

REGULAR SESSION FEBRUARY 28, 2022

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. Whiston and Mr. Siegfried.

Public in attendance: Joe Carroll (Airport), Chief Swank (MGFire), Jeff Sparks (EMS) and Andy Ware (Development).

Proclamation attendees: Red Cross – Rita Barton, Brenda Harden, Noni Wheeler, Dwight McFarland, Dan and Janet Rhodebeck.

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 FEBRUARY 23, 2022: 22-R-160**

Mr. Whiston made a motion to approve the minutes of regular session of February 23, 2022, as recorded in the Commissioners Journal # 49.

Mr. Abraham duly seconded this motion

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

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 22-R-161**

Mr. Siegfried made a motion to approve payment of bills numbered 1 through 174 submitted by the Morrow County Auditor’s office.

Mr. Abraham duly seconded this motion

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

**IN THE MATTER OF
PAY-INS: 22-R-162**

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

Receipt Batch #2437 Payments received from Chesterville customers for sewer fund 5159 \$1,796.26
Payments received from Johnsville customers for sewer fund 5100 \$300.90
Payments received from Ketterman customers for sewer fund 5121 \$112.18
Payments received from Somoco customers for sewer fund 5110 \$3,376.02

Receipt #220496 Payment received from Delaware County for WIC rent fund 2072-1070-470802 \$650.00

Receipt #220498 Payment received from Health Department for reimbursement of storage cost 1000-1020-420250 \$203.59

Receipt #220500 Payment received from Campground Management for salt brine fee 1000-1030-430330 \$50.00

Receipt Batch #2439 Payments received from Chesterville customers for sewer fund 5159 \$195.00
Payments received from Johnsville customers for sewer fund 5100 \$120.00
Payments received from Ketterman customers for sewer fund 5121 \$352.62
Payments received from Somoco customers for sewer fund 5110 \$273.01

Receipt Batch #2442 Payments received from Chesterville customers for sewer fund 5159 \$490.17
Payments received from Johnsville customers for sewer fund 5100 \$239.23
Payments received from Ketterman customers for sewer fund 5121 \$224.11
Payments received from Somoco customers for sewer fund 5110 \$147.29

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – JOB AND FAMILY
 SERVICES FUND 2111 PUBLIC ASSISTANCE: 22-A-028**

At the request of Sundie Brown, Director, a motion was made by Mr. Whiston to appropriate from the unappropriated certified monies to the following account:

2111-1044-530321	Admin Leases & Rent	\$185,973.20
2111-1046-530310	Professional Services	\$10,000.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – JOHNSVILLE SEWER
 FUND 5100: 22-A-029**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following account for generator repair at the sewer plant:

5100-5101-530323	Facility Maintenance & Repairs	\$14,000.00
------------------	--------------------------------	-------------

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 TRANSFER OF FUNDS – RECYCLING FUND 2006: 22-T-020**

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

**Reason – to cover costs associated with the Recycling Department

From 2006-2006-510120 Employee Wages to 2006-2006-520350 Professional Organizational Dues and Fees in the amount of \$100.00

From 2006-2006-510120 Employee Wages to 2006-2006-530340 Communications/Printing/Advertising in the amount of \$360.00

From 2006-2006-510120 Employee Wages to 2006-2006-530365 Contracted Services – Fuel in the amount of \$100.00

From 2006-2006-510120 Employee Wages to 2006-2006-590941 Reimbursement in the amount of \$21.12

From 2006-2006-510120 Employee Wages to 2006-2008-530300 Purchased Services in the amount of \$280.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 TRANSFER OF FUNDS – AIRPORT FUND 2058: 22-T-021**

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

**Reason – to pay invoices for Engineering services

From 2058-2058-530365 Airport Imp Land Federal to 2058-2058-530316 Engineering in the amount of \$10,000.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
SURFACE APPLICATION OF BRINE – CAMPGROUND MANAGEMENT INC., DBA
CARDINAL CENTER: 22-R-163**

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: Campground Management Inc.
Dba Cardinal Center
616 St. Rt. 61, P.O. Box 247
Marengo, Ohio 43334

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. 2219
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 Campground Management Inc., dba Cardinal Center, at 616 St. Rt. 61, Marengo, Ohio 43334, Morrow County, Bennington and Peru Townships, 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/Daniel Schwartz, President

Date: 2/14/22

**IN THE MATTER OF
PUBLIC HEARING TO DISCUSS THE FEASIBILITY OF SURFACE APPLICATION OF
BRINE FOR THE PURPOSE OF DUST CONTROL – CAMPGROUND MANAGEMENT INC.
DBA CARDINAL CENTER: 22-R-164**

WHEREAS, Daniel Schwartz 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 Campground Management Inc. dba Cardinal Center, 616 State Route 61, Marengo, Ohio 43334, Morrow County.

THEREFORE, Mr. Abraham 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 Campground Management Inc., dba Cardinal Center, 616 State Route 61, Marengo, Ohio 43334. The hearing will be held on March 14, 2022, 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: March 9, 2022, Morrow County Sentinel and www.morrowcountyohio.gov

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF CONTRACT BY AND BETWEEN DIRT DAWG EXCAVATING, LLC AND
THE MORROW COUNTY BOARD OF COMMISSIONERS AND APPROVAL FOR
CHAIRMAN TO SIGN: 22-R-165**

Mr. Whiston made a motion to approve the following contract between Dirt Dawg Excavating, LLC and the Morrow County Board of Commissioners for the Lincoln Avenue Paving Project in collaboration with the Village of Mount Gilead and approval for Chairman Timothy R. Siegfried to sign.

CONTRACT

THIS AGREEMENT made this 28th day of February 2022, by and between Dirt Dawg Excavating, LLC hereinafter called the "Contractor" and the Morrow County Board of Commissioners hereinafter called the "Owner".

WITNESSETH, that the Contractor and the owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work.

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services including utility and transportation services, and perform and complete all work required for the construction of the Improvements embraced in the project; namely, pavement improvements, and required supplemental fork for the Morrow County Board of Commissioners all in strict accordance with the Contract Documents including all addenda thereto, numbered 1, dated December 16, 2021, all as prepared by Poggemeyer Design Group, Inc. acting and in these Contract documents preparation, referred to as the "Engineer".

ARTICLE 2. The Contract Price.

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed \$382,871.00 (Three Hundred Eight-Two Thousand Eight Hundred Seventy-One and 00/ Dollars) subject to additions and deductions as provided in Section 109 hereof.

ARTICLE 3. Contract.

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation for Bids
- d. Instructions to Bidders
- e. Signed copy of Bid
- f. General Conditions, Parts I and II
- g. Special Conditions
- h. Technical Specifications
- i. Drawings (as listed in the Schedule of Drawings)

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in four (4) original copies on the day and year first above written.

s/Kevin E. Kaeser, Contractor Dirt Dawg Excavating , LLCs/Timothy Siegfried, Mo Co Commissioner

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL FOR CHAIRMAN TO SIGN NOTICE TO PROCEED – MT. GILEAD LINCOLN
AVENUE PAVEMENT IMPROVEMENTS: 22-R-166**

Mr. Abraham made a motion to approve Chairman Timothy R. Siegfried to sign Notice to Proceed for the Mt. Gilead Lincoln Avenue Pavement Improvement project in collaboration with the Village of Mount Gilead.

NOTICE TO PROCEED

To: Dirt Dawg Excavating, LLC
1681 Orange Road
Ashland, Ohio 44805

PROJECT Description: Mt. Gilead Lincoln Avenue Pavement Improvements. You are hereby notified to commence WORK in accordance with the Agreement dated February 28, 2022, on or before February 24, 2022, and you are to complete the WORK within by June 1, 2022 (substantial completion). The date of completion of all WORK is therefore July 1, 2022 (final completion).

OWNER – Morrow County, Ohio
s/Timothy R. Siegfried, Chairman Morrow County Commissioners

ACCEPTANCE OF NOTICE
s/ Dirt Dawg Excavating, LLC

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
MORROW COUNTY JOB & FAMILY SERVICES' PREVENTION, RETENTION AND
CONTINGENCY PLAN: 22-R-167**

WHEREAS, Sundie Brown, Director of Morrow County Job and Family Services (MCJFS) has submitted to the Board of Morrow County Commissioners an amendment to the Prevention, Retention and Contingency (PRC) Plan to be effective March 1, 2022; and

WHEREAS, MCJFS has complied with Chapter 5108 of the Revised Code in amending the PRC Plan;

THEREFORE, Mr. Abraham made a motion to approve the PRC Plan, effective March 1, 2022 as submitted by Sundie Brown and certify that MCJFS has complied with Chapter 5108 of the Revised Code in amending the PRC Plan.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 22-R-168**

Mr. Abraham made a motion to recess session at 9:08 a.m.

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RETURN TO REGULAR SESSION: 22-R-169**

Mr. Siegfried made a motion to return to regular session at 10:01 a.m.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
PROCLAMATION FOR AMERICAN RED CROSS MONTH – MARCH 2022: 22-R-170**

Mr. Siegfried made a motion to approve the following Proclamation for March as American Red Cross Month.

**AMERICAN RED CROSS MONTH
2022
A PROCLAMATION**

In times of crisis, people in MORROW COUNTY come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by **American Red Cross** volunteers and donors.

In 1881, Clara Barton founded the **American Red Cross**, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering. Today, more than 140 years later, we honor the kindness and generosity of **Red Cross** volunteers here in MORROW COUNTY who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially, or learn vital life-preserving skills through the **Red Cross**.

CITIZENS OF MORROW COUNTY and the contributions of local **Red Cross** volunteers give hope to the most vulnerable in their darkest hours – whether it’s providing emergency shelter, food and comfort for families devastated by local disasters like home fires; donating essential blood for accident and burn victims, heart surgery and organ transplant patients, and those receiving treatment for leukemia, cancer or sickle cell disease; supporting service members and veterans, along with their families and caregivers, through the unique challenges of military life; helping to save the lives of others with first aid, CPR and other skills; or delivering international humanitarian aid.

Their work to prevent and alleviate human suffering is vital to strengthening our community’s resilience. We dedicate this month of March to all those who continue to advance the noble legacy of **American Red Cross** founder Clara Barton, who lived by her words, “You must never think if anything except the need, and how to meet it.” We ask others to join in this commitment to give back in our community.

NOW, THEREFORE, WE, THE MORROW COUNTY COMMISSIONERS, by virtue of the authority vested in us by the laws of MORROW COUNTY and OHIO, do hereby proclaim March 2022 as **Red Cross Month**. I encourage all citizens of MORROW COUNTY to reach out and support its humanitarian mission.

IN WITNESS WHEREOF, we have hereunto set our hands this First day of March, in the year of our Lord two thousand twenty-two, and of MORROW COUNTY OHIO.

s/Thomas E. Whiston

s/Tim Siegfried

s/Tim Abraham

Passed February 28, 2022

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 22-R-171**

Mr. Whiston made a motion to recess session at 10:06 a.m.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RETURN TO REGULAR SESSION: 22-R-172**

Mr. Siegfried made a motion to return to regular session at 2:14 p.m.

Mr. Abraham duly seconded this motion.

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

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

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

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS