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**REGULAR SESSION JANUARY 18, 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: Brent Russell, Director Planning/Zoning 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 JANUARY 11, 2023: 23-R-052**

Mr. Abraham made a motion to approve the minutes of regular session of January 11, 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-053**

Mr. Mason made a motion to approve payment of bills numbered 1 through 117 submitted by the Morrow County Auditor's office.

Mr. Siegfried duly seconded this motion

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

**IN THE MATTER OF  
PAY-INS: 23-R-054**

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

Receipt# 230075 Payment from Auditor's office for 2023 cost allocation 1000-1020-420210 \$6,275.00

Receipt# 230076 Payment from LSI for Development annual fee 2043-1030-430302 \$500.00

Receipt Batch #3168 Payments received from Ketterman customers for sewer fund 5121 \$347.20

Receipt Batch #3171 Payments received from Chesterville customers for sewer fund 5159 \$60.00  
Payments received from Johnsville customers for sewer fund 5100 \$60.00  
Payments received from Somoco customers for sewer fund 5110 \$52.71

Receipt Batch #3176 Payments received from Chesterville customers for sewer fund 5159 \$126.00

Receipt# 230120 Payment for Opioids settlement fund dollars 2020-1050-450577 \$19,916.13

Receipt Batch #3183 Payments received from Chesterville customers for sewer fund 5159 \$260.00  
Payments received from Ketterman customers for sewer fund 5121 \$55.84

Receipt# 230117 Payment from Alum Creek Heating & Cooling for Development annual fee 2043-1030-430302 \$500.00

**IN THE MATTER OF  
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – FUND 3777  
EMPLOYER RETIREMENT RESOURCES: 23-A-008**

Mr. Siegfried made a motion to appropriate from the unappropriated certified monies to the following accounts for retirement payout:

|                  |                |             |
|------------------|----------------|-------------|
| 3777-0142-510120 | Employee Wages | \$23,156.43 |
| 3777-0142-510213 | Medicare       | \$335.77    |

Mr. Abraham 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 – FUND 4777  
 INFORMATION TECHNOLOGY: 23-A-009**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following account for the renewal of the Albert Intrusion Detection System through IT:

|                  |                          |             |
|------------------|--------------------------|-------------|
| 4777-7007-530319 | IT Professional Services | \$13,080.00 |
|------------------|--------------------------|-------------|

Mr. Mason 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 – FUND 2061  
 MCAT: 23-A-010**

At the request of Megan Spaulding, MCAT Fiscal Supervisor, Mr. Mason made a motion to appropriate from the unappropriated certified monies to the following account:

|                  |                          |          |
|------------------|--------------------------|----------|
| 2061-0163-530384 | Compensation and Damages | \$500.00 |
|------------------|--------------------------|----------|

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
 TRANSFER OF FUNDS – ENGINEER FUND 2202: 23-T-001**

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

\*\*Reason – need money to put into Contracted Services

From 2202-2243-540440 Materials-Bridge to 2202-2202-530360 Contracted Services in the amount of \$50,000.00

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF  
 TRANSFER OF FUNDS – JOB AND FAMILY SERVICES FUND 2121 COUNCIL FOR  
 GOVERNMENT: 23-T-002**

At the request of Denise Sayre-Rogers, Fiscal Officer, a motion was made by Mr. Abraham to approve the following transfer of funds:

\*\*Reason – appropriation for new account set up for FCFC program needs

From 2121-1053-530310 COG SFSC Professional & Technical Services to 2121-1111-550740 COG FCFC Equipment/Computer/Furniture in the amount of \$1,000.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – SOIL/WATER CONSERVATION DISTRICT FUND 8007: 23-T-003**

At the request of Jamie Bailey, Administrative Assistant, a motion was made by Mr. Abraham to approve the following transfer of funds:

**\*\*Reason – pay Amanda Pfahler’s request for unemployment**

From 8007-0007-510220 Health Insurance to 8007-0007-510240 Unemployment in the amount of \$7,000.00

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF  
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND  
CERTIFYING THEM TO THE COUNTY AUDITOR: 23-R-055**

The Board of County Commissioners of Morrow County, Ohio, met in Regular Session on the 18<sup>th</sup> day of January, 2023 at the office of the Commissioners with the following members present:

Mr. Mason

Mr. Siegfried

Mr. Abraham

Mr. Mason moved the adoption of the following Resolution:

**WHEREAS**, this Board of County Commissioners of Morrow County, Ohio in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2023; and

**WHEREAS**, the Budget Commission of Morrow County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it

**RESOLVED**, by the Board of Commissioners, of Morrow County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certifications, be and the same are hereby accepted; and be it further

**RESOLVED**, that there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

| <i><b>SCHEDULE A<br/>SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY<br/>BUDGET COMMISSION<br/>AND COUNTY AUDITOR’S ESTIMATED TAX RATES</b></i> |  |  |   |                     |
|---|--|--|---|---------------------|
| FUND  | Amount to be derived from levying outside 10 M. limitation | Amount approved by Budget Commission inside 10 M. limitation | County Auditors Estimate of Tax Rate to Be Levied |                     |
|   |  |  | Inside 10 M. Limit                                | Outside 10 M. Limit |
| General Fund  |  | \$3,049,026.00   | 3.20  |                     |
| Hospital  | \$1,592,586.00   |  |   | 2.50                |
| Senior Citizen  | \$445,163.00   |  |   | 0.50                |
| Health  | \$407,188.00   |  |   | 0.50                |
| Ambulance & EMS   | \$1,617,342.00   |  |   | 3.00                |

|                       |                       |                       |             |              |
|-----------------------|-----------------------|-----------------------|-------------|--------------|
| Board of DD           | \$2,443,133.00        |                       |             | 3.00         |
| OSU Extension Service | \$404,335.00          |                       |             | 0.50         |
| Del/Mor Mental Health | \$758,297.00          |                       |             | 1.00         |
| County Roads          | 1,780,652.00          |                       |             | 2.00         |
| <b>TOTAL</b>          | <b>\$9,448,697.00</b> | <b>\$3,049,026.00</b> | <b>3.20</b> | <b>13.00</b> |

| <b>SCHEDULE B</b><br><i>LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES</i>  |                       |              |   |  |
|--|-----------------------|--------------|---|--|
| <i>FUND</i>  |                       |              | <i>Maximum Rate Authorized to be levied</i> | <i>County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)</i> |
| <b>SPECIAL LEVY FUNDS:</b>   | <b>Effective Rate</b> |              |   |  |
|  | <b>Ag/Res.</b>        | <b>Other</b> |   |  |
| <b>2001 County Hospital</b> levy authorized by voters on Nov 2, 2021 - for not to exceed 5 years - <b>expires 2025 Renewal</b>                       | 1.55724               | 2.371525     | 2.50  | \$1,592,586.00   |
| <b>2017 Senior Citizens</b> levy authorized by voters on Nov 2, 2021 - for not to exceed 5 years - <b>expires 2026 Renewal</b>                       | 0.466047              | 0.474305     | 0.50  | \$445,163.00   |
| <b>2013 Health Department</b> levy authorized by voters on Nov 5, 2013 - for not to exceed 10 years - <b>expires 2022 Replacement</b>                | 0.419691              | 0.474305     | 0.50  | \$407,188.00   |
| <b>2010 Ambulance and EMS</b> levy authorized by voters on Nov 5, 2019 for not to exceed 5 years - <b>expires 2024 Renewal</b>                       | 1.664834              | 1.89722      | 2.00  | \$1,617,342.00   |
| <b>2020 Ambulance and EMS</b> levy authorized by voters on Nov 5, 2019 for not to exceed 5 years – <b>expires 2024 Additional</b>                    | 0.932701              | 0.965491     | 1.00  | \$893,078.00   |
| <b>2014 MRDD</b> levy authorized by voters on May 6, 2014 <b>cont. years</b> replacement with increase   | 2.518149              | 2.84583      | 3.00  | \$2,443,133.00   |
| <b>2009 OSU Extension</b> levy authorized by voters on November 5, 2019 for not to exceed 5 years - <b>expires 2023 Renewal</b>                      | 0.416208              | 0.474305     | 0.50  | \$404,335.00   |
| <b>2016 County Roads – Engineer</b> levy authorized by voters on Nov 2, 2021 for not to exceed 5 years – <b>expires 2025 Additional</b>              | 1.86419               | 1.897220     | 2.00  | \$1,780,652.00   |
| <b>2007 Delaware Morrow Mental Health</b> authorized by voters on Nov 2, 2021 for not to exceed 5 years - <b>expires 2026 Renewal &amp; Increase</b> | 0.775118              | 0.922904     | 1.00  | \$758,297.00   |
| <b>2007 Delaware Morrow Mental Health</b> authorized by voters on Nov 2, 2021 for not to exceed 5 years – <b>expires 2026 Renewal &amp; Increase</b> | 0.495977              | 0.493795     | 0.50  | \$472,285.00   |

and be it further

**RESOLVED**, that the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Siegfried duly seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

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

**IN THE MATTER OF  
REAPPOINTMENT TO THE MORROW COUNTY RURAL ZONING COMMISSION:  
23-R-056**

**WHEREAS**, term of John Eichler on the Morrow County Rural Zoning Commission will expire on February 7, 2023; and

**WHEREAS**, it is the recommendation of Brent Russell, Director of Planning and Zoning to reappoint Mr. Eichler for another term.

**THEREFORE**, Mr. Abraham made a motion to approve the reappointment of John Eichler on the Morrow County Rural Zoning Commission with a term of February 8, 2023 – February 7, 2028.

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
APPOINTMENT TO THE MORROW COUNTY REGIONAL PLANNING COMMISSION:  
23-R-057**

**WHEREAS**, Canaan Township has voted unanimously to appoint Matthew Carwell to serve on the Morrow County Regional Planning Commission to replace Billie Pangborn as their representative; and

**THEREFORE**, Mr. Siegfried made a motion to approve the appointment of Matthew Carwell on the Morrow County Regional Planning Commission for a term effective January 18, 2023 – March 25, 2025.

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL OF RESOLUTION PROVIDING FOR THE REMOVAL OF AN OBSTRUCTION  
ON COUNTY ROAD 15 LOCATED IN BENNINGTON TOWNSHIP, MORROW COUNTY,  
OHIO: 23-R-058**

BEFORE THE BOARD OF BOARD OF COUNTY COMMISSIONERS, MORROW COUNTY,  
OHIO  
RESOLUTION PROVIDING FOR THE REMOVAL OF AN OBSTRUCTION ON COUNTY ROAD  
15 LOCATED IN BENNINGTON TOWNSHIP, MORROW COUNTY, OHIO.

**RESOLUTION NO. 23-R-058**

**WHEREAS**, this date, January 18, 2023, Commissioner Siegfried moved the adoption of the following Resolution:

**WHEREAS**, Ohio Revised Code Section 5547.04 requires the owner or occupant of lands situation along the highways to remove all obstructions within the bounds of the highways, which have been placed there by them or their agents or with their consent, and the Board of County Commissioners is required to enforce the section and may avail itself of section 5547.03 of the Revised Code.

**WHEREAS**, section 5547.03 allows the County Commissioners to employ the labor necessary to remove any obstruction on a highway when, in the opinion of the County Engineer, such obstruction is so located that it interferes or may interfere with a proposed improvement, maintenance or repair of the highway, after notification to the owner of the property, if the owner does not provide for the removal of the obstruction within five days.

WHEREAS, the funds for such removal shall be paid out of any moneys available for highway purposes, and not encumbered for any other purpose, and the amount shall be certified to the County Auditor to be placed on the tax duplicate against the property to be collected as other taxes and in one payment, and the proper fund shall be reimbursed out of the money so collected.

WHEREAS, The County Engineer is of the opinion that a job trailer located at parcel number A02-011-00-006-00 and in the right-of-way along County Road 15 is creating a hazard for traffic traveling east on County Road 15, and obstructs the maintenance of the highway system, specifically effective snow removal (See Exhibit A). The Engineer recommends removal of the trailer.

NOW, BE IT RESOLVED THAT:

1. Pursuant to sections 5547.04 and 5547.03 of the Revised Code, the owner of parcel number A02-011-00-006-00 shall comply with such sections and remove the work trailer located a parcel number A02-011-00-006-00 and in the right-of-way along County Road 15.
2. The Board of Commissioners will give notice to the owner of record of parcel number A02-011-00-006-00. If the work trailer is not removed within five days, the Board of Commissioners will employ the labor necessary to remove the work trailer.
3. Costs incurred in removing the above work trailer shall be paid out of moneys available for highway purposes that are not encumbered for any other purpose, and the amount shall be certified to the County Auditor to be placed on the tax duplicate against the property to be collected as other taxes and in one payment, and the proper fund shall be reimbursed out of the money so collected.

Commissioner Abraham seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

Date of Passage: January 18, 2023

s/Jon Mason, Commissioner  
 s/Tim Siegfried, Commissioner  
 s/Tim Abraham, Commissioner

Attest: s/Cheryl Heacock, Clerk

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

**IN THE MATTER OF  
 APPROVAL TO AMEND RESOLUTION# 23-R-049, APPROVAL OF OHIO DEPARTMENT  
 OF DEVELOPMENT BROWNFIELD REMEDIATION PROGRAM GRANT AGREEMENT  
 FOR HPM# 1 AND APPROVAL FOR CHAIRMAN TO SIGN: 23-R-059**

WHEREAS, the State of Ohio made an error in the amount of the original agreement:  
 \$460,000.00

Corrected Amount is \$459,000.00

THEREFORE, Mr. Abraham made a motion to approve the amendment to Resolution# 23-R-049 as stated above.

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-060**

Mr. Abraham made a motion to recess session at 9:17 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-061**

Mr. Abraham made a motion to return to regular session at 2:18 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 INTERIM MORROW COUNTY CLERK OF COURTS: **TABLED****

**IN THE MATTER OF  
APPROVAL OF PERMANENT SEWERLINE EASEMENT – HEARTLAND CONFERENCE  
AND RETREAT CENTER: 23-R-062**

Mr. Abraham made a motion to approve the following Permanent Sewerline Easement as presented:

PERMANENT SEWERLINE EASEMENT

KNOW ALL BY THESE PRESENTS, that Heartland Conference and Retreat Center, hereinafter called “Grantor”, in consideration of \$1.00, receipt of which is hereby acknowledged paid by the Southern Morrow County Waste Water Treatment Plant, Morrow County, Ohio, hereinafter called “Grantee,” does hereby grant, bargain, sell, and convey to said Grantee, its successors and assigns, an easement, a portion of which is temporary and a portion of which is perpetual with the right to erect, construct, install, lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove sewer lines, valves, fittings, meters, and accessories over and across the following lands owned by Grantor in the State of Ohio, County of Morrow, and Township of Peru, and more particularly described as follows:

Being that tract of land as described in the metes and bounds description in the attached “Exhibit A,” which is hereby incorporated by reference.

together with the right of ingress and egress over Grantor’s adjacent lands, for the purposes as mentioned above.

Grantee shall pay any damages which may arise to crops, as well as to repair any damages to fences, drainage or field tiles, driveways, sidewalks or other structures from the installation of the water lines and shall grade, seed, and mulch any ground damaged thereby to the reasonable satisfaction of Grantor.

This easement shall constitute a covenant running with the land for the benefit of Grantee, its heirs, successors, and assigns. Grantor covenants that it is the owner of the above-described real property and said property is free and clear of all encumbrances, except mortgages, leases, easements, and restrictions of record.

IN WITNESS WHEREOF, Heartland Conference and Retreat Center, by its duly authorized representative, has executed this easement this 18<sup>th</sup> day of January, 2023.

Signed and acknowledged in the presence of:

s/Heartland Conference and Retreat Center

s/Southern Morrow County Waste Water Treatment Plant

Mr. Mason 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. Siegfried.

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