

**REGULAR SESSION DECEMBER 15, 2021**

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 and Mr. Siegfried

Absent: Mr. Whiston for beginning of session then Mr. Whiston was in attendance at approximately 11:30 a.m.

Public in attendance: Mike Goff (Treasurer), Jaime Zeger (MCAT), Michelle Thieret (MCAT), Sundie Brown (JFS), Denise Sayre-Rogers (JFS), Dixie Shinaberry (Recorder), Andy Ware (Development), Pat Davies (Auditor), Tom Smith (Prosecutor), Bethany Peak (State Auditor), Melissa Kandel (State Auditor) and Tori Huebner (State Auditor) and Kim Bood (Clerk of Courts) (via phone).

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Siegfried, 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 DECEMBER 13, 2021: 21-R-870**

Mr. Abraham made a motion to approve the minutes of regular session of December 13, 2021, as recorded in the Commissioners Journal # 49.

Mr. Siegfried duly seconded this motion

Roll Call Vote: ...,Mr. Abraham..., "yea" ...,Mr. Siegfried..., "yea" .., Mr. Whiston..., "absent"

**IN THE MATTER OF  
APPROVAL OF BILLS FOR PAYMENT: 21-R-871**

Mr. Siegfried made a motion to approve payment of bills numbered 1 through 47 submitted by the Morrow County Auditor's office.

Mr. Abraham duly seconded this motion

Roll Call Vote: ...,Mr. Abraham..., "yea" ...,Mr. Siegfried..., "yea" .., Mr. Whiston..., "absent"

**IN THE MATTER OF  
PAY-INS: 21-R-872**

The following pay-ins were made to Patricia K. Davies, Morrow County Auditor:

Receipt Batch #2272 Payments received from Chesterville customers for sewer fund 5159 \$120.29  
Payments received from Ketterman customers for sewer fund 5121 \$163.68

Receipt Batch #2276 Payments received from Chesterville customers for sewer fund 5159 \$240.00  
Payments received from Johnsville customers for sewer fund 5100 \$59.00  
Payments received from Somoco customers for sewer fund 5110 \$47.92

Pay-in receipt#213308 Payment from South Bloomfield for EMA services 2012-1050-450525  
\$1,193.25

Pay-in receipt#213311 Payment from Dollar Tree Distribution Center for community reinvestment  
area agreement annual fee 2043-1030-430302 \$2,500.00

Pay-in receipt#213289 Payment from the Morrow County Services for Older Citizens for insurance  
premium for January 2022 7222-7777-740100 \$4,503.02

Pay-in receipt#213301 Payment from Soil and Water for 2022 cost allocation payment 1000-1020-  
420210 \$1,331.00

**IN THE MATTER OF  
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,  
PROSECUTOR: 21-A-192**

At the request of Debbie Statler, Administrative Assistant, a motion was made by Mr. Siegfried to appropriate from the unappropriated certified monies to the following accounts for the balance of 2021 payroll:

1000-4404-510120	Employee Wages	\$5,600.00
1000-4404-510124	Employee Wages	\$600.00
1000-4404-510211	OPERS	\$2,100.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – GENERAL FUND, FACILITY REPAIRS & MAINTENANCE JAIL:  
21-T-160**

At the request of Windy Tennant, Assistant Clerk, a motion was made by Mr. Abraham to approve the following transfer of funds:

\*\*Reason – To pay invoice for repairs to the jail.

From 1000-0635-530321 Juvenile Housing to 1000-0119-530323 Facility Repairs & Maintenance in the amount of \$1202.61

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – PROSECUTOR FUND 2446 SVAA: 21-T-161**

At the request of David Homer, Assistant Prosecutor, a motion was made by Mr. Abraham to approve the following transfer of funds:

\*\*Reason – to pay remainder of Workers comp for 2021

From 2446-4496-510130 Employee Wages to 2446-4496-510230 Workers Comp in the amount of \$70.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – PROSECUTOR’S FUND 2447 DRETAC: 21-T-162**

At the request of David Homer, Assistant Prosecutor, a motion was made by Mr. Siegfried to approve the following transfer of funds:

\*\*Reason – to pay remainder of OPERS and Workers comp for 2021

From 2447-4402-530311 Professional Legal Fees to 2447-4402-510211 OPERS in the amount of \$100.00

From 2447-4402-530311 Professional Legal Fees to 2447-4402-510230 Workers Comp in the amount of \$125.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – ENGINEER’S FUND 2202 ROAD IMPROVEMENT: 21-T-163**

At the request of Bart Dennison, Morrow County Engineer, a motion was made by Mr. Siegfried to approve the following transfer of funds:

**\*\*Reason – to pay for insurance deductible for pot hole damage on a resident’ vehicle**

From 2202-2002-530382 Liability Insurance to 2202-2002-530384 Compensation & Damages in the amount of \$500.00

**\*\*Reason – to pay for tree trimming**

From 2202-2202-540443 Culverts to 2202-2202-540450 Tree Trimming in the amount of \$700.00

**\*\*Reason – to pay principal payment on loan**

From 2202-2202-540443 Culverts to 2202-2244-560890 Loan Payment in the amount of \$1,342.51

**\*\*Reason – for payroll- end of year**

From 2202-2202-540443 Culverts to 2202-2002-510122 Salary-Road Crew in the amount of \$19,000.00

From 2202-2002-510120 Salary-Tax Map to 2202-2002-510122 Salary-Road Crew in the amount of \$2,000.00

From 2202-2002-510230 Workers Compensation to 2202-2002-510122 Salary-Road Crew in the amount of \$5,500.00

From 2202-2002-540410 Office Supplies to 2202-2002-510122 Salary-Road Crew in the amount of \$4,000.00

From 2202-2002-530329 Property Services to 2202-2002-510122 Salary-Road Crew in the amount of \$1,500.00

From 2202-2002-550740 Equipment, Computers & Furniture to 2202-2002-510122 Salary-Road Crew in the amount of \$3,000.00

**\*\*Reason – for end of year payroll-PERS**

From 2202-2243-540440 Materials-Bridge to 2202-2002-510211 PERS in the amount of \$20,000.00

**\*\*Reason – to pay for 2 flashing stop signs**

From 2202-2202-540443 Culverts to 2202-2202-540445 Signs in the amount of \$706.08

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – GENERAL FUND, BOARD OF ELECTIONS: 21-T-164**

At the request of April Brown, Deputy Director, a motion was made by Mr. Abraham to approve the following transfer of funds:

**\*\*Reason – to cover medicare shortage and an outstanding legal advertising invoice**

From 1000-0016-530315 Poll Workers to 1000-0016-510213 Medicare in the amount of \$150.00

From 1000-0016-530315 Poll Workers to 1000-0016-530345 Legal Advertising in the amount of \$1,230.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – TREASURER’S FUND 2317 DRETAC: 21-T-165**

At the request of Michael Goff, Morrow County Treasurer, a motion was made by Mr. Siegfried to approve the following transfer of funds:

**\*\*Reason – to cover the negative amount in OPERS for payroll for the end of the 2021 year**

From 2317-3003-530313 Cost Allocation to 2317-3003-510211 OPERS in the amount of \$306.00  
 From 2317-3003-520330 Travel & Training to 2317-3003-510211 OPERS in the amount of \$332.14

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
 TRANSFER OF FUNDS – BOARD OF DD FUND 2010: 21-T-166**

At the request of Nancy Foglesong, Board of DD, a motion was made by Mr. Abraham to approve the following transfer of funds:

**\*\*Reason – for the payment of IT professional services**

From 2010-0500-550740 Equip/Computers/Furniture to 2010-0500-530319 Professional IT Services in the amount of \$15,000.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
 TRANSFER OF FUNDS – RECYCLING FUND 2006: 21-T-167**

At the request of Lindsey Grimm, Recycling & Litter Prevention, a motion was made by Mr. Siegfried to approve the following transfer of funds:

**\*\*Reason – printing costs of A-Frame signs to be used for string light recycling and recycle right**

From 2006-2006-510230 Workers Compensation to 2006-2006-530340 Communications/Printing in the amount of \$133.80

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
 APPROVAL OF OHIO DEPARTMENT OF DEVELOPMENT WATER AND WASTEWATER  
 INFRASTRUCTURE PROGRAM GRANT AGREEMENT AND APPROVAL FOR  
 CHAIRMAN TO SIGN: 21-R-873**

Mr. Siegfried made a motion to approve the Ohio Department of Development Water and Wastewater Infrastructure Program Grant Agreement and approval for Chairman Tom E. Whiston to sign:

**Ohio Department of Development  
 Water and Wastewater Infrastructure Program  
 Grant Agreement**

This Grant Agreement (the “Agreement”) is made and entered into between the Ohio Department of Development (the “Grantor”), located at 77 South High Street, Columbus, Ohio 43215 and **Morrow County Board of Commissioners** (the “Grantee”) for the period **November 1, 2021 to December 31, 2024**. Grantee to set forth the terms and conditions upon which Grantor will provide financial assistant to Grantee and Grantee will use the financial assistance for costs of implementing the Water and Wastewater Infrastructure Program (WWIP) in accordance with the terms of this Agreement, the Grant Application (the “Application”), which consists of the collective materials submitted by Grantee to Grantor via Grantor’s online system and the contents of this Agreement (collectively, the “Project”). In the event there is a conflict between this Agreement and the Exhibits, the Exhibits control.

**Statement of the Agreement**

- 1. **Award of Grant Funds.** Grantor hereby grants funds to Grantee in the amount of **\$2,070,000.00** (the "Grant Funds"), for the sole and express purpose of providing for the performance of the program listed above and undertaking the Project(s) as listed in **Application** which is herein by reference. Grantee may not use the Grant Funds for any purpose other than completion of the Project.

**Signature**

Each of the parties has caused this Grant Agreement to be executed by its authorized representative as of the dates set forth below their respective signatures.

**Grantee:**  
s/Tom E. Whiston, Commissioner

**Grantor:**  
s/State of Ohio, Department of Development

\*\*A complete copy of this agreement will be on file with the Morrow County Commissioner's office

Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., "yea" ..,Mr. Siegfried..., "yea" .., Mr. Whiston..., "absent"

**IN THE MATTER OF  
PROCLAMATION FOR VICKIE MATSON, MORROW COUNTY MUNICIPAL  
COURT: 21-R-874**

Mr. Siegfried made a motion to approve the following Proclamation:

**PROCLAMATION FOR VICKIE MATSON**

**Whereas**, Vickie Matson began working with the Morrow County Municipal Court as a Deputy Clerk on January 20, 1998; and

**Whereas**, as a Deputy Clerk, Vickie has provided extraordinary service for those individuals having cases pending before Judge Lee W. McClelland (retired) and Judge Jenifer Murphy Burnaugh; and

**Whereas**, she has almost single handedly managed the civil side of the Court's docket; and

**Whereas**, Vickie has outlasted five magistrates and her knowledge and organization will be greatly missed.

**Therefore, Be it resolved by the Morrow County Commissioners** that a heartfelt Thank you and a deep sense of gratitude for her many years of service; and

**Therefore, Be it resolved** on this day that we extend our appreciation for her dedication and commitment to the betterment of Morrow County.

Approved and signed by,

**BOARD OF MORROW COUNTY COMMISSIONERS**

s/Tom E. Whiston

s/Tim D. Abraham

s/Timothy R. Siegfried

Adopted December 15, 2021

Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., "yea" ..,Mr. Siegfried..., "yea" .., Mr. Whiston..., "absent"

**IN THE MATTER OF  
PROCLAMATION FOR CHRISTINA (TINA) BARTON, MORROW COUNTY MUNICIPAL  
COURT: 21-R-875**

Mr. Abraham made a motion to approve the following Proclamation:

**PROCLAMATION FOR CHRISTINA (TINA) BARTON**

**Whereas**, Tina Barton began working with the Morrow County Municipal Court as a Deputy Clerk on October 30, 2001; and

**Whereas**, as a Deputy Clerk, Tina has provided extraordinary service to Judge Lee W. McClelland (retired) and Judge Jenifer Murphy Burnaugh; and

**Whereas**, she enters all documents pertaining to misdemeanor traffic and criminal citations, felony complaints, search warrants and missed court appearances; and

**Whereas**, Tina’s ability to enter information accurately and efficiently will be greatly missed;

**Therefore, Be it resolved by the Morrow County Commissioners** that a heartfelt Thank you and a deep sense of gratitude for her many years of service; and

**Therefore, Be it resolved** on this day that we extend our appreciation for her dedication and commitment to the betterment of Morrow County.

Approved and signed by,

**BOARD OF MORROW COUNTY COMMISSIONERS**

s/Tom E. Whiston

s/Tim D. Abraham

s/Timothy R. Siegfried

Adopted December 15, 2021

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RECESS SESSION: 21-R-876**

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

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RETURN TO REGULAR SESSION: 21-R-877**

Mr. Siegfried made a motion to return to regular session at 11:32 a.m.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO ENTER EXECUTIVE SESSION: 21-R-878**

Mr. Siegfried made a motion to enter Executive Session at 11:33 a.m. per ORC 121.22 (D), audit conference conducted by the State Auditor with county officials.

Mr. Abraham duly seconded this motion.

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

**Commissioner Whiston is now in attendance**

**IN THE MATTER OF  
APPROVAL TO RETURN TO REGULAR SESSION: 21-R-879**

Mr. Siegfried made a motion to return to regular session at 12:47 p.m.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., “yea” ..,Mr. Siegfried..., “yea” .., Mr. Whiston..., “yea”  
**IN THE MATTER OF**  
**APPROVAL TO RECESS SESSION: 21-R-880**

Mr. Whiston made a motion to recess session at 12:49 p.m.

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., “yea” ..,Mr. Siegfried..., “yea” .., Mr. Whiston..., “yea”  
**IN THE MATTER OF**  
**APPROVAL TO RETURN TO REGULAR SESSION: 21-R-881**

Mr. Whiston made a motion to return to regular session at 2:36 p.m.

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., “yea” ..,Mr. Siegfried..., “yea” .., Mr. Whiston..., “yea”  
**IN THE MATTER OF**  
**APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – JOHNSVILLE**  
**SEWER FUND 5100: 21-A-193**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following account to pay cash advance back to general fund:

5100-5101-590910	Transfer Out (Johnsville)	\$10,000.00
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Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., “yea” ..,Mr. Siegfried..., “yea” .., Mr. Whiston..., “yea”  
**IN THE MATTER OF**  
**TRANSFER OF FUNDS (CASH) – JOHNSVILLE FUND TO GENERAL FUND: 21-T-168**

Mr. Abraham made a motion to approve the following transfer of funds:

\*\*Reason – to pay back the cash advance to the general fund

From 5100-5101-590910 Transfer Out (Johnsville) to 1000-1090-490931 Transfer In General Fund in the amount of \$10,000.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF**  
**APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH ISAAC WILES &**  
**BURKHOLDER, LLC AND APPROVAL FOR CHAIRMAN TO SIGN: 21-R-882**

Mr. Siegfried made a motion to approve the Professional Services Contract with Isaac Wiles & Burkholder, LLC and approval for Chairman Tom E. Whiston to sign.

### **PROFESSIONAL SERVICES CONTRACT**

THIS PROFESSIONAL SERVICES CONTRACT AGREEMENT made this 15<sup>th</sup> day of December, 2021, at the office of the Morrow County Board of Commissioners, between Morrow County, Ohio, by and through its Commissioners, hereinafter referred to as “Client,” and **ISAAC WILES & BURKHOLDER, LLC**, Two Miranova Place, Suite 700, Columbus, Ohio 43215, (614) 221-2121, hereinafter referred to as “Attorneys.”

In consideration of the mutual promises herein contained, the parties hereto agree as follows:

1. **PURPOSE OF REPRESENTATION.** Client hereby retains and employs Attorneys, pursuant to Resolution 20-R-072, to act, advise, represent and counsel the Board regarding its official capacity and to advise it on legal matters requiring specialized representation.
2. **ATTORNEYS' FEES.** In consideration of the services rendered and to be rendered by Attorneys, the Client hereby agrees to pay a blended rate (i.e., partners and associates) of \$295 per hour, plus expenses.
3. **AFFIDAVIT IN COMPLIANCE WITH O.R.C. 3517.13** shall be included and incorporated as part of this contract.
4. **EXPENSES.** All reasonable expenses incurred by Attorneys in the handling of this representation shall be billed to the Client. Such expenses include, without limitation, any and all monies required to be advanced on behalf of the client, travel, parking, lodging, etc.
5. **PARTIES BOUND.** This agreement shall be binding and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.
6. **AGREEMENTS SUPERSEDED.** Any agreements intended to supersede this written contract shall be in writing.
7. **PAYMENT ON ACCOUNT.** Client understands that all accounts are due when billed.
8. **COSTS OF ATTORNEYS' FEES AND COSTS.** Client and Attorneys understand that the total attorneys' fees and costs associated with this Agreement shall not cause the total compensation paid, in any year, by the Board of County Commissioners for legal services under R.C. 309.09(C).
9. For purposes of chapter 145 of the Ohio Revised Code, any individual employed by Attorneys who provides personal services to Client is not a public employee.

**MORROW COUNTY BOARD OF COUNTY COMMISSIONERS**

Dated: 12/15/21

s/Tom E. Whiston

**ISAAC WILES & BURKHOLDER, LLC**

S/Mark Landes

Attested

By: Cheryl S. Heacock

Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., "yea" ..,Mr. Siegfried..., "yea" .., Mr. Whiston..., "yea"

**IN THE MATTER OF  
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL  
FUND, CORONER: 21-A-194**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following account:

1000-0014-510211	OPERS	\$331.99
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Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Abraham..., "yea" ..,Mr. Siegfried..., "yea" .., Mr. Whiston..., "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. Whiston.

Roll Call Vote: ...,Mr. Abraham..., "yea" ...,Mr. Siegfried..., "yea" .., Mr. Whiston..., "yea"



We hereby certify the foregoing to be true and correct.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_

\_\_\_\_\_  
CLERK

\_\_\_\_\_

\_\_\_\_\_  
ASSISTANT CLERK

\_\_\_\_\_  
MORROW COUNTY COMMISSIONERS