



VILLAGE OF MILLERSBURG

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Jeff Huebner, Mayor

Kevin Brooks, Village Administrator
Karen Shaffer, CMC, Village Clerk-Treasurer, Tax Administrator
S. Thomas Vaughn, Police Chief
Nate Troyer, Zoning Inspector

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The Council of the Village of Millersburg met in regular session on September 27, 2010 at 7:00 p.m. Mayor Huebner called the meeting to order followed by the Pledge of Allegiance. Clerk-Treasurer Karen Shaffer gave roll call and the following members were in attendance: Devone Polen, Mike Uhl, Junior Vaughn, Greg Hardesty, Jim Beechy, and Ruby Baird. Village Solicitor Robert Hines was also present.

MINUTES: Motion made by Beechy to suspend the reading of the minutes of the Regular Session of Council held on September 13, 2010 and the Special Session of Council held on September 20, 2010. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Polen, Vaughn, Uhl, and Baird voting aye. There were no additions or corrections. Motion made by Baird to accept the minutes as presented. Seconded by Beechy. Upon roll call, motion carried with Baird, Beechy, Hardesty, Vaughn, Uhl, and Polen voting aye.

BILLS: Motion made by Uhl to pay bill resolution 2010-38 bills' \$35887.57, payroll \$43909.66; total \$79797.23. Seconded by Vaughn. Upon roll call, motion carried with Uhl, Vaughn, Polen, Hardesty, Beechy, and Baird voting aye.

REPORTS OF OFFICERS:

Administrator Brooks: Informed Council the pre-construction meeting for the East Jones Street Reconstruction project was held last week. The anticipated start date is September 29, with a completion date of November 15. East Jones Street could have limited access for up to 2 weeks.

Informed Council the last application for mosquito spraying was on the September 21. Holmes Pest Control has agreed to maintain the current contract rates for 2011. Brooks recommended Council take advantage of their offer. Motion made by Uhl to enter into a contract with Holmes Pest Control for one additional year for pest control and mosquito spraying. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Polen, Vaughn, Hardesty, and Baird voting aye.

Informed Council the Expo Board (Fairgrounds Relocation) met last week and a couple exciting steps were taken. The Board is soliciting proposals for engineering design to extend Village services to the new location, and is also commissioning a study to determine economic impact to the community and what type of facility would best serve the community. Everyone realizes a lot has to happen before project moves forward, however, the Board is taking steps to make this a reality.

Reminded Council the Antique Festival is only 2 weeks away. Brooks encouraged building and business owners to continue their efforts to clean up in anticipation of a very large crowd. The Village will be painting curbs in the downtown and doing general clean up.

Informed Council HDM is sponsoring a Great Lakes Beer Tasting Event for Saturday, October 2nd at 7:00 p.m. Tickets are available through the HDM Office.

Clerk-Treasurer Shaffer: Informed Council the Health & Dental Insurance Renewal rates have been provided. Aultcare's (Medical) rate increased by 8% and Standard Ins (Dental/Life) had a 0% increase. Shaffer recommended both proposals be renewed. Motion made by Uhl to renew Aultcare and Standard's insurance plans. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Baird, Hardesty, Vaughn, and Polen voting aye.

Mayor Huebner: Addressed the Findings and Orders recently issued by the OEPA. The WWTP reported 191 violations of the NPDES permit effluent limits. The OEPA's Compliance Assistance Unit has been working with the Village since March 2007; however attempts to get the WWTP to operate as it

was designed have failed. Solicitor Hines noted the Village has been negotiating with the OEPA and they are working with the Village to resolve the issue. The Findings and Orders consist of the Village paying a \$5000 fine to the OEPA. The Village is also required to submit an engineering study to determine the average daily design and peak daily design flows of the WWTP under the current operating conditions. An updated operation and maintenance manual consistent with the average daily design flow is also to be prepared.

In relation to the Findings and Orders of the OEPA, Mayor Huebner read Resolution 2010-42 “A Resolution To Allow The Mayor to Enter Into Consent Agreement With The Ohio Environmental Protection Agency” for the first time by title only. Motion made by Beechy to suspend the rules requiring the second and third reading of Resolution 2010-42. Seconded by Baird. Upon roll call, motion carried with Beechy, Baird, Hardesty, Vaughn, Uhl, and Polen voting aye. Motion made by Vaughn to pass and adopt Resolution 2010-42. Seconded by Uhl. Upon roll call, motion carried with Vaughn, Uhl, Polen, Hardesty, Beechy, and Baird voting aye.

Mayor Huebner appointed Kent Miller to a three year term on the Economic Development Advisory Board that runs through July 1 of 2013. Motion made by Polen to approve the appointment. Seconded by Hardesty. Upon roll call, motion carried with Polen, Hardesty, Uhl, Vaughn, Beechy, and Baird voting aye.

LEGISLATION: Mayor Huebner read Ordinance 2010-103 “An Ordinance Amending Zoning Map (Zoned Territory) Of The Village Of Millersburg” for the third time by title only. Motion made by Baird to pass and adopt Ordinance 2010-103. Seconded by Polen. Upon roll call, motion carried with Baird, Polen, Uhl, Vaughn, Hardesty, and Beechy voting aye.

Mayor Huebner read Ordinance 2010-104 “An Ordinance To Approve Zoning Plan For Property To Be Annexed Into The Village” for the third time by title. Motion made by Beechy to pass and adopt Ordinance 2010-104. Seconded by Uhl. Upon roll call, motion carried with Beechy, Uhl, Baird, Hardesty, Vaughn, and Polen voting aye.

Mayor Huebner read Ordinance 2010-105 “An Ordinance Amending Codified Ordinance 135.02 Of The Village Of Millersburg, Ohio To Increase The Furtherance Of Justice Fund Allowance” for the first time by title only.

Mayor Huebner read Resolution No. 2010-39 “A Resolution To Allow The Mayor To Sign An Oil And Gas Lease On Behalf Of The Village” for the first time by title only. Motion made by Hardesty to suspend the rules requiring the second and third reading of Resolution 2010-39. Seconded by Beechy. Upon roll call, motion carried with Hardesty, Beechy, Baird, Vaughn, Uhl, and Polen voting aye. Motion made by Beechy to pass and adopt Resolution 2010-39. Seconded by Baird. Upon roll call, motion carried with Beechy, Baird, Polen, Uhl, Vaughn, and Hardesty voting aye.

Mayor Huebner read Resolution 2010-40 “A Resolution Authorizing The Transfer Of Sums From The Water Operating Fund To The Water Repair And Improvement Fund” for the first time by title only.

Mayor Huebner read Resolution 2010-41 “A Resolution Authorizing The Transfer Of Sums From The Sewer Operating Fund To The Sewer Repair And Improvement Fund” for the first time by title only.

EXECUTIVE SESSION: Motion made by Polen to adjourn into executive session to confer with public body’s attorney on matters of pending litigation. Seconded by Baird. Upon roll call, motion carried with Polen, Baird, Hardesty, Beechy, Vaughn, and Uhl voting aye.

ADJOURNMENT: Motion made by Polen to adjourn the meeting. Seconded by Uhl. Upon roll call, motion carried with Polen, Uhl, Baird, Beechy, Hardesty, and Vaughn voting aye.

Date approved

Karen Shaffer, Clerk- Treasurer

Jeff Huebner, Mayor