

## Minutes for Thursday, July 10, 2014

Mr. Jerwers moved to approve the auction agreement with Martin Schroeder, auctioneer, to sell unused county inventory at public auction on September 27 at 10 a.m. at the Putnam County Fairgrounds.

Mr. Schroeder seconded the motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

Comm. Jrl. 105, Page 386

Mr. Jerwers moved the adoption of the following Resolution:

**WHEREAS**, The Board has received requests from the various departments of Job and Family Services for approval of travel expenses.  
now therefore,

**BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF PUTNAM COUNTY, OHIO**, hereby approve payment of the expenses per the attached list in accordance with Section 325.20 of the Ohio Revised Code and authorizes the Auditor to issue warrants per attached list upon receipt of invoices and be if further

**RESOLVED**, That the Auditor is hereby authorized and directed to issue any advanced warrants as necessary.

Mr. Love seconded the motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

Comm. Jrl. 105, Pages 387

Mr. Jerwers moved the adoption of the following resolution.

**WHEREAS**, Amended Substitute H. B. 153 allows by commissioner resolution and ORC 5101:9-6-12.4 (D) (4) permits the transfer of Child, Family and Adult Community and Protective Services Allocation to be transferred and used for Public Children Services activities;  
and

**WHEREAS**, The director of Putnam County Job and Family Services desires to transfer the entire Child, Family and Adult Community and Protective Services allocation of \$35,890.92 to the PCSA fund for PCSA activities  
now therefore, be it

**RESOLVED**, The Board of County Commissioners of Putnam County, Ohio does hereby allow for the transfer of Child, Family and Adult Community and Protective Services SFY 14 funds to PCSA fund.

Mr. Schroeder seconded the motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

Comm. Jrl. 105, Page 388

Mr. Love moved the adoption of the following Resolution:

**WHEREAS**, Elected officials/department heads submitted estimates of their requirements for the next fiscal year.  
and

**WHEREAS**, According to Section 5705.28 of the Ohio Revised Code the county commissioners are required to prepare a budget for the next fiscal year.

and

**WHEREAS,** A public hearing on the prepared budget for the next fiscal year was held on June 24, 2014.

now therefore, be it

**RESOLVED,** The Board of County Commissioners does hereby accept the estimated budget.

Mr. Jerwers seconded the motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

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Mr. Jerwers moved that the following appropriation modification be made for the year ending December 31, 2014.

For Solid Waste District Disposal Fees

From...35 CON, Consultants.....to.....35 REP, Repairs.....\$ 2,500.00

For Commissioners

From.....14 A 1, Insurance Co. Buildings...to...2 E 9D1, Public Defender....\$ 200.00

Mr. Love seconded the motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

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**Now and Then Purchase Orders**

**ADAMHS Board**.....Purchase order 26386, 26387

**Board of Elections**.....Purchase order 24854

**Clerk of Courts**.....Purchase order 26344

**Concealed Handgun**.....Purchase order 26454

**Jail**.....Purchase order 26455

**Probate/Supervision**.....Purchase order 26619, 26620

**Sheriff**.....Purchase order 26453

Mr. Jerwers moved to approve the now and then purchase orders

Mr. Love seconded the motion

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

Exceptions: Mr. Love none Mr. Jerwers none Mr. Schroeder none

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**Purchase orders and travel requests**.....

**Airport**.....Sarka Electric, repair of beacon \$500.00;

**Commissioners**.....Cardiac Science, AED machine for courthouse \$1,500.00;

**Sewer District No. 1**.....Kahle Electric Inc., 5 h.p. sewage pump \$5,400.00;

**Solid Waste Dist. Disposal Fees....**Travel for Jack Betscher to attend solid waste management district and EPA meeting at Westerville Library Aug. 7 and 8, no cost listed; travel for Ashley Siefker to attend solid waste management district and Ohio EPA meeting at Westerville Library August 7, no cost listed;

Mr. Jerwers moved to approve the purchase orders and travel requests.

Mr. Schroeder seconded the motion

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

Exceptions: Mr. Love none Mr. Jerwers none Mr. Schroeder none

### **8:30 a.m.**

Mr. Jerwers moved to begin the morning business session.

Mr. Love seconded the motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

### **9:00 a.m.**

Agenda. Present were commissioners Schroeder, Jerwers and Love; administrator Jack Betscher, Nancy Kline Putnam County Sentinel and grant coordinator Cindy Landwehr.

### **10:00 a.m.**

Jim O'Conner from Iberdrola met with commissioners Schroeder, Jerwers and Love, administrator Jack Betscher to discuss updates on the windmill project. Nancy Kline from the Sentinel joined the meeting. Jim shared info on Senate bill 310. Iberdrola was disappointed with the passing of the bill. The companies were seeing the benefits of renewable energy and interest was increasing. The passing of HB 483 was devastating to Iberdrola and the project. The setback provisions were changed for residential properties. Sound coefficient is a driving factor. The setbacks set no one can comply with. The land, road improvements were taken away from the County, the economic development was taken away. Jim shared other comments, editorials and opinions with the commissioners. Many large companies in the state of Ohio wanted the Governor to veto HB 483. Dale Arnold is an excellent source of info. It was quoted that the Governor's decision was not good for the state's environment or economy. More land is needed to comply with new setbacks. At 10:15 a.m. Bob Benroth, Auditor joined the meeting. John asked if Iberdrola will be trying to obtain the additional land needed. Iberdrola is assessing the situation to see if it is viable to do. Nancy said she thought she heard the Attorney General was trying to go against the Governor's decision. Iberdrola has to decide if there is a better location, and if an accepting County trumps a non-accepting State. Jim asked if the Commissioners would amend their resolution to say they are still in favor even though the State is not. The turbine placements were good but the setbacks have changed. Vince asked if the lease agreements would change. Iberdrola said they would approach the landowners for setback waivers. Jim showed an example of the setback waivers needed with the maps he provided. The majority were approached with a wind lease. An air rights easement would be needed for the people who did not get a lease. The diameter of a rotor is about 153 ft. The spacing is 3 rotor lengths between turbines. Vince stated the commissioners did make the amendment on Tuesday July 8, 2014. Nancy asked about a timeline the company will take for evaluating. A copy of the resolution was provided to Jim. John asked if there

would be a public meeting for the lease holders, to inform them of the plan to be taken. All of the leases are still in effect. Jim said a public meeting would be a good idea. Option term of the leases are 5 year terms with 5 year extensions. Jim had gotten corporate approval for the project until the bill passed, now they are in evaluation mode. Jim anticipated hurdles in the project which is why he went toward more efficient machines. Vince asked how long it would be for more advancement with the technology. The turbines in Van Wert have 143 ft. rotors. Jim was grateful for the support of the County and the Commissioners. The previous language was not as concise. Jim will continue to keep the Commissioners informed with any progress or changes that come about.

**11:00 a.m.**

The commissioners discussed changes to review schedule of payment of current landfill assessment current assessment: \$15.00 –residential, improved \$38.00-commercial. All the commissioners agreed to a public hearing to be held to discuss changes to the payment schedule. If the improved non-residential parcels are no longer charged a \$20,000 loss will occur. This option is a recommendation from Bob Benroth, Auditor.

**11:30 a.m.**

Carol Bunn stopped in to discuss a temporary replacement for her when she is on vacation. Carol will provide a temporary replacement employee to fill in for her for vacation. Carol was commended for her duties of keeping the courthouse and county buildings clean.

**12:00 p.m.**

Mr. Love moved to adjourn for lunch.

Mr. Schroeder seconded the motion

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

**1:00 p.m.**

Mr. Love moved to resume business session.

Mr. Schroeder seconded motion.

Vote: Mr. Love yes Mr. Jerwers yes Mr. Schroeder yes

**1:30 p.m. – 2:50 p.m.**

Road 5 residents attended the meeting regarding Road 5 decision.

Gary started by going over the verdict of the appeals court, and the commissioners' strategy to proceed. Gary emphasized to have open communication regarding the decision. He also said the commissioners have the decision to discuss this in executive session.

Frank Reed was unable to attend the meeting.

Gary Lammers, Troy Recker, Bob Benroth and Jack Betscher joined the executive session with Commissioners Schroeder, Jerwers and Love to discuss Road 5 litigation.

Mr. Love move to go into executive session to discuss litigation of the Rd 5 case of Patrick vs BD of Commissioners

Mr. Schroeder seconded

Matt Cunningham objected to discussing anything other than litigation strategy outside of attorney client privilege.

Mr. Love asked if discussion is limited in executive session

Mr. Love made a new motion to discuss litigation only of Patrick vs Bd of Commissioners

Mr. Lammers said the primary purpose is to discuss activity to take in regards to Court of Appeals

Mr. Schroeder seconded the motion

Vote: Schroeder yes, Jerwers no, Love yes

**1:41 p.m.** entered in to executive

**2:38 p.m**

Mr. Love moved to come out of executive

Mr. Schroeder seconded the motion

Vote: Schroeder yes, Jerwers yes, Love yes

Mr. Love moved to take one week to collect more information to meet again on July 17  
1:30 p.m.

Mr. Schroeder seconded the motion

Vote Schroeder yes Jerwers yes Love yes

It was opened for discussion a question was asked if the next meeting will be open or executive? It was also asked by Marilyn Horstman how much the attorney fees would be?

And what is the cost to the county residents currently? Bob stated it was approx..  
\$271,000.

Any discussion with outside of Putnam County attorneys, any discussion with attorneys employed?

Gary spoke with them this week. The commissioners themselves have not been in contact with the attorneys.

Matt Cunningham asked when meetings will be held to go over discussion points. The commissioners were presented with options today and they need to go over them.

Has there ever been a ruling or how often a ruling on every point against to move forward? Gary said it varies from case to case. Depends on volume of assignments of error. He has seen some get reversed. More assignments of error the less unanimous reversal. The commissioners have not decided whether to move forward with outside attorneys. Any decision does not reflect an agreement or disagreement with the court of appeals.

**3:15 p.m.**

Commissioner Jerwers left for the day.

**3:30 p.m. – 5:00 p.m.**

Commissioners Schroeder, and Love and administrator Jack Betscher attended the 6119 Board meeting held in the assembly room. Also present were Dave Beckett,

Denise Plummer, Mike Lammers, Dave King, Rick Fricke, Linda Amos, Rex Huffman, Nancy Kline, Greg Bockrath and Ashley Siefker

3:30 PM: Welcome from Linda Amos

-Purpose of meeting and go over the planed agenda. Items for today include a name for the district and working out a schedule for all village and trustee meetings to be attended by a member of this board from now until September. These meetings should be used as a tool to help the public understand the process of creating a district, answering any questions and getting the correct information to them from the source. Handouts were given of the process overview, village meeting schedule and talking points for village and township meetings that are to be attended. A schedule is being made for board members to attend these meetings.

-Direct contact with these officers (village councils and township trustees) is what is going to make the formation of a district successful and get involved in the public and keeping them involved as much as possible. They are going to act as 'partners' in this process and we need as many as we can get.

-The question was posed about the issue of getting services to places through farm land. The answer was that the cost is differed until not used as farm ground any longer. Along with this the placement of lines in general is crucial to the success of the district. If there are not enough customers using the line to cover the cost of the usage then it is not probably not in the best interest of everyone involved and should not be pursued at that time. Maybe, in the future, if the area became more populated it would be beneficial at that time. The 'easy' situations of getting services out are already taken care of. That's why they are already in place. What this board has to do is find a way to get services out to the 'impossible' situations. The trustees on this board are needed to be willing to give this their all. These are also qualities that need to be considered for future trustee/board members.

-All of the information gathered by this steering board is what the judge will use to determine the approval of the bylaws and rules created for the new district. One of the major ones that will be determined will be how trustees of the future operation board will be determined after the steering board suggests the first set.

-With the current law it states that if a home is within 200 feet of a sewer line is it a requirement for that home to be tapped into said line. The steering board is able to make additional rules and regulations where these matters are concerned and will do so as the district is being developed.

-Suggested name of the new district: Black Swamp Regional Water and Sewer District (BSRWASD).

-Next meeting will be held 8-14-14 at 3:30PM in the Assembly Room (Courthouse).

**5:00 p.m.**

Mr. Love moved to adjourn

Mr. Schroeder seconded the motion

Vote: Mr. Love yes            Mr. Schroeder yes

Mr. Jerwers moved that the minutes/discussion notes be approved as read.

Mr. Schroeder seconded the motion and the roll being called upon its adoption, the vote resulted as follows: Mr. Love yes      Mr. Jerwers yes      Mr. Schroeder yes