

Minutes  
May 26, 2016

Commissioners Present: Phillip Riegler, Mark Gazarek, and Brian Robertson.

Also Present: Lucinda Land, Heather Pendleton, Deb Cook, Doug Cade, Chris Long, Doug Jenkins, Vanessa Vandale, Steve Wilson, Linda Bishop, and Kay Zeisloft.

Commissioner Riegler opened the meeting at 9:30 a.m. in the Commissioners' 1<sup>st</sup> floor conference room. The Pledge of Allegiance was recited. Minutes from the May 24, 2016 meeting were read with Mark Gazarek making the motion to approve, Brian Robertson seconded. Motion passed 3-0. Mark Gazarek stated he will have to leave a few minutes before 10:00 a.m. for a conference call.

Kay Zeisloft presented concerns about the Diversion Channel Project to the Commissioners. They included the loss of property value, induced flooding areas, cutting roadways with no bridges, contamination of rural wells, aquifer contamination, diversion leakage, moving the floodplain, safety concerns for property owners, and how the project will be paid. She asked if the Commissioners knew Karl Gebhardt. The Farm Bureau met with him and found it very informative. She said there are several different options that should be considered that may not be as detrimental to the rural community.

Vanessa Vandale said a lot of the flooding has been caused by the City of Findlay building in flood prone areas. She also presented several concerns to the Commissioners including who will be paying the property tax for the land used for the Diversion Channel, who will be replacing the lost food source, who will maintain the Diversion Channel, and the income loss for farmers that will not be able to get another job. She was disappointed to get an update from the Mayor, but not from the Commissioners on the trip to speak with the USACE. The Commissioners gave a detailed report on Tuesday during the Commissioners' meeting. Doug Jenkins reported this on WFIN and a copy of the tape of the Commissioners' meeting was given to the Courier.

Kay Zeisloft said a question has been posed on Brian Robertson's Facebook page and she would like the Commissioners to ask the Army Corps because they have not given her an answer. She would like to know how many acres will be affected by induced flooding.

Linda Bishop said other things can be done. It was her understanding from Mike Pniewski that if a government agency is not used, EPA guidelines do not have to be followed. Steve Wilson clarified that if it does not affect water quality then permits do not need to be received from the EPA.

Kay Zeisloft asked if the Commissioners would like the Farm Bureau to schedule a meeting with Karl Gebhardt. Phillip Riegler said he would gladly take Karl's contact information.

The Assistant Clerk presented the following resolutions:

Resolution #266-16 – Transfer of Hancock County (Additional Sales & Use Tax) General Fund to the Flood Mitigation Capital Projects Fund May, 2016-\$301,238.81. Mark Gazarek made the motion to approve, Brian Robertson seconded. Motion passed 3-0.

Resolution #267-16 – Transfer of funds within the appropriation-Job & Family Services. Mark Gazarek made the motion to approve, Brian Robertson seconded. Motion passed 3-0.

Resolution #268-16 – Transfer of funds from Indigent Defense to General Fund (April 2016)-\$1,490.74. Mark Gazarek made the motion to approve, Brian Robertson seconded. Motion passed 3-0.

Resolution #269-16 – Transfer of funds within the appropriation-Community Corrections Comp Plan. Mark Gazarek made the motion to approve, Brian Robertson seconded. Motion passed 3-0.

Resolution #270-16 – Additional appropriation within the Auditor's certification-Commissioners to appropriate to Common Pleas Court General Special Projects. Mark Gazarek made the motion to approve, Brian Robertson seconded. Motion passed 3-0.

The Commissioners approved payroll for their staff and JFS. Phillip Riegle made the motion to approve the Auditor's warrant journal, Brian Robertson seconded. Motion passed 2-0.

Lucinda Land presented the following resolutions for consideration:

Resolution #271-16 – Authorizing solicitation of bids for construction of the Western Meadows Detention Pond Rehabilitation Project. Brian Robertson made the motion to approve, Phillip Riegle seconded. Motion passed 2-0.

Resolution #272-16 – Authorizing the contract with R. G. Zachrich Construction, Inc. for replacement of Bridge No. HAN-TR 112-00.87 on Portage Township Road 112. The contract is for \$241,827.50. Public Works commissions grant fund will pay \$160,000.00 and the MV&GT Fund will pay the remaining \$81,827.50. Brian Robertson made the motion, Phillip Riegle seconded. Motion passed 2-0.

Resolution #273-16 – Authorizing the Hancock County Commissioners to enter into a contract with First Federal Bank of the Midwest and Drake Law Firm Properties, LTD. for placement and electricity for a flood light. The contract is for two years with an annual payment from the County of \$500.00. Brian Robertson made the motion to approve, Phillip Riegle seconded. Motion passed 2-0.

Resolution #274-16 – Authorizing solicitation of bids for Hancock County Justice Center window replacement project. Phillip Riegle made the motion to approve, Brian Robertson seconded. Motion passed 2-0. Phillip Riegle thanked Lucinda for her work on this project.

Resolution #275-16 – Sale of public property no longer needed by the Hancock County Sheriff. This for the sale of a 2002 GMC Envoy that no longer runs. Phillip Riegle made the motion to approve, Brian Robertson seconded. Motion passed 2-0. Brian Robertson mentioned that HATS is looking for vehicles. The Assistant Clerk will notify the Sheriff's Office of the possibility of interest from HATS.

Resolution #276-16 – Authorizing the lease of office space at the Hancock County Home property located at 7746 CR 140 to the Hancock County Educational Service Center. The current lease expires June 30, 2016. This lease will extend that for 1 year and increase the rate to \$7.80/sq. ft. for office space and \$4.00/sq. ft. for storage space. Brian Robertson made the motion to approve, Phillip Riegle seconded. Motion passed 2-0.

Heather Pendleton reported the auditors from Julian & Grube are here and so far everything looks good. They will be back the week of June 13 and will need to use the Commissioners' storage room again. Phillip Riegle thanked Heather for her efforts with the audit.

Chris Long gave an update on the projects his staff are working on.

Lucinda Land requested an executive session to discuss personnel in regards to disciplinary actions.

### **Reports/Meetings**

Brian Robertson attended a Chamber Advisory meeting. He also attended a meeting with the "Flood Mitigation Ad Hoc Team." This team is made up of those that attended the interviews of the Engineers for the Diversion Channel Project. A consensus was reached and the top Engineering firm is Stantec. Steve Wilson and Paul Schmelzer are still checking references. Brian would like them to give a presentation to the Commissioners and the public. They are available on Tuesday. He also suggested contacting the City of Findlay about financing the project. In his opinion, there are three legs of funding. The first is the Sales Tax, the second is State funding, and the third could be support from the City of Findlay in the form of 1/8% or 1/4% income tax. Phillip Riegle agreed that support from the City of Findlay should be considered as potential funding, but is not necessary for short term funding. Brian stated he has gotten several complaints about the banners on the Courthouse fence. He asked for support in deciding to not allow any additional banners on the Courthouse fence. The last event of the current banners is June 11. Phillip Riegle said he would take the suggestion under advisement.

Phillip Riegle attended the Law Library Resources Board meeting.

Brian Robertson requested an executive session to discuss real estate acquisition.

At 10:21 a.m., Phillip Riegle made the motion to enter into executive session to discuss personnel in regards to disciplinary action and real estate acquisition, Brian Robertson seconded. A roll call vote resulted as follows: Phillip Riegle, yes; Brian Robertson, yes. At 10:54 a.m., Phillip Riegle made the motion to come out of executive session with no action taken, Brian Robertson seconded. Motion passed 2-0.

At 11:00 a.m., the Commissioners held a hearing for the Morger Annexation. Lucinda Land, Chris Long, and Christie Ranzau were also present. Phillip Riegle read the history. Christie said all of the requirements have been met and the City of Findlay has agreed. There was no objection from the neighbors. Marion Township was also notified and had no comment. She said the daughters of the owner of this property have signed the petition for annexation. Their mother is elderly and would like to use City services (fire, police, etc.). Phillip Riegle said typically the Board does not approve annexations that create a "tooth," but since this is a home it is different. Lucinda Land suggested taking the annexation under advisement until she has gotten a chance to look through the Affidavit of Service. Phillip Riegle said the Commissioners

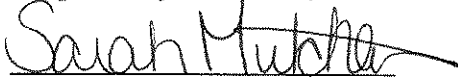
will act on the annexation within 30 days. Christie asked that the Commissioners contact her office when the Commissioners make their decision.

At 11:30 a.m., the Commissioners participated in a conference call with Allen County, Auglaize County, Hardin County, and Putnam County. The joint board awarded a contract for maintenance on the Ottawa River Stream Enhancement Project to Rahrig Tree Company.

At 1:00 p.m., Treasurer of State Josh Mandel recognized the Hancock County Auditor and the City of Fostoria for joining his transparency initiative by posting their financials on ohiocheckbook.com. Hancock County is the 3<sup>rd</sup> county in the Northwest region to join and the 18<sup>th</sup> county in the state. Fostoria is the 1<sup>st</sup> city in Hancock County, Seneca County, and Wood County to join. Charity Rauschenberg thanked Treasurer Josh Mandel for sharing resources and giving Hancock County this opportunity. She said we are glad to be a part of this. Steve Garner, Auditor for the City of Fostoria, applauded Treasurer of State Mandel's efforts toward transparency. Treasurer Mandel gave a demonstration of the website. Max Filby, a representative from the Courier, asked about the City of Findlay. Treasurer Mandel expressed his confusion on why City Auditor Jim Staschiak has not wanted to post the city financials to the website.

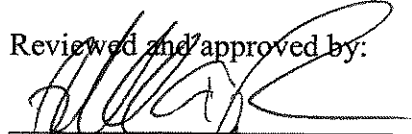
At 2:06 p.m., the Commissioners met with representatives from Arthur J. Gallagher Co. to discuss forecasting for 2017. The representatives were Justin Rhodes, Matthew Montoya, Maggie Neely, and Phyllis Nielsen. The consortium has had 16 large claimants over the past twelve months. This has taken a big chunk out of the reserves for the consortium. They predict that the three counties may need to contribute to the reserves at the end of the year. They are predicting that the consortium will have to increase contributions by 24% for next year. They will come back in June to present possible modifications to the plan.

Respectfully submitted,



Sarah Mutchler, Assistant Clerk

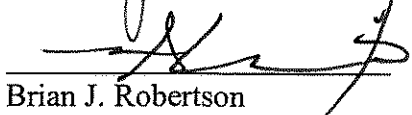
Reviewed and approved by:



Phillip A. Riegler



Mark D. Gazarek



Brian J. Robertson

Football field wide project cutting ag businesses in half = loss of property value with a one time "just compensation" payment, raising the cost of doing business, completely ruining and changing the drainage of tile

Running past homes = loss of property value with No "just compensation"

Induced flooding = refer to Cultural Maps on Army Corp website, ... *1/1/02*

Cutting our roads with no bridges = rural Hancock County deserves to be put back together with bridges that will accommodate all large farm equipment including fully loaded grain trucks

Water well contamination and possible permanent capping (see p. 146 of ACE report) = there will be home water wells that will be permanently capped off making homes unlivable

Aquifer contamination from oil/flood water = the rural community has every reason to be concerned with this issue

Diversion leakage = putting rural homes and businesses in harms way, what will the cost of maintenance of the diversion and who is going to pay for it

Moving of the floodplain = Ohio Revised Code 3767.13

(C) No person shall unlawfully obstruct or impede the passage of a navigable river, harbor, or collection of water, or corrupt or render unwholesome or impure, a watercourse, stream, or water, or unlawfully divert such watercourse from its natural course or state to the injury or prejudice of others.

<http://codes.ohio.gov/orc/3767.13>

No insurance for manmade flooding = "Just Compensation" does not cover business losses

Safety concerns of homeowners while dynamite is being used to blow rock by unknown oil wells = Liability, property damage, danger to construction workers, and residents

Who is going to pay for this?