

## **MINUTES OF APRIL 22, 2009 AGENDA MEETING**

Commissioner Bassitt opened the meeting at 9:00 a.m. on the 22<sup>nd</sup> day of April, 2009 with the following members present: Commissioner W. Dan Reiff, Commissioner Sam Bassitt, County Administrator Becky Saine, Clerk of the Board Kelli Singhaus and Assistant Clerk Nicole Ward.

Keith Cunningham led the Pledge of Allegiance.

Commissioner Reiff moved for the approval of the April 15, 2009 Agenda Meeting minutes. Commissioner Bassitt seconded the motion. The minutes were approved as submitted.

### **Action Items:**

#### ***Resolution #285-09. Approval of travel expenses.***

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

#### ***Resolution #286-09. Authorize a warrant of transfer from the MR/DD Residential Services Fund #2077 to the MR/DD Administrative Fund #2018.***

Martha Nance, Director of Business, requested a warrant of transfer in the amount of \$125,000. This transfer was necessary for administrative costs and quality assurance.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

#### ***Resolution #287-09. Authorize a warrant of transfer from the MR/DD Family Resource Fund #2075 to the MR/DD Administrative Fund #2018.***

Martha Nance, Director Business, requested a warrant of transfer in the amount of \$4,388.89. This transfer was necessary for administrative costs.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

#### ***Resolution #288-09. Supplemental appropriation to the County Water Fund 5036.***

Bruce Wells, Business Manager submitted a request for a supplemental appropriation, increasing the appropriation by \$10,000 for a new appropriation of \$20,000. This appropriation is necessary to cover the transfer to the Apollo Waterline Bond for 2009.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

#### ***Resolution #289-09. Supplemental appropriation to the Building and Expansion Fund 4017.***

Becky Saine, County Administrator, requested a supplemental appropriation in the amount of \$31,479.65. This appropriation is necessary to pay for the installation of overhead primary electrical service to the Industrial Park.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

**Resolution #290-09. *Supplemental appropriation to the Probate-Legal Research/Computer Fund 2709.***

Jacque Epps, Assistant Court Administrator, requested a supplemental appropriation in the amount of \$10,400. This appropriation was necessary to supplement the Salary Employees fund for computer related work being completed by certain employees.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously with Commissioner Sneary voting no.

**Resolution #291-09. *Supplemental appropriation to the Airport Authority Ditch #1217 Project – Fund 2217.***

Laura Clark, Account Clerk, requested a supplemental appropriation in the amount of \$50. This appropriation is necessary for 2009 expenses.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

**Resolution #292-09. *Supplemental appropriation to the Jennings Creek Ditch #1160 Project – Fund 2160.***

Laura Clark, Account Clerk, requested a supplemental appropriation, increasing the appropriation by \$4,000 for a new appropriation of \$40,817.86. This appropriation was necessary for 2009 expenses.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

**Resolution #293-09. *Supplemental appropriation to the MR/DD Fund 2018.***

Martha Nance, Director of Business, requested a supplemental appropriation in the amount of \$7,020,581.86. This appropriation was necessary as the reserve amount was not entered into Munis after calendar year 2008 was closed.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

**Resolution #294-09. *Supplemental appropriation to the Building and Expansion Fund 4017.***

Becky Saine, County Administrator, requested a supplemental appropriation, increasing the appropriation by \$12,846 for a new appropriation of \$22,846. This appropriation was necessary to purchase a commercial washer/dryer for the Jail and to repair a chiller at the Jail.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

**Resolution #295-09. *Approves a Type 2 Petition for annexation of approximately 61.647 acres of land situated in American Township to the Village of Elida, petitioned for by the Board of Education, Elida Local School District, Michael A. Rumer – Agent for the Petitioner.***

A representative from the Board of Education, Elida Local School District, stated that this proposed annexation is for the new site of the high school. Paul Basinger, American Township Trustee, added that both the Township Trustees and the Elida Local School District were able to work together and reach an agreement as to services for the proposed site.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

**Discussion Items:**

**A. Dana Sterling, Building and Grounds,** presented the following:

1. Request to adopt **Resolution #296-09**, approve Change Order #1 with Capitol Aluminum & Glass for the window renovation portion of the Allen County HB 300 Energy Project. It was determined that an additional lenti replacement was needed at the Allen County Child Support Enforcement Agency. The cost of the change order is \$2,500 for a new project cost of \$319,300.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

2. Request to accept proposal from Ohio Laundry for the purchase of a commercial washer and dryer for the Allen County Justice Center. Sterling requested the approval for the purchase of a commercial washer and dryer from Ohio Laundry in the amount of \$4,850.00. The Jail has been using residential washers and dryers and the lifespan has been approximately 1-3 years. The commercial washer and dryer should have a lifespan of approximately 15-20 years.

**B. Dan Ellerbrock, Soil & Water,** presented the following:

1. Request to adopt **Resolution #297-09**, authorize to proceed with the construction of the Nicholas Wrasman Group Project #1268. The engineer's estimate for said project is \$390,000. This project consists of a 1-1/4 mile of outlet tile and 1-1/4 mile of ditch reconstruction. The Board of Supervisors of the Allen Soil & Water Conservation District held an information meeting on March 18, 2009 and has submitted letter certifying the project to be constructed.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

2. Request revisions to the assessment for the Kent Burkholder Group Project #1278. As a result of the Kent Burkholder objection hearing, it was determined that on Lot #7, the percent of the assessment applied was too high and needs to be re-evaluated. Ellerbrock pointed out on lower portion of the watershed map that several homeowners had indicated that they have taken their water out of the watershed. The homeowners on the north side installed a 6" tile along the roadway to carry out their septic water. The owners on the south side put in an 8" tile and took their water out. Both the north and south sides go into different watersheds. Ellerbrock requested a continuance to evaluate the issues before assessment schedule is finalized and notices are sent out.

Commissioner Reiff moved to adopt **Resolution #312-09**, to allow the continuance to evaluate the issues before the schedule assessment is finalized for Kent Burkholder Group Project #1278. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

**C. County Engineer,** presented the following:

1. Request to adopt **Resolution #298-09**, approve the 2009 County and township Road Program and authorize the County Engineer to proceed by Force Account. David Louth, Roadway Engineer, stated that the Road Program meeting was held at the Engineer's Office on April 15, 2009. The proposed County Road Program is as follows:

**2009 COUNTY PROGRAM**

County Roads and Fairgrounds

\$413,164.59

**2009 TOWNSHIP PROGRAM**

<b>TOWNSHIP TWP.WORK</b>	<b>TOWNSHIP SHARE</b>	<b>COUNTY SHARE</b>	<b>TOTAL</b>
Amanda	\$ 46,920.85	\$6,500.00	\$ 53,420.85
American	\$ 170,537.84	\$6,500.00	\$ 177,037.84
Auglaize	\$ 69,310.64	\$6,500.00	\$ 75,810.64
Bath	\$ 88,147.41	\$6,500.00	\$ 94,647.41
Jackson	\$ 90,283.70	\$6,500.00	\$ 96,783.70
Marion	\$ 68,755.42	\$6,500.00	\$ 75,255.42
Monroe	\$ 109,307.89	\$6,500.00	\$ 115,807.89
Perry	\$ 50,494.71	\$6,500.00	\$ 56,994.71
Richland	\$ 89,022.43	\$6,500.00	\$ 95,522.43
Shawnee	\$ 345,134.40	\$6,500.00	\$ 351,634.40
Spencer	\$ 44,386.03	\$6,500.00	\$ 50,886.03
Sugar Creek	\$ 26,815.74	\$6,500.00	\$ 33,315.74
<b>Total For Townships</b>	\$1,199,117.05	\$78,000.00	\$1,277,117.05
<b>Total For Villages</b>			\$ 254,135.14
<b>2009 Grand Total Proposed Road Program</b>			\$1,944,416.78

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

- Request to adopt **Resolution #299-09**, authorize the Clerk of Board to post notice and advertise to receive bids for Liquid Asphalt for Tar and Chip Work for the 2009 County Engineer's Road Program. David Louth, Roadway Engineer, requested the Board approve to receive bids for Tar and Chip Work. The engineer's estimate is \$586,067.50. Bid opening is scheduled for May 7, 2009 at 11:00 a.m.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

- Request to adopt **Resolution #300-09**, authorize the Clerk of Board to post notice and advertise to receive bids for the construction of the Fairwood Estates and Masters Circle Petition Ditch #1264. Nathan Davis, Assistant Drainage Engineer, requested the Board approve to receive bids for the construction of the Fairwood Estates and Masters Circle Petition Ditch #1264. The engineer estimate for said project is \$27,225. Bid opening is scheduled for May 8, 2009 at 11:00 a.m.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

- Request to adopt **Resolution #301-09**, authorize a contract with Mannik & Smith Group, Inc. for real estate services for the Eastown Road Improvement Project – Phase 4. Mark Stockman, Chief Deputy Engineer, requested to enter into contract for right-of-way negotiations for a small portion of the improvement. It has been determined that there is a line of tree which is located on a portion of county property as well as a portion of various homeowners. Mannik & Smith Group, Inc. will negotiate on behalf of the county at a cost not to exceed \$14,000.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

**D. Lynn Shock, Department of Job and Family Services**, presented the following:

1. Request to adopt **Resolution #302-09**, authorize an amendment to a contract with the Allen County Children Services Board. Ms. Shock submitted a request to increase the contract amount by \$250,000 for a new contract amount not to exceed \$800,000. Said amendment shall be effective April 23, 2009

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

2. Request to adopt **Resolution #303-09**, authorize an amendment to a contract with Theresa Henry dba Maljadlee Tender Care Child Care. Ms. Shock submitted a request to increase the contract amount by \$15,000 for a new contract amount not to exceed \$125,000. Said amendment shall be effective April 26, 2009.

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

3. Request to adopt **Resolution #304-09**, authorize an amendment to a contract with Kendra Johnson dba Kendra's Kinder Care Center. Ms. Shock submitted a request to increase the contract amount by \$25,000 for a new contract amount not to exceed \$175,000. Said amendment shall be effective April 26, 2009.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

**E. Steve Kayatin, Sanitary Engineer**, presented the following:

1. Request to adopt **Resolution #305-09**, declare the necessity to construct the Lincoln Highway Extension #1 Sewer Improvement Project in Monroe Township. This project is located west of Beaverdam on the corner of Foust and Lincoln Highway. Cost of said project will be collected through special assessments of property owners that are benefited by the project.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

2. Request to adopt **Resolution #306-09**, declare the necessity to construct the Arthur's First and Freyer's Second Subdivisions Sewer Improvement Area Project in the Village of Fort Shawnee and authorize the Clerk of Board to post notice for a Project Assessment Hearing.

The Clerk of Board requested a motion to remove the resolution from the agenda until further notice. Motion made by Commissioner Bassitt, seconded by Commissioner Reiff. The roll was called and was approved unanimously.

3. Request to discuss the 2009 Budget and Rate Report. The Sanitary Engineer's Office was able to make approximately \$750,000 in adjustments/cuts in order to eliminate increasing rates for 2009. Some of the cuts that were made are delays until the time is right to proceed.
4. Request to adopt **Resolution #307-09**, accept Grinder Pump Utility Easement. This easement is necessary to construct, maintain, repair and replace a residential grinder pump. Said easement is in the amount of \$1.00.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

F. **Bruce Wells, Community Development Coordinator**, presented the following:

1. Request to adopt **Resolution #308-09**, authorize activities for the FY'09 CHIP Program and authorize submission of the application to the Ohio Department of Development. Public hearings have been held as it relates to the FY'09 CHIP Program. The county has to apply every two (2) years for said grant. The current grant expires August, 2008. The amount being requested is \$522,000 for HOME, CDBG, Ohio Trust Fund funding, which includes all of Allen County outside the City of Lima including the Van Wert portion of Delphos. To break it down:

\$260,000	Rehab/Private Dwellings
\$150,000	Repair
\$ 20,000	Assist with construction of habitat dwelling
\$15,000	Sustainable Foreclosure Assistance
\$15,000	Counseling of Foreclosure

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

G. **Russ Decker, Emergency Management Agency**, presented the following:

1. Request to adopt **Resolution #309-09**, authorize submission of a grant application to the U.S. Department of Homeland Security under the State Homeland Security Program '08 Grant Program. The State of Ohio received a grant to development Hazmat services. Allen County is currently a Type 2 service area and was approached to add additional monitoring equipment to certify Allen County as a Type 1. Allen County will then service an 18 county area in northwest Ohio, including Toledo/Lucas County. The total amount of the grant is \$90,000 to purchase said equipment in addition to the state turning some of their equipment over to Allen County.

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

### **Announcements, Proclamations, Recognition and Commendations**

Rhonda Eddy, Allen County Auditor, provided an update on the 1<sup>st</sup> quarter 2009 financials. Currently, there is a \$1.1 million dollar decrease in revenue from last year. There is also a \$716,000 decrease in expenses from last year. The sales tax figure is currently \$28,000 over budget from last year. Departments are spending less. Revenue is a little higher than expenses but that is normal for 1<sup>st</sup> quarter figures. This has been consistent since 2003. Additional cuts will have to be made to cover the \$2 million dollars spent earlier this year. Interest income may be a little better than expected. The stimulus money is not going to be passed down to local governments.

Commissioner Bassitt commented on the communication sent by the President of the Board to the other two Commissioners. Bassitt feels that the Board is indeed facing a struggle as it relates to the budget. Plan of action was to establish a budget the first of the year and pass it. He felt the President of the Board exercised limited leadership in not voting for the budget in which he worked on. The Board has met on a monthly basis with the financial leaders of the county and will try to discern how the county is doing each month. They have held discussions and possible plans of action. The Board has looked at several options and has elected not to act on any at this time. The Board will continue to monitor the process in the next quarter. Bassitt's anticipation is that further cuts will need to be made later this year. The Board will continue to work with the departments and strive to find ways to meet a balanced budget year and to have sufficient funds to meet the "cliff" we are approaching for next year. Departments have been saved the agony of dramatic cuts this year but will not be able to do that further. Cuts will have to be examined this year and sustained into next year. Hopes are that the economy will reverse.

Commissioner Reiff handed out a press release. Reiff provided history of the situation in the county as far as economics and Commissioner Sneary's actual involvement in conserving dollars. Reiff commented on raises that Sneary wanted to give Commissioner's staff of 16% and 18% retroactive in 2007 which Reiff was absolutely against. Reiff stated that it was Sneary's anticipation was that it wouldn't show up in the

2008 budget. Communication was sent 30<sup>th</sup> of January to department heads to be fiscally restrained and watch their spending. Just before the 2008 budget went into place, Reiff was advised prior to the meeting that 7% to 9% increases were included in the budget, which Reiff stated he did not support and approve and yet Commissioner Sneary did approve knowing that the county was in fiscal restraints. This past fall at one of the meeting, November 13<sup>th</sup>, a number of elected officials were present. Bruce Wells was working on getting finances together to borrow monies for the HB300 Energy Project, which in turn is self funded and pays for itself. Commissioner Sneary wanted to spend \$1 million dollars of the \$1.2 million dollars to pay down on the HB300 Energy Project rather than keep it as a carry-over. Many elected officials, including Reiff, expressed that the carry-over money should not be used as a down-payment on the energy project. Reiff feels that Commissioner Sneary needs to show leadership.

**EXECUTIVE SESSION**

1. For consideration of the appointment, employment, dismissal, discipline, promotion, demotion or Compensation of a public employee or public official.

Commissioner Bassitt moved to go in to Executive Session at 9:46 a.m. to discuss a disciplinary action. Commissioner Reiff seconded the motion. The roll was called and was approved unanimously. In attendance were Commissioner Greg Sneary, Commissioner Dan Reiff, Commissioner Sam Bassitt, Lynn Shock – Department of Job and Family Services, Clerk Kelli Singhaus and Assistant Clerk Nicole Ward.

Commissioner Bassitt moved to go out of Executive Session at 9:50 a.m. Commissioner Reiff seconded the motion. The roll was called and was approved unanimously.

1. **Resolution #310-09. *Approve a one (1) day suspension of an employee at the Allen County Department of Job and Family Services.***

Commissioner Bassitt moved to adopt the Resolution. Commissioner Reiff seconded the motion. The roll was called and the Resolution was approved unanimously.

2. **Resolution #311-09. *Approve the termination of an employee at the Allen County Department of Job and Family Services.***

Commissioner Reiff moved to adopt the Resolution. Commissioner Bassitt seconded the motion. The roll was called and the Resolution was approved unanimously.

With no further business to come before the Board, Commissioner Reiff moved to adjourn. Commissioner Bassitt seconded the motion. Meeting was adjourned.

Submitted by:

Approved by:

\_\_\_\_\_  
Kelli A. Singhaus  
Clerk of the Board

\_\_\_\_\_  
Greg Sneary

\_\_\_\_\_  
W. Dan Reiff

\_\_\_\_\_  
Sam Bassitt