

COMMISSIONER’S JOURNAL

WednesdayRegularSeptember 23, 2009

Transfers/Additionalns/Reductions

Mr. Lee made a motion, seconded by Mr. Fischer to approve the following Transfers/Additionalns/Reductions which have been certified by the County Auditor.

Transfer – Sheriff		
FROM	TO	AMOUNT
001-0610-5102.00 Salaries	001-0610-5104.00 Salaries SRO	\$143.27
Transfer – JFS		
035-0200-400.01 ARRA RMS Tr.	035-0100-400.01 Sh. Trans. To PA Fund	\$11,300.00
Additional – Senior Levy		
Unappropriated Fund Balance	110-0100-5260.00 Contract Levy Distr.	\$46,512.85
Additional – JFS		
Unappropriated Fund Balance	035-0200-260.01 ARRA Cont. Serv. Adt.	\$10,000.00
Reduction – Soil & Water		
060-0100-5102.00 Salaries		(\$10,331.02)
060-0100-5210.00 Equipment		(\$5,600.00)
060-0100-5300.00 Travel		<u>(\$5,000.00)</u>
	Total	(\$20,931.02)

Vote:	Shryock	yea
	Fischer	yea
	Lee	yea

Mosholder Subdivision Plat

Mr. Fischer made a motion, seconded by Mr. Lee to sign the Mosholder Subdivision Plat situated in Newcastle Township, and being part of the Third Quarter, Containing 194.734 acres and being the same tract as conveyed to C. Michael and Gloria J. Mosholder (joint survivor) and described in the deed recorded in the Official Record 366, page 973, Recorder’s office, Coshocton County Ohio.

Vote:	Shryock	yea
	Fischer	yea
	Lee	yea

Ms. Anne Cornell – Webcam

Mrs. Ann Cornell and Mr. Mike McCullough attended the meeting to request the ability to utilize the county’s wireless internet to install a webcam on Main Street. Ms. Cornell stated that when she installs the webcam they can utilize any computer. She also stated that the bandwidth should not be an issue. It transmits at 54 Mbs. The camera only turns on when someone is utilizing it. Mr. LaVigne stated that the only problem he has is that they are only providing 1.5 megs. So if someone is on the camera, then people will not be able to utilize the wireless that we offer them. He really feels at this point, the County will not be able to provide this service for them. He made some suggestions that they might be able to look at. Mr. Shryock stated that we really would like to help them, but at this point, we are going to have to decline. The Commissioners thanked them for attending.

Wednesday

Regular

September 23, 2009

The Coshocton County Commissioners met in Regular session on Wednesday, September 23, 2009 with Mr. Dane Shryock, Mr. Gary Fischer and Mr. D. Curtis Lee in attendance. Also present was Mr. Ken Smailes, WTNS and Mrs. Mary Beck, Administrator/Clerk.

Minutes

Mr. Lee made a motion, seconded by Mr. Fischer to approve the minutes of the Monday, September 21, 2009 meeting.

Vote:	Shryock	yea
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Vote:	Shryock	yea
Fischer		yea
Lee		yea

Approve Bills

Mr. Fischer made a motion, seconded by Mr. Lee to approve the bills per computer printout dated September 23, 2009.

Vote:	Shryock	yea
	Fischer	yea
	Lee	yea

Canal Lewisville United Methodist Church Agreement

Mr. Lee made a motion, seconded by Mr. Fischer to sign an agreement with Canal Lewisville United Methodist Church to waive the tap fee and hook-up the parsonage and the church in exchange for an easement to run the main sewer line across the church property.

yea	
yea	
yea	
Vote:	Shryock
	Fischer
	Lee

4th Qtr. Port Authority Payment

Mr. Fischer made a motion, seconded by Mr. Lee to pay the 4th Quarter 2009 Port Authority payment in the amount of \$8,750.00.

Vote:	Shryock	yea
	Fischer	yea
	Lee	yea

Resolution 2009-67

Mr. Lee made a motion, seconded by Mr. Shryock to sign Resolution 2009-67 authorizing CDC of Ohio to procure contracts for the completion of the NSP Demolition in the Village of Warsaw.

Vote:	Shryock	yea
	Fischer	<u>abstain</u>
	Lee	yea

~~Purchase of Service Contract –JFS/Sheriff~~

Mr. Lee made a motion, seconded by Mr. Fischer to sign a Purchase of Service Contract between JFS and Coshocton County Sheriff's Office in an amount not to exceed \$30,518.56 for the period July 1, 2009 through the 31st day of December 2009.

yea	
yea	Shryock
yea	Fischer
yea	Lee

→* Please refer to Addendum "Exhibit A" from the April 1, 2013 minutes, Tr. 53, Pg. 746.

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Wednesday

Regular

September 23, 2009

Court Square Irrigation System

Mr. Shryock stated that after further discussion and investigation, and speaking with two local business' that have the ability to put these systems in place, the main concern is of the maintenance 5 years out. That maintenance issue is significant and constant. Additionally there is a concern of the amount of water and the if the cost of the water would be great. Mr. Fischer stated that another concern would be the additional work put on our maintenance department. We have recently made economical cuts in the county and with these cut-backs, there has been much more work assigned to the maintenance and it would put more of a burden on them. Mr. Shryock asked that Mrs. Beck send a letter to Mr. Tim France stating that even though the system would be donated, the county is not willing to take on the additional maintenance for this system.

Water & Sewer Discussion

Mr. Brian Simmons attended the meeting to discuss some water and sewer issues. Mr. Shryock asked is the Canal Lewisville Church part of the Three Rivers Project was in the specifications. Mr. Simmons stated that he did not think that it was. Mr. Shryock asked him to contact the contractor and have a change order made to put this in as we have the money to do this.

There was then general discussion about the Fresno project.

Discussion – Mr. Chuck Selders

Mr. Chuck Selders attended the meeting and questioned what the county residents get for the 1 and ½ the rate of the city water. Mr. Shryock explained that that is the cost for county residents to get city water. Mr. Selders explained that the city had a water break and it affected his septic system. He called the City Services Director and was told to contact his insurance company. His insurance company told him it was not covered. So he contacted the city's insurance carrier and they stated that the city is not at fault. However, they will pay for half the repairs and nothing more. He spoke with the County CHIP office and they told him to contact the Commissioners. Mr. Shryock stated that you must income qualify for CHIP. He then stated that Mr. Selders can complete the proper forms through the CHIP office and we can go from there. Mr. Fischer stated that he is a little concerned that the insurance company will want him to sign-off on the insurance payment. Mr. Shryock stated that we really can't tell him what to do with the insurance company, but we may be able to help in the CHIP Program. Mr. Selders thanked the Commissioners for talking with him.

Recess

At 12:00 p.m. Mr. Shryock moved the meeting to recess. At 1:00 p.m. the meeting was returned to regular session.

Adjourn

Mr. Shryock adjourned the meeting at 1:50 p.m.

	_____
Dane R. Shryock	
	_____
Gary L. Fischer	
	_____
D. Curtis Lee	


 Administrator/Clerk

ADDENDUM

This addendum is made to incorporate the attached "Exhibit A", a letter from Coshocton County Prosecutor Jason W. Given dated 4/4/2012 and written statements from Commissioner D. Curtis Lee and Commissioner Dane R. Shryock in reference to a structure located at 409 Main Street, Warsaw, Ohio and owned by Mrs. Patricia A. Lewis, mother of Commissioner Gary L. Fischer. May it also be noted that this structure qualified for the NSP Demolition Program and Commissioners Gary L. Fischer did abstain from all voting and discussion on this issue.

Benjamin E. Hall
Assistant Prosecuting Attorney

Randall H. Peddicord
Assistant Prosecuting Attorney



Christie M. L. Thornsley
Assistant Prosecuting Attorney

Dennis Wood
Investigator

Jason W. Given Coshocton County Prosecuting Attorney

April 4, 2012

Mr. Michael Hilser
Ohio Department of Development
P.O. Box 1001
Columbus, Ohio 43216-1001

RE: Coshocton County NSP Grant

Dear Mr. Hilser:

Coshocton County is the sub-recipient of an NSP Grant that is administered by Ohio Regional Development Corporation for the City of Coshocton. Coshocton County used its funding to demolish homes in various areas of Coshocton County, one being the Village of Warsaw. The Village of Warsaw was designated as one of Coshocton County's "target areas", however the Village Administrator, Ed Robinette, struggled to find homes within the village in need of demolition. With that being said, one of the homes Mr. Robinette identified and requested demolition of was owned by a family member of Commissioner Gary Fischer.

It has been brought to my attention that your office is now questioning the legitimacy of the expenditure for the demolition of the property in question. Therefore, in addition to researching the issue, I have also conducted interviews with Judge Robert J. Batchelor. Judge Batchelor was the Coshocton County Prosecuting Attorney at the time the expenditure in question was approved by the Coshocton County Commissioners.

Judge Batchelor informed me that he received a call on or about September 23, 2009 from Commissioner Shryock. He further indicated that Commissioner Shryock requested his verbal opinion as it related to Commissioner Fisher's involvement in the proceedings pertaining to the Fisher property in Warsaw, Ohio. Judge Batchelor informed me that he informed Commissioner Shryock that, in accordance with the guidelines set forth under Ohio Ethics Laws, Commissioner Fisher should abstain from any portion of the process involving his family member's property. Judge Batchelor also indicated that at the time he believed that Commissioner Fisher's abstention resolved any conflict of interest issues. This opinion was given via telephone conference only. Commissioner Fischer did as he was advised and abstained from all discussion and voting on this issue.

318 Chestnut Street • Coshocton, Ohio 43812-1116
740-622-3566 • Fax 740-623-6520 • www.coshoctoncounty.net/agency/prosecutor

I believe that the Board of County Commissioners has followed the law as set forth by the Ohio Revised Code. The Board was not made aware of any internal policies or procedures at the state level relating to this issue.

Please find attached appropriate documentation that will support the counties efforts in this matter.

Sincerely,



Jason W. Given
Prosecuting Attorney

Enclosure

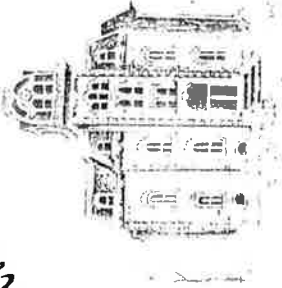
cc: John Saunders
Commissioners

Coshocton County Commissioners

Board of Commissioners

Gary L. Fischer
Dane R. Shryock
D. Curtis Lee

401½ Main Street
Coshocton, Ohio 43812
Phone 740-622-1753
Fax 740-622-4917



Mr. Dane Shryock and Mr. D. Curtis Lee, Coshocton County Commissioners voted "Yea" on Resolution 2009-67, dated September 23, 2009 and Mr. Gary Fischer abstained from this vote. Mr. Fischer did not in any way influence our decision on this vote. This Resolution pertained to the demolition of homes in the Village of Warsaw. The vote was made based on the information that was collected and presented to our office by the Warsaw Village Administrator, Ed Robinette.

Signature: Dane R. Shryock
Dane R. Shryock

Sworn to me and subscribed in my presence this 2nd day of April, 2012.

[Signature]
Notary Public



Signature: D. Curtis Lee
D. Curtis Lee

Sworn to me and subscribed in my presence this 2nd day of April, 2012.

[Signature]
Notary Public

