

THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIANA COUNTY, OHIO,
MET IN REGULAR SESSION IN THEIR OFFICE IN THE COURTHOUSE, LISBON, OHIO
ON WEDNESDAY, JUNE 6, 2012 AT 9:00 A.M.

ROLL CALL: MR. HALLECK, MR. HOPPEL, MR. PAYNE

CLERK: SCHERRY WILSON

PRAYER WAS GIVEN BY REV. JENNA BROWN ST. JACOB'S UCC

Columbiana County Commissioners

June 5, 2012

Rev. Jenna K. Brown

St. Jacob's UCC

God of ripening wheat and robin song; God of mountains grandeur and oceans deep – we are forever reminded that this is your world, O God our Eternal Father. We cannot comprehend the love you bestow upon us that your heart to being mindful of us and opens your ears to hear our prayers. May we see ourselves large enough to impact positive change but small enough to remain humble in your presence. We pray all these things in Jesus' name. Amen.

RE: MINUTES

Motion by Mr. Hoppel, seconded by, Mr. Payne to dispense with the reading of the minutes and the bills of the regular meeting of May 30, 2012 and approve them as written.

VOTE RESULTED:
AYES: HALLECK, PAYNE
ABSTAINED: HOPPEL
MOTION CARRIED

RE: TRAVEL

NONE

RE: THEN & NOW BILLS

Motion by Mr. Hoppel, seconded by Mr. Payne to, approve Then & Now's as presented:

COMMISSIONERS	PO#452827	OHIO EDISON	\$19,877.00
JUVENILE	PO#452821	AL HISSOM	\$6,562.50
WATER & SEWER	PO#510183	BERGER ELECTRIC	\$3,945.00
ENGINEER	PO#215864	PHOENIX	\$5,000.00
DEVELOPMENT	PO#452872	COMMUNITY ACTION	\$5,000.00
DEVELOPMENT	PO#452873	LARRY MARTIN	\$13,912.00

VOTE RESULTED:
AYES: HALLECK, HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: COURT/AGENCY REPORTS FOR JOURNALIZATION

Motion by Mr. Hoppel, seconded by Mr. Payne to; journalize Municipal Court and East Liverpool Municipal Court reports for May 2012.

VOTE RESULTED:
AYES: HALLECK, PAYNE, HOPPEL
NAYES: NONE
MOTION CARRIED

RE: AMENDED CERTIFICATE AND APPROPRIATIONS

Motion by Mr. Hoppel, seconded by Mr. Payne to; accept as presented by the Office of Budget Commission the Amended Certificate dated June 6, 2012 and the following appropriations:

CERTIFY:

L08-L08 \$3,445.00

APPROPRIATE:

L08-E-4050 \$3,445.00 N60-E-1008 \$100,000.00

VOTE RESULTED:
AYES: HALLECK, PAYNE, HOPPEL
NAYES: NONE
MOTION CARRIED

RE: APPROVE LEASE AGREEMENT VETERANS SERVICE COMMISSON

Motion by Mr. Hoppel, seconded by Mr. Payne to; approve a lease agreement between Columbiana County and Veterans' Service Commission for property located at 7989 Dickey Drive, Suite 1, Lisbon, Ohio 44432. Tenant shall pay \$1,900.00 per month through and including the month of December 2012. Beginning January 2013 and continuing thereafter, Tenant shall pay \$5,000.00 per month. The term shall expire December 31, 2013. The lease shall renew on an annual basis.

LEASE AGREEMENT

This Lease is made this JUNE 6, 2012, between the County of Columbiana, whose address is 105 S. Market Street, Lisbon, Ohio 44432 ("Landlord"), and VETERANS' SERVICE COMMISSION, whose address is 7989 DICKEY DR. SUITE 1, LISBON, OHIO 44432 ("Tenant").

- 1. PREMISES. Landlord leases to Tenant, on the terms and conditions set forth below, approximately 5,100 square feet of office space in west end of the first floor of the Government Services Building, which area is known and understood by the parties (the "Premises").
 - 2. TERM. The Term of this Lease shall begin on the date first written above and shall expire on December 31, 2013. The lease shall renew on an annual basis, unless either party provides notice of their intent to terminate or renegotiate the lease no later than thirty (30) days before the end date of that yearly term. Landlord may terminate this Lease at any time, and for any reason, upon thirty (30) days written notice to the Tenant.
 - 3. RENT. Tenant shall pay as rent for the Premises, through and including the month of December 2012, the sum of one thousand nine hundred dollars (\$1900.00) per month. Beginning in January 2013 and continuing thereafter, Tenant shall pay as rent for the Premises the sum of five thousand dollars (\$5,000) per month. Rent shall be payable on the first of the month.
 - 4. USE. Tenant shall use the Premises for office space. No other uses shall be permitted on the Premises.
- In its use of the Premises, Tenant shall comply with all applicable laws; shall commit no waste; shall not unreasonably interfere with the operations of Landlord or neighboring owners or tenants; shall make no alterations or improvements to the Premises which are inconsistent with this lease; and shall not permit any liens to attach to the Premises or Tenant's interest in this Lease. The deed to this property is recorded at Volume , Page , in the Deed Records, Columbiana County Recorder's Office, Columbiana County, Ohio. All deed restrictions are incorporated herein by reference.
- 5. MAINTENANCE. Tenant acknowledges that the Premises are now in good repair and accepts the same in their present condition, "as is." Tenant shall keep the Premises in good order and in a clean and sanitary condition throughout the term of this Lease. Notwithstanding anything to the contrary in this Paragraph 5, Tenant shall pay for any repairs and maintenance caused by the negligence or wrongful acts of Tenant or its agents or employees, but excepting any damages waived by Landlord under Paragraph 8.
 - 6. INDEMNITY. Except to the extent liability is waived under Paragraph 7, Tenant shall indemnify and hold Landlord harmless against any and all claims, liabilities, damages and losses, including expenses incidental to the defense of same, resulting from injury or death of any person or damage to property occurring on or about the Premises or in conjunction with Tenant's use and occupancy of the Premises, unless caused by the negligent acts of Landlord. In addition,

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: PROCLAMATION COLUMBIANA COUNTY FAMILIES OF HOMICIDE VICTIMS

Motion by Mr. Hoppel, seconded by Mr. Payne to; approve a Proclamation declaring June 21, 2012 through June 30, 2012 with respect to Columbiana County Families of Homicide Victims.

PROCLAMATION

WHEREAS: Columbiana County Families of Homicide Victims (C.C.F.H.V.) founded in 2006 by Belinda Puchajda following the murder of her cousin, Michael Williams; and

WHEREAS: Determined to not let Mike be forgotten, she (and a group of other supporters) started going out to local county events with fliers and business cards with the website address to remind people that his case, along with six (6) others remained unsolved; and

WHEREAS: They now represent over 30 families of unsolved murders and missing people in Columbiana County; and

WHEREAS: In 2012 Belinda Puchajda was instrumental in forming Columbiana County's first Homicide Task Force. This Task Force includes detectives from almost every department in the county bannng together to work the first 72 hours of any homicide; and

WHEREAS: They also offer many resources to victims and their families and continue to show strong support by writing letters to parole boards, attend court proceedings and provide access to other groups that offer help.

NOW, THEREFORE, We the Commissioners of Columbiana County, Ohio do hereby proclaim the week of June 21, 2012 through June 30, 2012 with respect to

COLUMBIANA COUNTY FAMILIES OF HOMICIDE VICTIMS

In Columbiana County, Ohio and urge all citizens to observe this week as such.

Adopted this 6th day of June, 2012.

Handwritten signatures of Mike Halleck, Jim Hoppel, and John H. Payne with printed names below.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: AWARD BID NEW WATERFORD WATER SYSTEM IMPROVEMENT

Motion by Mr. Hoppel, seconded by Mr. Payne to; award the low bid to McKay & Gould Drilling, Inc in the amount of \$24,949.00 for the New Waterford Water System Improvements – Phase II Project.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: AWARD BID COUNTY LINE STRIPING PROGRAM

Motion by Mr. Hoppel, seconded by Mr. Payne to, award the low bid to Aero-Mark Inc. for the County Roadway Line Striping Program and authorize the County Engineer to sign, on behalf of the Columbiana County Commissioners, any and all documents relating to this project.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: APPROVE CHANGES TO LEPC MEMBERSHIP

Motion by Mr. Hoppel, seconded by Mr. Payne to; approve the Voting Members and Alternate voting members' changes of the Columbiana County LEPC as follows:

Voting Members of the Columbiana County LEPC and the category they represent:

2011 - 2013 membership status to be effective May 7, 2012 per SERC requirements

- David Moore Health
John Payne Elected Official
Tim Gladis Law
Jeremiah Cole First Aid
Lt. Joe Dragovich Law
Pam Smith Hospital
Candice McDonald Community Group
Dr. William Graham Elected Official

Alternate voting Members of the Columbiana County LEPC and the category they represent:

2011 - 2013 membership status to be effective May 7, 2012 per SERC requirements

- Sgt Craig Monte voting in the absence of Lt. Joe Dragovich
Brandi Phillips voting in the absence of Dr. William Graham
Julie Dunlop voting in the absence of Pam Smith

William Brantingham

Information Coordinator

Handwritten signature of William Brantingham

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: ADOPT RESOLUTION #19-2012, BOARD OF ELECTIONS

Motion by Mr. Hoppel, seconded by Mr. Payne to; adopt Resolution #19-2012 finding that certain equipment is not needed or is unfit for public use and authorizing the selling of that equipment for credit on the purchase of new equipment.

RESOLUTION NO. 19-2012

RESOLUTION FINDING THAT CERTAIN OFFICE EQUIPMENT IS NOT NEEDED OR IS UNFIT FOR PUBLIC USE AND AUTHORIZING THE SELLING OF THAT EQUIPMENT FOR CREDIT ON THE PURCHASE OF NEW EQUIPMENT

OHIO REVISED CODE SECTION 307.12(G)

The Board of County Commissioners of Columbiana County, Ohio, met in regular session on the 6th day of June, 2012, at the office of the Board with the following members present:

- Commissioner Halleck
Commissioner Hoppel
Commissioner Payne

Commissioner Hoppel moved the adoption of the following Resolution:

WHEREAS, the Columbiana County Board of Elections is moving its operations to the new Government Services Building;

WHEREAS, certain of the office equipment can no longer be used by the Board of Elections, either by reason of obsolescence or space-requirements of the new office;

WHEREAS, Ohio Revised Code Section 307.12(G) authorizes a Board of County Commissioners, by resolution, to sell unneeded equipment for credit in the purchase of new equipment;

WHEREAS, This Board approved, on May 30, 2012, a sales agreement with ROF, Inc. in the amount of \$17,746.07 for the purchase of office furniture and equipment for the Board of Elections, which sum included a credit for a trade-in of equipment no longer needed by the Board of Elections;

NOW THEREFORE, be it resolved by the Board of Commissioners of Columbiana County, Ohio, that:

Section 1. The Board of Elections is in possession of certain office

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: ADOPT RESOLUTION #20-2012 RESCINDING RESOLUTION #56-2011

Motion by Mr. Hoppel, seconded by Mr. Payne to, adopt Resolution #20-2012, RESCINDING Resolution No. 56-2011 and modifying amount of fees generated under Ohio Revised Code Section 311.17 to be placed in the N16 Reserve Capital Projects Fund.

RESOLUTION NO. 20-2012
RESOLUTION RESCINDING RESOLUTION NO. 56-2011 AND MODIFYING AMOUNT OF FEES GENERATED UNDER OHIO REVISED CODE SECTION 311.17 TO BE PLACED IN THE N16 RESERVE CAPITAL PROJECTS FUND.

The Board of County Commissioners of Columbiana County, Ohio, met in regular session on the 6th day of June, 2012, at the office of the Board with the following members present:

Commissioner HALLECK
Commissioner HOPPEL
Commissioner PAYNE

Commissioner HOPPEL moved the adoption of the following Resolution:

WHEREAS, Resolution No. 32-2003, passed on or about August 20, 2003 established the N16 Reserve Capital Projects Fund to be used for capital expenditures of the Sheriff's Office;

WHEREAS, pursuant to Resolution No. 32-2003, one-half of the total fees generated under Section 311.17 are deposited into the N16 Capital Projects Fund;

WHEREAS, this Board, on or about December 21, 2011, passed Resolution No. 56-2011, which intended to allow the Sheriff to use the N16 Capital Projects Fund for purposes other than fixed assets and other capital projects, namely daily operations;

NOW THEREFORE, be it resolved by the Board of Commissioners of Columbiana County, Ohio, that:

Section 1. Resolution No. 56-2011, passed on or about December 21, 2011, is hereby rescinded.

Section 2. The amount to be placed in the N16 Reserve Capital Projects Fund shall be one-quarter of the amount collected pursuant to Ohio Revised Code

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: ADOPT RESOLUTION #21-2012 ESTABLISHING RESERVE ACCOUNT, SHERIFF

Motion by Mr. Hoppel, seconded by Mr. Payne to, adopt Resolution #21-2012 establishing a Reserve Balance Account for operating purposes of the Sheriff's Office.

RESOLUTION NO. 21-2012
RESOLUTION ESTABLISHING A RESERVE BALANCE ACCOUNT FOR OPERATING PURPOSES OF THE SHERIFF'S OFFICE.
OHIO REVISED CODE SECTION 5705.13(A)

The Board of County Commissioners of Columbiana County, Ohio, met in regular session on the 6th day of June, 2012, at the office of the Board with the following members present:

Commissioner HALLECK
Commissioner HOPPEL
Commissioner PAYNE

Commissioner HOPPEL moved the adoption of the following Resolution:

WHEREAS, Ohio Revised Code Section 5705.13(A) authorizes a taxing authority of a subdivision to establish reserve balance accounts to accumulate currently available resources in order to stabilize subdivision budgets against cyclical changes in revenue and expenditures;

WHEREAS, such a reserve balance account may be established in the general fund or in one or more special funds for operating purposes of the subdivision;

WHEREAS, the amount of money to be reserved in such an account in any fiscal year shall not exceed five percent of the revenue credited in the preceding fiscal year to the fund in which the account is established;

WHEREAS, any reserve balance account so established shall not be considered part of the unencumbered balance or revenue of the subdivision.

WHEREAS, it is necessary for the Sheriff to stabilize his budget against cyclical changes in revenue and expenditures, especially with regard to operating costs.

WHEREAS, the Sheriff collects certain fees, pursuant to Ohio Revised Code Section 311.17.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: APPROVE SUBSIDY GRANT AGREEMENTS FY 13' DEPARTMENT OF REHABILITATION

Motion by Mr. Hoppel, seconded by Mr. Payne to; approve the Subsidy Grant Agreement for Community-Based Corrections Programs 408 in the amount of \$67,634.00 and the Subsidy Grant Agreement for Community-Based Corrections Programs 407 in the amount of \$156,374.00 for FY 13'.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: APPROVE TALX PARTICIPATION AGREEMENT

Motion by Mr. Hoppel, seconded by Mr. Payne to; approve the TALX Participation Agreement between the Columbiana County Department of Job and Family Services, the County Commissioners Association of Ohio, and the Ohio Child Support Enforcement Agency Directors' Association for employment verification services. The agreement will be in effect from July 1, 2012 through June 30, 2013.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED

RE: RESOLUTION #22-2012 ELDER ABUSE AWARENESS DAY

Motion by Mr. Hoppel, seconded by Mr. Payne to; adopt Resolution #22-2012 designating June 15, 2012 as Elder Abuse Awareness Day throughout Columbiana County.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED



Realtors Karen Smith and Zachary Underwood addressed the Board of Commissioners concerning a right of way issue in Clarkson.

The Board of Commissioners will refer to the County Engineer for his opinion.

RE: ADJOURN

Motion by Mr. Hoppel, seconded by Mr. Payne to adjourn the regular meeting of Wednesday June 6, 2012 and resume the next meeting on Wednesday June 13, 2012 at 9:00 A.M. in the Board of Commissioners Meeting Room.

VOTE RESULTED:
AYES: HOPPEL, PAYNE, HALLECK
NAYES: NONE
MOTION CARRIED