federal statutes and regulations, including the Clean Water State Revolving Fund, with funds to be Obligated by December 31, 2024 and Expended by December 31, 2026
3/6	2024-125	Fund Transfer Approval

Resolution

No. 2024-111

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Approval of County Bills**

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

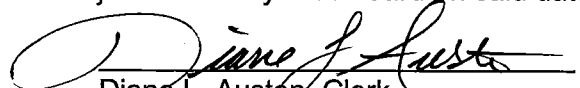
Computer run dated **March 5, 2024** for County Bills in the amount of **\$465,446.93**; Interagency Transaction/Payment **batch #8718 & 8719** in the amount of **\$7,283.06**; and any Then & Now Certificates are hereby approved for payment.

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 Jonathan Hofstetter 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. 2024-112

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Approval of County Home Bills**

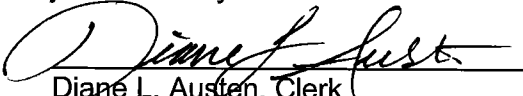
It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Computer run dated **March 5, 2024** for County Home Bills in the amount of **\$59,669.24**, and any Then & Now Certificates are hereby approved for payment.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-113

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Appropriation of Funds Authorization**

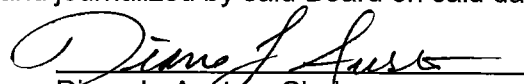
It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Dept.	Amount	Account Description	Account	GEMS
Engineer – Federal Bridge Project	\$81,117.75	Fed. PID 109302 Guardrail Installation Project	T030-T02	204.5050.08.5432.FB6.000
To account for additional funds appropriated from unappropriated funds				

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-114

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Personnel Change Approval**

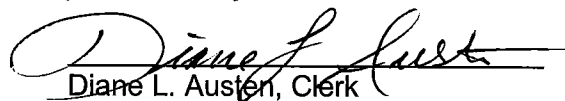
It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Department	Name	Title	Effective Date	Status Change
Care Center	Jackie Jacobs	STNA	3/8/24	Resignation
Care Center	Sierra Fortune	STNA	3/10/24	F/T to Intermittent
Care Center	Kasey Burkhart	STNA	3/1/24	Resignation
Care Center	Kylee Baker	STNA	2/20/24	Never Started
Care Center	Melanie Summerfield	Housekeeping	2/26/24	Never Started
Care Center	Teresa Walker	Hosp. Aide	2/26/24	Never Started
Care Center	Carla Turner	Hosp. Aide	2/26/24	Never Started
Care Center	Brittany Bryans	STNA	3/11/24	New Hire
Care Center	Chloe Vizzo	STNA	3/11/24	New Hire
Care Center	Stephanie Ennis	schedule & transport coordinator	3/11/24	New Hire
Planning	Jessica Eikleberry	Farmland Preservation Specialist	3/4/2024	New Hire/Part- Time

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-115

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Travel/Training Expense Approval**


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

Dept./Person	Where	Date	Travel	Travel (taxable)	Seminar, Conf., Mtg., etc.
Auditor					
Russell Robertson	Columbus	3/7, 4/4, 5/2, 7/11, 8/1, 9/5, 10/3/2024	0	0	CAAO Exec./Leg. Mtgs.
Russell Robertson	Youngstown	3/8/2024	20.00	0	NE Auditor's Mtg.
Child Support					
Karen Waddell	Columbus	3/15/2024	0	0	Early Intervention Mtg. / OCDA Committee Mtg.
Jessica Rohr	On-line	3/21, 3/28, 4/4/2024	276.00	0	Microsoft Excel through OSU/CFAES
Common Pleas					
Jennifer Svec	Independence	4/10-12/2024	703.00	0	Ohio Assoc. of Magistrates Spring Conf.
Allyson Blake	Cleveland	4/10-12/2024	740.30	0	OAM Spring Conf.
Juvenile/Probate Ct.					
Deborah Watkins	Independence	4/10-12/2024	325.00	0	Ohio Assoc. of Magistrates Spring Conf.
Ashley Ryan Sorgen	Independence	4/10-12/2024	490.66	0	Ohio Assoc. of Magistrates Spring Conf.
Latecia Wiles	Lewis Center	4/3/2024	373.64	0	OH Judicial Conf. Court Tech.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-116

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

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

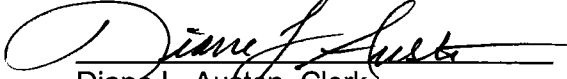
It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Name of Board	Appointee/Address	Term
Community Corrections Planning Board	Cory Seiler – Orrville Chief of Police	1/1/2024 – 12/31/2024 (Replacement for Matt Birkbeck, former Orrville Chief of Police)
Community Corrections Planning Board	Nicole Williams – Mental Health & Recovery Board	1/1/2024 – 12/31/2024
Community Corrections Planning Board	David Baney – Municipal Ct. Admin.	1/1/2024 – 12/31/2024
Community Corrections Planning Board	Nathan Shaker – Municipal Ct. Judge	1/1/2024 – 12/31/2024
Community Corrections Planning Board	Dan Starcher – Public Communications Coordinator	1/1/2024 – 12/31/2024

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-117

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Special Event Expense Approval**

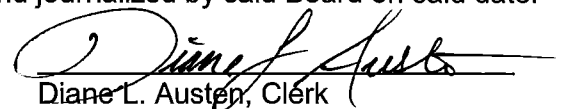
It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Department	Event/Purpose (items being purchased)	Date	Expenses Not to Exceed
Auditor	Employee Appreciation Day (food)	March 2024	190.00
Bldg. Code	Employee Appreciation Day (food)	March 2024	20.00 Addition to Res. 2024-105
Care Center	Employee Appreciation Day (food)	3/15/2024	850.00
Clerk of Courts	Employee Appreciation Day (food)	3/1/2024	180.00
Clerk of Courts Title Div.	Employee Appreciation Day (food)	3/1/2024	110.00
Emerg. Mgmt.	Auxiliary Communications Training (food)	3/13-15/2024	120.00
Emerg. Mgmt.	Employee Appreciation Day (food)	March 2024	20.00
Job & Family	Employee Appreciation Day (food & appreciation items)	March 2024	600.00
Justice Center Communications / Dispatch	Employee Appreciation Day (food)	3/15/2024	160.00
Juv. Court	Clerk Trng. Cont. Ed. (food)	3/27/2024	35.98
Juv./Probate Court	Employee Appreciation Day (food & appreciation items)	3/1/2024	310.00
Map	Employee Appreciation Day (food)	March 2024	30.00
Municipal Court	Employee Appreciation Day (food)	3/15/2024	170.00
Public Defender	Employee Appreciation Day (food)	3/6/2024	100.00
Sheriff	Employee Appreciation Day (food)	March 2024	900.00

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-118

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Disposal Authorization of Used Equipment**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail 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.

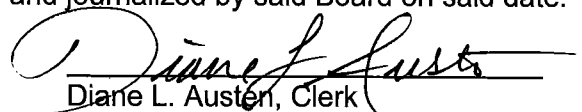
Children Services Board

2018 Ford Fusion VIN# 3FA6P0G76JR270270

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-119

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Order Fixing Annual Compensation of John Drumm for 2024 Additional Legal Counsel for the Board (ORC Sections 305.14 and 309.09)**

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

WHEREAS, the Board of County Commissioners of Wayne County, Ohio (Board), via Resolution 2023-418, has chosen to employ John Drumm as additional legal counsel for the Board; and

WHEREAS, such additional legal counsel for the Board is provided for in Sections 305.14 and 309.09 of the Ohio Revised Code; and

WHEREAS, the Board deems it necessary, advisable, and in the best interests of Wayne County to continue to employ John Drumm as additional legal counsel for the Board

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

Section 1. The Board orders that the annual compensation of John Drumm, additional legal counsel for the Board, is not to exceed \$77,230.40 for the 2024 calendar year, in accordance with Division (C) of Section 309.09 of the Ohio Revised Code.

Section 2. The Board shall continue to comply with all other applicable requirements of Sections 305.14 and 309.09 of the Ohio Revised Code.

Section 3. John Drumm shall continue to serve as an overtime exempt employee.

Section 4. The Board of Wayne County Commissioners hereby incorporate into this resolution all of the aforesaid recitals and they are rendered to be findings of the Board.

Section 5. The Board of Wayne County Commissioners also finds that all formal actions of its Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board that was properly notices.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-120

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Authorization of Letter of Agreement & Hand Receipt on Behalf of Wayne County Emergency Management**

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

WHEREAS, radio equipment has been purchased by the Wayne County Emergency Management Agency with FY2018 State Homeland Security Grant funds and is eligible for distribution to First Responder Agencies; and

WHEREAS, Wayne County Emergency Management and First Responder Agencies have agreed to conditions as listed in the Agreement;

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

Section 1. Authorization is hereby granted of the Letter of Agreement & Hand Receipt with the following department:

Wooster Division of Fire

Section 2. The Board of Wayne County Commissioners hereby incorporate into this resolution all of the aforesaid recitals and they are rendered to be findings by the Board.

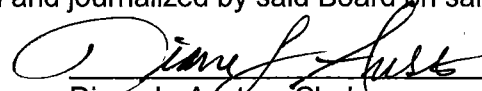
Section 3. The Board of Wayne County Commissioners also finds that all formal actions of its Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board that was properly noticed.

Section 4. 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 in this matter.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-121

Board of Wayne County Commissioners

Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Authorization of Co-Application of Ohio Dept. of Natural Resources (ODNR) Clean Ohio Trail Fund (COTF) Grant on Behalf of the Wayne County Engineer (Engineer) and Rails to Trails Wayne County (RTWC) for the HEARTLAND TRAIL, PHASE 4A Project**

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

WHEREAS, the State of Ohio, through ODNR, administers financial assistance for public recreation purposes, through a Recreational Trails Program (RTP) and/or Clean Ohio Trails Fund (COTF); and

WHEREAS, Rails to Trails Wayne County (RTWC) requested the Wayne County Engineer (Engineer) be a co-applicant for COTF funding; and

WHEREAS, RTWC and the Engineer desire financial assistance under the COTF Program;

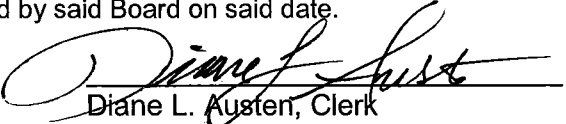
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, Wayne County, Ohio (Board) that:

- Section 1. Authorization is hereby granted for co-application of COTF financial assistance by the Engineer and RTWC.
- Section 2. The Engineer and RTWC are hereby authorized and directed to file an application with the ODNR and to provide all information and documentation required to become eligible for possible COTF funding assistance.
- Section 3. The Engineer agrees to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the COTF Program. The COTF funding request is for \$89,682.00 and will be used during the construction phase of the project which is scheduled for FY2026. The total estimated cost for the construction and construction inspection is \$738,229. AMATS will fund 80% of the cost at \$590,583.00. The remaining 20% will be paid by COTF funds of \$89,682.00 and donations of \$57,964.00.
- Section 4. The Board hereby incorporates into this resolution all of the aforesaid recitals and they are rendered to be findings by the Board.
- Section 5. The Board finds that all formal actions concerning and relating to the passage of this Resolution were passed in an open meeting of this Board that was properly noticed.
- Section 6. The President of the Board and the Co. Admin., on behalf of the Board, are separately and individually authorized to execute any and all necessary documents in this matter.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-1221

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Approval of Mutual Agreement to Terminate Independent Contractor/Non-Employee Consultant Engagement Agreement**

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

WHEREAS, the Board of County Commissioners, Wayne County, Ohio (the "Board"), and Jessica B. Eikleberry, an independent contractor, executed an Independent Contractor/Non-Employee Consultant Engagement Agreement on February 15, 2023, with automatic renewal of said agreement which commenced on February 15, 2024 for an additional year; and

WHEREAS, the Board and Jessica B. Eikleberry desire to establish an employer/employee relationship with Jessica B. Eikleberry having the status as a part-time employee; and

WHEREAS, the Board and Jessica B. Eikleberry desire to Terminate the Independent Contractor/Non-Employee Consultant Engagement Agreement executed by the Parties on February 15, 2023, including termination of the automatic renewal of said agreement which commenced on February 15, 2024 for an additional year, except for the survival of Sections 16 and 18 therein.

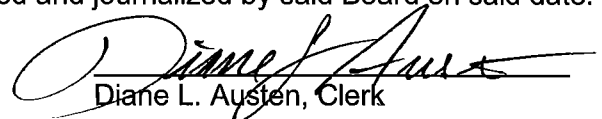
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that:

- Section 1. The Board Accepts and Approves the Mutual Agreement to Terminate Independent Contractor/Non-Employee Consultant Engagement Agreement with Jessica B. Eikleberry.
- Section 2. The Board is hereby authorized to execute the acceptance and approval referenced above in Section 1 and any and all documents related to said acceptance and approval. Additionally, the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute the acceptance and approval referenced above in Section 1 and any and all documents related to said acceptance and approval.
- Section 3. The Board of Wayne County Commissioners hereby incorporate into this resolution all of the aforesaid recitals and they are rendered to be findings by the Board.
- Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of the Board that resulted in this formal action were in meetings open to the public in compliance with all legal requirements under Ohio's Sunshine Laws, including R.C. 121.22.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-123

Board of Wayne County Commissioners

Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Approval of up to \$497,924.50 of the County's Coronavirus Local Fiscal Recovery Fund Payment from the Fiscal Recovery Fund to be earmarked for the Secrest Village Apartments Sanitary Sewer Project, for which such use of Funds satisfies the Eligible Use category for Making Necessary Investments in Water and Sewer Infrastructure and is an enumerated Capital Expenditure under applicable federal statutes and regulations, including the Clean Water State Revolving Fund, with funds to be Obligated by December 31, 2024 and Expended by December 31, 2026**

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

WHEREAS, Title IX, Subtitle M, Section 9901 of the American Rescue Plan Act, Pub. L. 117-2 [H.R. 1319], signed into law March 11, 2021 ("ARPA"), appropriated Coronavirus Local Fiscal Recovery Fund (the "Fund") payments from the U.S. Treasury Secretary to metropolitan cities, nonentitlement units of local government, and counties; and,

WHEREAS, pursuant to the ARPA's Fund methodology, the Board of Commissioners, County of Wayne, State of Ohio (the "County") has been allocated approximately \$22,475,311 ("Fund Payment") to "mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19)"; and,

WHEREAS, in response to this economic crisis, the Department of the Treasury ("Treasury Department") is providing such relief to state and local governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and,

WHEREAS, the ARPA and its supporting guidance issued by the Treasury Department provide that the Fund Payment may only be used by the County to finance costs that (a) respond to the COVID-19 public health emergency or its negative economic impacts; (b) respond to workers performing essential work; (c) provide government services to the extent of reduction in revenue; and (d) make necessary investments in water, sewer, or broadband infrastructure (collectively, "Criteria"); and,

WHEREAS, so long as the County duly directs its Fund Payment to finance those costs in compliance with the Criteria, the County may use the Fund Payment for Eligible Uses and Capital Expenditures relating and responding to the COVID-19 pandemic during the period beginning March 3, 2021, and ending December 31, 2024 (the "Covered Period"); and,

WHEREAS, the County received some or all of the Fund Payment directly from the Treasury Department under the authority of Resolution No. 2021-238, passed on May 12, 2021 which affirms said Fund Payment is to cover only those expenditures consistent with ARPA, including the Criteria, and applicable regulations, and such Fund Payment has been or will be deposited into an appropriate special revenue fund created and maintained by the County; and,

WHEREAS, the Treasury Department has published an Interim Rule and a Final Rule with an effective date of April 1, 2022 (collectively, 31 CFR 35.1 *et seq.*), its regularly updated Coronavirus State and Local Fiscal Recovery Funds' Frequently Asked Questions, its Coronavirus State and Local

Fiscal Recovery Funds: Overview of the Final Rule, and U.S. Treasury Supplementary Information (collectively, "Guidance"), further explaining the Criteria and the proper use of the Fund Payment during the Covered Period; and,

WHEREAS, the Criteria and Guidance describe such eligible uses of the Fund Payment to include "Making necessary investments in water and sewer infrastructure," as authorized under 31 C.F.R. 35.6(e), so long as such projects meet the eligibility criteria for the United States Environmental Protection Agency's (USEPA) Clean Water State Revolving Fund (CWSRF). See *U.S. Treasury Final Rule, Supplementary Information, at pages 4-5*; and

WHEREAS, the Secrest Village Apartments Sanitary Sewer Project (Project) is an "Eligible Use" and capital expenditure for ARPA funding under the applicable Eligible Use category of "Making necessary investments in water and sewer infrastructure," as authorized under 31 C.F.R. 35.6(e), and all connected activities, including, but not limited to, pre-planning design and engineering services; excavation; installation of piping and related equipment, including sewage collection systems, pumping, power and other equipment and appurtenances (pump stations/forced mains); removing/relocating utility poles; replacement/repair of roadways, culverts or storm water/sewer lines or other infrastructure; rental of equipment; installation of fencing, and other connected activities that will be an integral part of the process, are eligible infrastructure components of the Eligible Project satisfying the criteria under the USEPA's CWSRF. See "Centralized Wastewater Treatment" on Page 8 of USEPA's Overview of Clean Water State Revolving Fund Eligibilities issued May 2016; see also *U.S. Treasury Final Rule, Supplementary Information, at pages 271, 276-277, and 281-282*; and

WHEREAS, this investment in water and sewer infrastructure is "presumed to be necessary" because this Project meets the eligibility requirements under the USEPA's CWSRF, as being (1) responsive to an identified need to be achieved or maintaining an adequate minimum level of service to the area and, (2) a cost-effective means of doing so. See *31 C.F.R. 35(e)(1)(i) and (ii)*; see also *U.S. Treasury Final Rule, Supplementary Information, at pages 266-267, and 282*; and

WHEREAS, this Project satisfies is responsive to an identified need to be achieved or maintaining an adequate minimum level of service within the service area of the County's Hillcrest Wastewater plant and focuses on improving our service to the County Care Center Facility and the Secrest Village operated by the Wayne County Metropolitan Housing Association by reducing the risk of the commingled wastewater and stormwater due to overflows, reducing the volume of wastewater, renovating the pump station to handle peak flows and capturing and redirecting stormwater to a wetland area to prevent erosion of the area; and

WHEREAS, this Project is a cost-effective means of achieving the identified need or maintaining an adequate level of service to the area because the existing collection system at this site is in need of repair and upgrades to ensure the treatment of all wastewater generated, removal of any stormwater from the system, and improving the path of the storm water to avoid further erosion of the area; and

WHEREAS, this Board intends to take action and use the Fund Payment as described herein in a manner consistent with the Final Rule released by the Treasury Department on January 6, 2022, as authorized under said Department's Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule, 2022 Final Rule, and U.S. Treasury Supplementary Information; and,

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

Section 1. This Board hereby declares that its COVID-19 Response, defined herein, duly authorizes the County Administrator to earmark Fund Payments such that up to \$497,924.50 of the County's Fund Payment is to be utilized for County Fund 356, Permanent Improvements Sewer, and more specifically this earmark relates to the

eligible use and capital expenditure for the Secret Village Apartments Sanitary Sewer Project for the reimbursement of previous eligible expenditures and/or incurring of future such eligible expenditures. This Board's decision that such expenditures are appropriate by virtue of charging to the County's Fund Payment is based on the following consideration: *Making necessary investments in water and sewer infrastructure* for which such expenses comply with the Criteria and its supporting Guidance under USEPA's CWSRF.

Section 2. This Board hereby directs the County Administrator to process the required paperwork to effectuate the fund accounting transfer(s) authorized in Section 1.

Section 3. The Board of Wayne County Commissioners hereby incorporate into this resolution all of the aforesaid recitals and they are rendered to be findings by the Board.

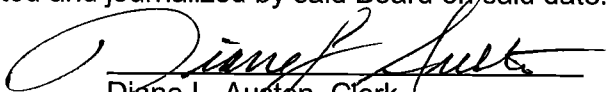
Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of the Board that resulted in this formal action were in meetings open to the public in compliance with all legal requirements under Ohio's Sunshine Laws, including R.C. 121.22.

Section 5. This resolution shall be effective from the earliest date permitted by law.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-124

Board of Wayne County Commissioners

Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Approval of up to \$6,664,000.00 of the County's Coronavirus Local Fiscal Recovery Fund Payment from the Fiscal Recovery Fund to be earmarked for the Sterling Area Wastewater Improvements Project, for which such use of Funds satisfies the Eligible Use category for Making Necessary Investments in Water and Sewer Infrastructure and is an enumerated Capital Expenditure under applicable federal statutes and regulations, including the Clean Water State Revolving Fund, with funds to be Obligated by December 31, 2024 and Expended by December 31, 2026**

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

WHEREAS, Title IX, Subtitle M, Section 9901 of the American Rescue Plan Act, Pub. L. 117-2 [H.R. 1319], signed into law March 11, 2021 ("ARPA"), appropriated Coronavirus Local Fiscal Recovery Fund (the "Fund") payments from the U.S. Treasury Secretary to metropolitan cities, nonentitlement units of local government, and counties; and,

WHEREAS, pursuant to the ARPA's Fund methodology, the Board of Commissioners, County of Wayne, State of Ohio (the "County") has been allocated approximately \$22,475,311 ("Fund Payment") to "mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19)"; and,

WHEREAS, in response to this economic crisis, the Department of the Treasury ("Treasury Department") is providing such relief to state and local governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and,

WHEREAS, the ARPA and its supporting guidance issued by the Treasury Department provide that the Fund Payment may only be used by the County to finance costs that (a) respond to the COVID-19 public health emergency or its negative economic impacts; (b) respond to workers performing essential work; (c) provide government services to the extent of reduction in revenue; and (d) make necessary investments in water, sewer, or broadband infrastructure (collectively, "Criteria"); and,

WHEREAS, so long as the County duly directs its Fund Payment to finance those costs in compliance with the Criteria, the County may use the Fund Payment for Eligible Uses and Capital Expenditures relating and responding to the COVID-19 pandemic during the period beginning March 3, 2021, and ending December 31, 2024 (the "Covered Period"); and,

WHEREAS, the County received some or all of the Fund Payment directly from the Treasury Department under the authority of Resolution No. 2021-238, passed on May 12, 2021 which affirms said Fund Payment is to cover only those expenditures consistent with ARPA, including the Criteria, and applicable regulations, and such Fund Payment has been or will be deposited into an appropriate special revenue fund created and maintained by the County; and,

WHEREAS, the Treasury Department has published an Interim Rule and a Final Rule with an effective date of April 1, 2022 (collectively, 31 CFR 35.1 *et seq.*), its regularly updated Coronavirus State and Local Fiscal Recovery Funds' Frequently Asked Questions, its Coronavirus State and Local

Fiscal Recovery Funds: Overview of the Final Rule, and U.S. Treasury Supplementary Information (collectively, "Guidance"), further explaining the Criteria and the proper use of the Fund Payment during the Covered Period; and,

WHEREAS, the Criteria and Guidance describe such eligible uses of the Fund Payment to include "Making necessary investments in sewer infrastructure," as authorized under 31 C.F.R. 35.6(e), so long as such projects meet the eligibility criteria for the United States Environmental Protection Agency's (USEPA) Clean Water State Revolving Fund. See *U.S. Treasury Final Rule, Supplementary Information, at pages 4-5*; and

WHEREAS, the Sterling Area Wastewater Improvements Project (Project) is an "Eligible Use" for ARPA funding under the applicable Eligible Use category of "Making necessary investments in sewer infrastructure," as authorized under 31 C.F.R. 35.6(e), and the construction of a new publicly owned treatment works, and connected activities, including, but not limited to, pre-planning design and engineering services; installation of sewage collection systems; pumping, power and other equipment and appurtenances (pump stations/forced mains); sewer lines and connections; removing/relocating utility poles; replacement/repair of roadways, culverts or storm sewer lines or other infrastructure; or rental of equipment; security and fencing; and acquisition of land that will be an integral part of the process, are eligible components of the Eligible Project satisfying the criteria under the USEPA's Clean Water State Revolving Fund. See "Centralized Wastewater Treatment" on Page 8 of USEPA's Overview of Clean Water State Revolving Fund Eligibilities issued May 2016; see also *U.S. Treasury Final Rule, Supplementary Information, at pages 271, 276-277, and 281-282*; and

WHEREAS, the U.S. Treasury Final Rule, Supplementary Information provides a clear basis for this Project: "[E]ligible projects include those that address groundwater contamination resulting from faulty septic units and those that would connect failing septic systems to centralized wastewater treatment." See *U.S. Treasury Final Rule, Supplementary Information at pages 282-283*; and

WHEREAS, this investment in water and sewer infrastructure is "presumed to be necessary" because this Project meets the eligibility requirements under the USEPA's CWSRF, as being (1) responsive to an identified need to be achieved or maintaining an adequate minimum level of service to the area and, (2) a cost-effective means of doing so. See *31 C.F.R. 35(e)(1)(i) and (ii)*; see also *U.S. Treasury Final Rule, Supplementary Information, at pages 266-267, and 282*; and

WHEREAS, this Project is responsive to an identified need to be achieved or maintaining an adequate minimum level of service within the service area by addressing potential surface and groundwater contamination resulting from faulty septic units in the area by connecting these septic units to the centralized WWTP thereby reducing pollution of the waters of the state; and

WHEREAS, this Project is a cost-effective means of achieving the identified need or maintaining an adequate level of service to the area because the existing septic units are outdated, faulty, and/or require upgrades which is cost-prohibitive for the residents; neighboring treatment works are unwilling to allow connection to their facilities; the centralized WWTP is designed to provide sufficient capacity for the current and projected residents and businesses in the area; the centralized WWTP will provide administrative efficiency for regulatory authorities; and the resulting health and environmental benefits to the area tip the scales in favor of cost-effectiveness; and

WHEREAS, this Board intends to take action and use the Fund Payment as described herein in a manner consistent with the Final Rule released by the Treasury Department on January 6, 2022, as authorized under said Department's Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule, 2022 Final Rule, and U.S. Treasury Supplementary Information; and,

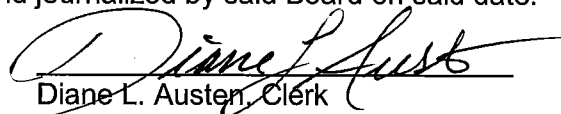
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Wayne County, Ohio, that:

- Section 1. This Board hereby declares that its COVID-19 Response, defined herein, duly authorizes the County Administrator to earmark Fund Payments such that up to \$6,664,000.00 of the County's Fund Payment is to be utilized for County Fund 356, Permanent Improvements Sewer, and more specifically this earmark relates to the eligible use and capital expenditure for the Sterling Area Wastewater Improvements Project for the reimbursement of previous eligible expenditures and/or incurring of future such eligible expenditures. This Board's decision that such expenditures are appropriate by virtue of charging to the County's Fund Payment is based on the following consideration: *Making necessary investments in water and sewer infrastructure* for which such expenses comply with the Criteria and its supporting Guidance under USEPA's CWSRF.
- Section 2. This Board hereby directs the County Administrator to process the required paperwork to effectuate the fund accounting transfer(s) authorized in Section 1.
- Section 3. The Board of Wayne County Commissioners hereby incorporate into this resolution all of the aforesaid recitals and they are rendered to be findings by the Board.
- Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of the Board that resulted in this formal action were in meetings open to the public in compliance with all legal requirements under Ohio's Sunshine Laws, including R.C. 121.22.
- Section 5. This resolution shall be effective from the earliest date permitted by law.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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. 2024-125

Board of Wayne County Commissioners

Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: March 6, 2024

Subject: **Fund Transfer Approval**

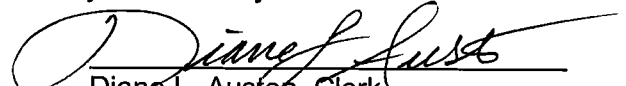
It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Department	Amount	From (Fund)	From Approp Acct	To (Fund)	To Receipt Acct
Capital Improvement Environmental Services	\$13,000.00	State & Local Fiscal Recovery Fund 229	Contract Services U229-U04 229.0000.11.5430.000.000	Perm. Impr. Sewer Fund 356	<u>Secrest</u> Sewer Project N007-B01 356.0190.00.4900.000.000
To transfer funds in accordance with <u>Res. 2024-123</u>					
Capital Improvement Environmental Services	\$71,500.00	State & Local Fiscal Recovery Fund 229	Contract Services U229-U04 229.0000.11.5430.000.000	Perm. Impr. Sewer Fund 356	<u>Sterling</u> Sewer Project N007-B01 356.0190.00.4900.000.000
To transfer funds in accordance with <u>Res. 2024-124</u>					

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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