

REGULAR SESSION APRIL 17, 2023

This day the Board of Morrow County Commissioners met in their office at 80 North Walnut St., Ste. A, Mt. Gilead, Ohio with the following members present: Mr. Abraham, Mr. Mason and Mr. Siegfried.

County Staff: Dixie Shinaberry, Recorder and Jamie Brucker, Director of Operations

Public in attendance:

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Abraham who then proceeded with the business at hand. The following matters came before the Board for their consideration and approval.

**IN THE MATTER OF
APPROVAL OF THE MINUTES
OF REGULAR SESSION OF APRIL 12, 2023: 23-R-319**

Mr. Siegfried made a motion to approve the minutes of regular session of April 12, 2023, as recorded in the Commissioners Journal # 50.

Mr. Mason duly seconded this motion

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham.., “yea”

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 23-R-320**

Mr. Mason made a motion to approve payment of bills numbered 1 through 104 submitted by the Morrow County Auditor’s office.

Mr. Abraham duly seconded this motion

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham.., “yea”

**IN THE MATTER OF
PAY-INS: 23-R-321**

The following pay-ins were made to Conni McChesney, Morrow County Auditor:

Receipt Batch #3394 Payments received from Chesterville customers for sewer fund 5159 \$60.00
Payments received from Somoco customers for sewer fund 5110 \$58.47

Receipt # 231037 Payment from Sims Brothers for Engineer’s scrap metal recycling 2202-1080-480830 \$339.91

Receipt Batch #3398 Payments received from Johnsville customers for sewer fund 5100 \$60.00
Payments received from Ketterman customers for sewer fund 5121 \$61.60

Receipt # 231050 Payment from Delaware County Health Department for May WIC Rent 2072-1070-470802 \$650.00

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
EQUIPMENT: 23-A-060**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following account for equipment/computer equipment for conference room and janitorial supervisor:

1000-0101-550740	Equipment, Computer, Furniture	\$855.59
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Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham.., “yea”

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES –
PROPERTY/LIABILITY INSURANCE: 23-A-061**

Mr. Mason made a motion to appropriate from the unappropriated certified monies to the following accounts for shortages budgeted for the CORSA property/liability invoices for May 1, 2023- May 1, 2024:

1000-0133-530382	Property/Liability Insurance (General/Law Enforcement)	\$3,857.94
5100-5101-530382	Property/Liability Insurance (Johnsville Sewer)	\$37.22
5110-5101-530382	Property/Liability Insurance (Somoco Sewer)	\$9.05
5159-5101-530382	Property/Liability Insurance (Chesterville Sewer)	\$97.03
2005-0105-530382	Property/Liability Insurance (Dog Shelter)	\$133.40

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – CAPITAL
IMPROVEMENTS: 23-A-062**

Mr. Siegfried made a motion to appropriate from the unappropriated certified monies to the following account for approved projects of wall construction for IT (Courthouse) and Zoning (Walnut) and ceiling tile replacement (Courthouse):

4111-0117-550730	Improvement of Sites (Walnut)	\$3,870.00
4111-0118-550730	Improvement of Sites (Courthouse)	\$18,780.00

Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
APPROVAL FOR COUNTY ENGINEER TO PARTICIPATE IN THE STATE PURCHASING
PROGRAM FOR 2023-2024 FOR ROAD SALT: 23-R-322**

Mr. Mason made a motion to approve the following Resolution and to appoint the Morrow County Engineer as agent in this proposal and to submit a request for 1,500 tons of salt:

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

WHEREAS, the **Morrow County Engineer** (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees that each party hereto shall be responsible for liability associated with that party’s own errors, actions, and failures to act.
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and**
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1st, **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the

receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

s/Tim Abraham 4/17/23
 s/Timothy Siegfried
 s/Jon Mason

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
 RESOLUTION RECOGNIZING NATIONAL COUNTY GOVERNMENT MONTH
 2023: 23-R-323**

Mr. Abraham made a motion to approve the following resolution Recognizing National County Government Month 2023:

**RESOLUTION
 RECOGNIZING NATIONAL COUNTY GOVERNMENT MONTH
 2023**

WHEREAS, the nation’s 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents’ lives; and

WHEREAS, Morrow County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, Morrow County and the County Commissioners Association of Ohio encourages our fellow citizens to become engaged and aware in services provided by county governments throughout Ohio; and

WHEREAS, we appreciate the dedication and hard work of the county workforce, who deliver critical services to the people of Morrow County; and

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF MORROW COUNTY COMMISSIONERS, do hereby proclaim April 2023 as National County Government Month.

s/Jon Mason s/Tim Abraham s/Timothy Siegfried

Mr. Mason duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
 SURFACE APPLICATION OF BRINE – HIDDEN LAKES COMMUNITY ASSOCIATION:
 23-R-324**

The following written plan for application of brine was submitted to the Morrow County Board of Commissioners:

**WRITTEN PLAN FOR THE SURFACE APPLICATION OF BRINE, FOR PURPOSES
 OF ICE AND DUST CONTROL UPON PRIVATE ROADS OR SIMILAR SURFACES**

TO: Morrow County Commissioners
 80 North Walnut
 Mt. Gilead, Ohio 43338

FROM: Hidden Lakes Community Association
 5248 Twp Rd 108
 PO Box 31
 Mount Gilead, Ohio 43338

1. The surface application of brine shall be subject to the following standards:
 - A. "Brine" shall mean all saline geological formation water resulting, obtained, or produced in connection with the exploration, drilling, or production of oil or gas.
 - B. Surface application of brine is permitted only for the purposes of dust or ice control.
 - C. Brine shall not be applied:
 1. To a water-saturated surface;
 2. Directly to vegetation near or adjacent to surfaces being treated;
 3. Within twelve feet of structures crossing bodies of water or drainage ditches;
 4. Between sundown and sunrise, except for ice control.
2. Sources of brine: Please see attached list of wells for brine sources
3. Transporters of brine: Fishburn Services, Inc.
5012 St. Rt. 229
P.O. Box 278
Marengo, Ohio 43334

Registration Certificate Number: UIC-3
4. Places to which brine will be applied:

To private roads or similar surfaces within the property owned by Hidden Lakes Community Association, at 5248 Twp Rd 108, Mount Gilead, Ohio 43338, Morrow County, Franklin Township, for the purpose of dust and ice control.
5. Method, rate, and frequency of application:
 - A. The discharge of brine through the spreader bar shall stop when the application stops.
 - B. The applicator vehicle shall be moving at least five miles per hour at all times while the brine is being applied.
 - C. The maximum spreader bar nozzle opening shall be three-quarters of an inch in diameter.
 - D. The maximum uniform application rate of brine shall be three thousand gallons per mile on a twelve foot wide road, or three gallons per sixty square feet on unpaved lots.
 - E. The applicator vehicle discharge valve shall be closed between the brine collection point and the specific surfaces that have been approved for brine application.
 - F. Any valves that provide for tank drainage other than through the spreader bar shall be closed during the brine application and transport.
 - G. The angle of discharge from the applicator vehicle spreader bar shall not be greater than sixty degrees from the perpendicular to the unpaved surface.
 - H. Only the last twenty-five percent of an applicator vehicle's contents shall be allowed to have a pressure greater than atmospheric pressure; therefore, the first seventy-five percent of the applicator vehicle's contents shall be discharged under atmospheric pressure.
 - I. Frequency of application: Dependent upon weather conditions, estimated application would be; light to no rainfall surface application once every 10 days, medium rainfall surface application once every two weeks, over-all average application would be twice a month.
6. Other terms and conditions: None.

Submitted by: s/Dale Butts

Date: 4/14/23

**IN THE MATTER OF
PUBLIC HEARING TO DISCUSS THE FEASIBILITY OF SURFACE APPLICATION OF
BRINE FOR THE PURPOSE OF DUST CONTROL – HIDDEN LAKES COMMUNITY
ASSOCIATION: 23-R-325**

WHEREAS, Dale Butts has submitted an application to the Board of Morrow County Commissioners for application of brine for the purpose of dust and ice control on private roads or similar surfaces within the property owned by Hidden Lakes Community Association, 5248 Twp Rd 108, Mount Gilead, Ohio 43338, Morrow County.

THEREFORE, Mr. Siegfried made a motion to hold a public hearing and advertise as follows:

PUBLIC NOTICE

Notice is hereby given that a Public Hearing will be held to discuss the feasibility of applying brine to private roads and similar surfaces within the property owned by Hidden Lakes Community Association, 5248 Twp Rd 108, Mount Gilead, Ohio 43338. The hearing will be held on May 3, 2023, in the hearing room of the Morrow County Commissioners, 80 North Walnut Street, Mt. Gilead, Ohio 43338 at 9:30 a.m.

BY ORDER OF THE MORROW COUNTY COMMISSIONERS

Advertise: April 26, 2023, Morrow County Sentinel and www.morrowcountyohio.gov

Mr. Mason duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 23-R-326**

Mr. Abraham made a motion to recess session at 9:09 a.m.

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
APPROVAL TO RETURN TO REGULAR SESSION: 23-R-327**

Mr. Abraham made a motion to return to regular session at 1:25 p.m.

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

**IN THE MATTER OF
APPROVAL OF QUOTE TO REPLACE DOORS AT EDISON BUILDING: 23-R-**

Mr. Abraham made a motion to approve quote from Schwartz Quality Construction in the amount of \$10,300.00 to tear out and replace 5 doors at the Edison Building paid from Sheriff’s Fund 2983.

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

There being no further matters to bring before the board, a motion to adjourn was made by Mr. Abraham and duly seconded by Mr. Mason.

Roll Call Vote: ..,Mr. Siegfried..., “yea” ..,Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS