

## THE MINUTES

June 28, 2010

The Holmes County Commissioners met in regular session Monday, June 28, 2010; with everyone present. Chairman Miller opened the meeting:

### 10:00 A.M. - BUSINESS MEETING

### PLEDGE OF ALLEGIANCE

### MINUTES

On a motion by Mr. Ault, seconded by Mr. Eyler (Mr. Miller - yes; Mr. Eyler – yes; Mr. Ault - yes), the Commissioners approved the minutes from June 14, 2010 & June 17, 2010 as written.

### PAY BILLS MOTION

On a motion by Mr. Eyler, seconded by Mr. Miller (Mr. Miller - yes; Mr. Eyler – yes; Mr. Ault - yes), the Commissioners authorized the following bills to be paid as they were presented:

#### GENERAL (A00)

Miller, Mast & Mason	00010-E2004	Legal Counsel	\$232.50
Doug Milhoan	00010-E2004	Legal Counsel	533.50
Michael J. Ash	00010-E2004	Legal Counsel	2,687.00
Stephen Dailey	00010-E2004	Legal Counsel	510.50
Graphic Publications	00010-E4004	Public Notices	28.50
Graphic Publications	00010-E4004	Public Notices	15.00
Harris Computer Services	00015-E2001	Auditor Share 3 <sup>rd</sup> ¼	2,618.98
Independence Business Supply	00015-E4001	Supplies	8.29
Government Finance Officers Assn.	00015-E8001	2009 CAFR	505.00
Smart Bill	00040-E4001	2 <sup>nd</sup> ½ Billing	2,300.45
Harris Computer Services	00040-E7001	Treasurer Share 3 <sup>rd</sup> ¼	767.42
Verizon Wireless	00070-E4001	Cell Phone Bill	45.48
VISA / CSB	00070-E6001	Conference Room Expense	190.20
Holmes County Clerk of Courts	00070-E8003	Grand Juror Payment	285.00
Quill Corporation	00085-E4001	Office Supplies	149.16
Independence Business Supply	00105-E4001	Office Supplies	31.98
Dorcas Miller / Clerk of Courts	00105-E6001	Seminar & Travel Expenses	48.99
Dorcas Miller / Clerk of Courts	00105-E6001	Seminar & Travel Expenses	350.00
Dolby & Company	00117-E2001	Courtroom Recording System	1,007.00
Independence Business Supply	00121-E4001	General Fund Paper Supply	483.93
MT Business Technologies, Inc.	00121-E4007	Copier Maintenance JC/MC/CoC	30.46
Verizon Wireless	00125-E2002	Judge Cell Phone	50.40
Northeast Ohio Natural Gas Corp	00125-E2002	Gas Usage	1,553.37
AS Wengerd Slate Co.	00125-E7001	Emergency Roof Repair	120.00
Sheriff Timothy W. Zimmerly	00130-E9004	½ FOJ Allowance	13,023.50
Wadsworth Slawson Northeast	00135-E7002	MF2 Pip Controllers & Shipping	1,147.64
Fire Extinguisher Service	00135-E7002	Annual Inspection	131.70
Independence Business Supply	00155-E4001	1 SRS DJ 4000 Ink	275.00
			<b>\$29,130.95</b>

**DOG & KENNEL (B00)**

Rumpke Consolidated Companies	00200-E2002	Trash Service	\$68.59
Fire Extinguisher Service	00200-E8001	Annual Inspection	<u>28.50</u>
			<b>\$97.09</b>

**ENGINEER (K00)**

Verizon Wireless	00700-E2002	Cell Phones	\$106.15
Bricker & Eckler	00700-E2014	Legal Services	251.21
Melway Paving Co., Inc.	00700-E2014	MVE Credit for Paint Township	10,000.00
Bricker & Eckler	00700-E2014	Addendum	1,448.79
MT Business Technologies, Inc.	00700-E4001	Annual Copier Maintenance Agreement	1,065.02
Petty Cash	00700-E4016	Petty Cash Reimbursement	38.85
Glass Doctor	00700-E7005	#9 Repair	27.50
Complete Hydraulic Service	00700-E7005	Labor / Parts for PS3	198.00
Western Branch Diesel	00700-E7005	C-5 Repair & Parts	1,242.42
American Electric Power	00701-E2002	Addendum	21.37
American Electric Power	00701-E2002	Electric @ Garage	68.81
Bradley S. Sheely	00701-E3013	Goggles / Vests	163.17
American Standard Chemical Co.	00701-E4001	Garage Supplies	144.46
Bakersville Garage, Inc.	00701-E4001	Filter Flex Hose	189.65
Kyle L. Yoder	00701-E9014	Google Apps & Server	<u>1,350.00</u>
			<b>\$16,315.40</b>

**FDCC (M30)**

Verizon Wireless	01002-E8001	Cell Phone Service	\$130.51
David Williams	01002-E8001	Seminar Lodging	228.80
			<b>\$359.31</b>

**SOLID WASTE (P34)**

Walton Vinyl Graphics	00800-E2074	Recycling Signs	\$150.00
Verizon Wireless	00800-E4017	Cell Service	39.49
			<b>\$189.49</b>

**WASTEWATER (P40)**

Knox Energy Cooperative, Inc.	00805-E2002	Natural Gas Service	\$24.60
Verizon North	00805-E2002	Service for Dialers	48.45
			<b>\$73.05</b>

**IT FUND (S38)**

Lightspeed Wireless Internet	01062-E4001	Annual Email Account	<b>\$100.00</b>
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**GIS (S58)**

Erik Parker	01010-E2002	Cell Phone Reimbursement	<b>\$50.00</b>
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**ADULT PROBATION FEE (S68)**

Verizon Wireless	01021-E4001	Cell Phone	\$148.30
AIM	01021-E4007	T. Miller Final EMHA Payment	300.00
Matthew Bender & Co.	01021-E4007	ORC Handbooks	266.52
CSB / VISA	01021-E4007	Credit Card	<u>152.26</u>
			<b>\$867.08</b>

**EMA (S72)**

Gordon Flesch Co., Inc.	01025-E8001	Copier	<b>\$21.00</b>
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**SPECIAL PROJECTS / MUNICIPAL COURT (S73)**

Miller, Mast & Mason	01026-E1013	Magistrate	\$520.00
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John Estill	01026-E1013	Court Translator	<u>1,150.00</u>
			<b>\$1,670.00</b>

**COMPUTERIZATION / MUNICIPAL COURT (S82)**

Verizon Wireless	01033-E4001	Missy Shaner Cell Phone	\$51.38
Independence Business Supply	01033-E4009	Office Supplies	<u>61.89</u>
			<b>\$113.27</b>

**RECORDER'S FEES (S84)**

Quill Corporation	01035-E8001	Office Supplies	<b>\$129.59</b>
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**COUNTY HOME (S85)**

Graphic Enterprises of Ohio, Inc.	01036-E2001	Copier Service	\$10.38
Northeast Ohio Natural Gas Corp.	01036-E2001	Gas Utility Service	549.18
Verizon Wireless	01036-E2001	Cell Phone Service	51.59
Counseling Center of WC & HC	01036-E2001	Resident Medical Bill	5.23
Pharmed Corp.	01036-E4001	Nursing Supplies	298.00
U.S. Food Service, Inc.	01036-E4001	Grocery Supplies	2,490.62
American Health Care Supply	01036-E4001	Supplies (Linen)	504.34
Direct Supply	01036-E4001	Nursing Supplies	62.94
Leslee Mast	01036-E6001	Travel Expenses	114.80
Gingerich Tractor Sales	01036-E7001	Bush Hog Repairs	199.25
Village Ford Lincoln Mercury, Inc.	01036-E7001	Explorer Repairs	<u>392.03</u>
			<b>\$4,678.36</b>

**SPECIAL PROJECTS – PROBATE COURT (S89)**

Matthew Bender & Co., Inc.	01066-E4001	Law Books	<b>\$594.88</b>
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**ROTARY OTHER EXPENSES (X00)**

Sheriff Timothy W. Zimmerly	04000-E8001	Transfer Funds to cover Expenses	<b>\$5,000.00</b>
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**JAIL KITCHEN (X03)**

Nickles Bakery	04001-E4001	Food Supplies	\$261.03
Smith Dairy	04001-E4001	Food Supplies	119.71
Dairy Enterprises, Inc.	04001-E4001	Food Supplies	553.65
Interstate Fire & Security System	04001-E7001	12 Year Maintenance	585.00
			<b>\$1,519.39</b>

**HRA (X25)**

Aultcare	00990-E1039	HRA	<b>TBD</b>
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**MONEY RECEIVED AND PAID TO THE TREASURER:**

<b>FROM:</b>	<b>TO:</b>	<b>AMOUNT:</b>
100208 HCC/CSEA	A00-00199-R6502 Collections	\$10.00
100209 HCC	A00-00199-R6509 Corsa Reimbursement	\$45,156.40
100222 HCC/CSEA	A00-00199-R6502 Collections	\$8.78
100269 HCC	A00-00199-R6509 Corsa Reimbursement	\$2,673.05

**TRANSFER WITHIN:**

<b>FROM:</b>	<b>TO:</b>	<b>AMOUNT:</b>
S85-01036-E1019 Workers Comp	S85-01036-E4007 New Equipment	\$3,804.36
S85-01036-E3001 Property Insurance	S85-01036-E4007 New Equipment	\$5,696.76

**SUPPLEMENTAL:**

**FROM:**

**TO:**

**AMOUNT:**

S90 Continuing Profession Training	S90-01063-E6003 Profession Training	\$2,280.00
T25 Housing Revolving Loan Fund	T25-01048-E2064 Home	\$36,900.00
A00 General	A00-00045-E2006 Investigator	\$914.93
A00 General	A00-00125-E2018 Purchase of Service	\$2,769.51

**TRANSFER BETWEEN:**

**Please Refer to the Following Resolution(s):**

**Resolution #06-28-10-1**

**PAYROLL**

**Total Gross Payroll for pay-ending 06-11-10 was \$541,679.93**

**Total General Fund Payroll for pay-ending 06-11-10 was \$159,347.84**

**ENGINEER PERMIT(S):**

**BY THE SIGNING OF THE FOLLOWING DOCUMENTS, THE COMMISSIONERS APPROVED THE FOLLOWING PERMIT(S):**

Northeast Ohio Natural Gas Attention – Mark Wetzel 9081 State Route 250 Strasburg, OH 44680	Application is hereby made for a permit to install approximately 15,000’ of 6” plastic pipeline on the west side of County Road 77 in road right of way
Northeast Ohio Natural Gas Attention – Mark Wetzel 9081 State Route 250 Strasburg, OH 44680	Application is hereby made to install approximately 6,000’ of 8” on County Road 77, 2,500’ of 6” on US 62 and 400’ of 6” plastic pipe on County road 168 in road right of ways.
J. Hawk Water Service LLC	Application is hereby made for a permit road bore. Location – County Road 625 by Mast Trucking.

**PLAT – SUNSET VIEW ALLOTMENT NO. 1 – REPLAT OF LOT 2 AND ADDITIONAL LANDS**

On a motion by Mr. Ault, seconded by Mr. Eyler (Mr. Miller - yes; Mr. Eyler – yes; Mr. Ault - yes), the Commissioners authorized the Chairman to sign the Sunset View allotment No. 1 – Replat of Lot 2 and Additional Lands, Saltcreek Township, SE Qtr. of Section 31, T-15N; R-12W. Agent – Freeman R. Hochstetler.

**RESOLUTION(S)**

**A COPY OF ALL DOCUMENTS ON FILE AT THE COMMISSIONERS OFFICE**

## **BID OPENING - COUNTY ROAD 200 BRIDGE REPLACEMENT – COMMISSIONERS MEETING**

The hour of 10:15 a.m. having arrived, three bids were received for the County Road 200 Bridge Replacement. The first bid from Bud's, Inc was in the amount of \$223,906.75, the second bid from Berlin Contractors in the amount of \$210,589.45 and the third bid from Rietschlin Construction in the amount \$222,575.00. Engineer Chris Yong will review the bids and award at a later date.

## **BID OPENING - COUNTY ROAD 201 ROAD RESURFACING PROJECT**

The hour of 10:15 a.m. having arrived, three bids were received for the County Road 201 Road Resurfacing Project. The first bid from Melway Paving Option 1 black top only was in the amount of \$673,577.00 and Option 2 with rubber tires in the amount of \$861,862.80, the second bid from Kokosing Option 1 black top only in the amount of \$777,158.76 and Option 2 with rubber tires in the amount of \$899,983.76 and the third bid from Superior Paving Option 1 black top only in the amount \$753,348.14 and Option 2 with rubber tires in the amount of \$970,994.04. Engineer Chris Yong will review the bids and award at a later date.

## **KEN SMAILES & STEVE KNOWLING– EXECUTIVE SESSION DISCUSSION**

Ken Smailes of WKLM and Prosecutor Steve Knowling met with the Commissioners and discussed the reasons for going into Executive Session. The reason for the meeting is that Smailes wrote a letter to the Commissioners questioning some of the reasons for going into Executive Session. The Commissioners responded back with a letter asking for specific meetings.

Miller started off the meeting by telling Smailes that the Commissioners take their job seriously and that we appreciate him and Paula Wilcoxon covering the Commissioners Meetings. Miller stated that the Commissioners have done a lot less Executive Sessions then before. Miller is interested in what Smailes thinks that the Commissioners have violated.

It involves the Executive Sessions pertaining to contract negotiations and personnel. Smailes states that contract negotiations has not been clarified and just personnel is used frequently without the explanation with it. For example – discipline, evaluation, interview etc.

Knowling informed the Commissioners that contract negotiations is not a reason to go into Executive Sessions, it would have to be something along the line of purchase of property, lease of property if it pertains to the County Landfill, you cannot use contract negotiations.

Smailes would like to see the Commissioners be more specific when naming the reason for going into Executive Session.

Miller would like to see the Clerk take the lead in this and make sure the Executive Sessions are done properly now and in the future.

Ault stated the County wants to do thing right and appreciates Smailes coming in.

Smailes acknowledged that it was never his intent to state that the Commissioners have done something wrong.

**STEVE KNOWLING – PROSECUTOR – EXECUTIVE SESSION – PENDING LITIGATION**

On a motion by Mr. Ault, seconded by Mr. Eyler (Mr. Miller - yes; Mr. Eyler – yes; Mr. Ault - yes), the Commissioners went into Executive Session for the purpose of Pending Litigation with Prosecutor Steve Knowling at 11:05 a.m. The Session ended at 11:09 a.m.

**STEVE KNOWLING – PROSECUTOR – EXECUTIVE SESSION – PENDING LITIGATION**

On a motion by Mr. Eyler, seconded by Mr. Ault (Mr. Miller - yes; Mr. Eyler – yes; Mr. Ault - yes), the Commissioners went into Executive Session for the purpose of Pending Litigation with Prosecutor Steve Knowling at 11:10 a.m. The Session ended at 11:12 a.m.

**ADJOURN MOTION**

With no further business to come before the Board, Mr. Eyler moved that the meeting be adjourned at 4:30 p.m. Mr. Ault seconded the motion (Mr. Miller- yes; Mr. Eyler– yes; Mr. Ault - yes). The next scheduled Business meeting of the Holmes County Commissioners is Thursday, July 08, 2010 (Due to the Independence Day Holiday).

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Joe D. Miller

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Raymond Eyler

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Attest: Susan L. Haun, Clerk

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Rob Ault