

REGULAR SESSION JANUARY 23, 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: Jamie Brucker, Director of Operations

Public in attendance: Joe Carroll, Airport

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 18, 2023: 23-R-063**

Mr. Mason made a motion to approve the minutes of regular session of January 18, 2023, as recorded in the Commissioners Journal # 50.

Mr. Siegfried 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-064**

Mr. Siegfried made a motion to approve payment of bills numbered 1 through 150 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-065**

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

- Receipt Batch #3186 Payments received from Chesterville customers for sewer fund 5159 \$1,354.04
 Payments received from Johnsville customers for sewer fund 5100 \$180.00
 Payments received from Ketterman customers for sewer fund 5121 \$56.00
- Receipt Batch #3192 Payments received from Chesterville customers for sewer fund 5159 \$398.88
 Payments received from Johnsville customers for sewer fund 5100 \$60.00
 Payments received from Ketterman customers for sewer fund 5121 \$56.00
 Payments received from Somoco customers for sewer fund 5110 \$57.98
- Receipt Batch #3196 Payments received from Chesterville customers for sewer fund 5159 \$1,548.82
 Payments received from Johnsville customers for sewer fund 5100 \$650.90
 Payments received from Ketterman customers for sewer fund 5121 \$728.00
 Payments received from Somoco customers for sewer fund 5110 \$526.93
- Receipt#230153 Payment from Opioid Settlement Fund 2020-1050-450577 \$22,486.31
- Receipt# 230148 Payment for EMA services (Village of Cardington, Lincoln Twp. And Morrow County) 2012-1050-450525 \$29,093.25
- Receipt# 230149 Payment for cost allocation (Treasurer) 1000-1020-420210 \$1,058.00
- Receipt# 230155 Payment from CORSA for MCAT insurance reimbursement 2061-1020-420240 \$1,575.00
- Receipt# 230187 Payment for EMA services (Village of Mount Gilead) 2012-1050-450525 \$2,627.25
- Receipt# 230185 Payment for Accu Globe 2023 maintenance fees – Firefighters/Squadsmen 2728-1020-430302 \$3,620.00

Receipt# 230186 Payment from CORSA liability insurance for cameras at Sheriff's Office 1000-1020-420250 \$7,500.00

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
 DOUGLAS ST: 23-A-011**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following account for property taxes at Douglas St location:

1000-0114-530327	Taxes	\$3,071.17
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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 – SEWER FUNDS, COST
 ALLOCATION: 23-A-012**

Mr. Siegfried made a motion to appropriate from the unappropriated certified monies to the following accounts for cost allocation payments:

5100-5101-530302	Sewer Admin (Johnsville)	\$916.88
5110-5101-530302	Sewer Admin (Somoco)	\$1,676.88
5121-5101-530302	Sewer Admin (Ketterman)	\$7.00
5159-5101-530302	Sewer Admin (Chesterville)	\$1,932.90

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
 APPROVAL OF AGREEMENT FOR COUNTY WELLNESS PROGRAM SERVICES
 WITH THE MORROW COUNTY HEALTH DEPARTMENT BOARD OF HEALTH FOR
 2023 AND APPROVAL FOR CHAIRMAN TO SIGN: 23-R-066**

Mr. Mason made a motion to approve the following and approval for Chairman Tim D. Abraham to sign:

Agreement for County Wellness Program Services

This agreement is entered into by the Morrow County Commissioners (“Commissioners”), located at 80 North Walnut Street, Mt. Gilead, Ohio 43338, and the Morrow County Health Department Board of Health (“Service Provider”), and located at 619 West Marion Road, Mt. Gilead, Ohio 43338.

Whereas, the Commissioners desire to contract for wellness program services through the Service Provider as specified in the CEBCO grant;

Whereas, the Service Provider will provide wellness program services to the Commissioners as described in the attached “Exhibit A”;

Therefore, both parties agree as follows:

Terms and Amendment

This Agreement shall be in effect for a term of 12 months from January 1, 2023 through December 31, 2023. This Agreement shall not be amended, except by written document signed by all parties. Either party will terminate this Agreement, with or without cause, upon giving the other party a thirty (30) day written notice.

Service Provider

The Service Provider agrees to provide wellness program services to the Commissioners within the parameters established by the CEBCO grant, as described in "Exhibit A" attached hereto. The point of contact for the project will be the Morrow County Commissioners who will approve the program plan.

Contract limitations/Considerations

The Commissioners shall pay to the Service Provider the sum of Administrative Funds (\$4000). The relationship of employer and employee is not created by this Agreement between the Service Provider and the Commissioners. The services provided by the Service Provider do not confer any legal relationship between the Commissioners and the Service Provider. The Service Provider does not have any claim against the Commissioners for any benefit, insurance or taxes of any kind not paid to it.

Insurance

The Service Provider shall maintain and provide evidence of comprehensive general liability insurance. The Health Services Provider shall provide a copy of this insurance policy to the Commissioners, with the Certificate of Insurance, upon the signing of this agreement.

Civil Rights Compliance

Acceptance of this contract/agreement of authorization is evidence of your intent to comply with Title VI-VII of the 1964 Civil Rights Act, because RACE, COLOR, NATIONAL ORIGIN, HANDICAP, (AGE, SEX, and/or RELIGION where applicable), and Title IX of the 1972 Education Amendments in any facet of your operation where such discrimination is a bona fide documented business necessity.

By witness whereof, each of the parties has signed this Agreement, intending to be bound by it.

Morrow County Health Department
s/_____

Morrow County Commissioners
s/Tim D. Abraham

Approved as to Form:
s/Thomas Smith, Morrow County Prosecutor

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF GREEN SAVORRE MID-OHIO LLC SECURITY AGREEMENT FOR
THE MORROW COUNTY SHERIFF OFFICE FOR 2023: 23-R-067**

Mr. Siegfried made a motion to approve the Green Savoree Mid-Ohio LLC Security Agreement for 2023 as presented:

**GREEN SAVOREE MID-OHIO LLC
SECURITY AGREEMENT**

This Agreement is made and entered into this 23rd day of January, 2023, at Mount Gilead, Ohio, by and between the Board of County Commissioners of Morrow County, Ohio, hereinafter referred to as the Party of the First Part, and GREEN SAVOREE MID-OHIO, LLC., Box 3108, 7721 Steam Corners Road, Lexington, Ohio 44904, hereinafter referred to as the Party of the Second part.

The Party of the Second Part owns and operates Mid-Ohio Race Track which is located on County Road 37 in Troy Township, Morrow County, Ohio. The Party of the Second Part schedules several major race events each and every year at the Mid-Ohio Race Track. These Races draw large crowds of people. The Party of the Second Part contracts with off-duty law enforcement personnel from law enforcement departments in the area, including Morrow County Sheriff's personnel and auxiliary Sheriff's deputies, to provide for the safety and well-being of persons attending and working at these races, and for the safety of the citizens of Morrow County, who reside in the area near the race track. To successfully provide these services and security, Sheriff's cruisers are needed and required at the Mid-Ohio Race Track.

The Party of the First Part acknowledges this need and hereby agrees to permit Morrow County Sheriff's personnel to work security at the Mid-Ohio Race Track at times when they are not otherwise

scheduled to work on regular duty for the County. The Party of the First Part further agrees to furnish at least two (2) Morrow County Sheriff's cruisers to be used only by sworn officers of the Morrow County Sheriff's Office who are working security at the Mid-Ohio Race Track. During race events or other events as scheduled by the Party of the Second Part at Mid-Ohio Race Track, these cruisers will be used for the purpose of assisting in providing the needed security at the Mid-Ohio Race Track.

The Party of the Second Part acknowledges that should the Morrow County Sheriff or his authorized representatives determine at any time when an event is taking place at the Mid-Ohio Race Track that there is a need to recall any cruiser then being used at the Mid-Ohio Race Track under the Agreement or any officer who is working at the Mid-Ohio Race Track for legitimate law enforcement reasons such as an emergency occurring elsewhere in the County, then the cruisers and/or officers will be permitted to leave the Mid-Ohio Race Track without breaching this Agreement. The Party of the Second Part further agrees to pay the Party of the First Part the sum of \$500.00 per event during the year 2023. Said sums shall be paid for any event at which the Morrow County Sheriff's cruisers are used at the Mid-Ohio Race Track and shall be payable within thirty (30) days of the conclusion of the event. Monies paid shall be placed in the General Fund of Morrow County.

The Party of the Second Part agrees to supply gasoline for the cruisers as needed which are used at Mid-Ohio Race Track.

It is the understanding of the Party of the First Part that the Party of the Second Part will be fully responsible to pay Morrow County Sheriff's personnel and auxiliary sheriff's deputies who work race events while off duty officers of the County. This fact is merely set forth herein to clarify that aspect of the overall security arrangements and to be certain that off duty deputies or other personnel are to be paid by the Party of the Second Part and not by the Party of the First Part. The Party of the Second Part shall be responsible for all reporting relating to the employment of off duty officers.

The Party of the First Part agrees that is presently has and will continue to have full coverage liability insurance on all cruisers used at Mid-Ohio Race Track in a minimum amount of \$1,000,000. The Party of the Second Part shall maintain general liability insurance in an amount of at least \$5,000,000.

It is mutually agreed that this Agreement will expire on December 31, 2022, at midnight.

In witness whereof, we have subscribed our names the day, month and year first above mentioned.

MORROW COUNTY BOARD OF COMMISSIONERS

s/Tim D. Abraham
s/Timothy R. Siegfried
s/Jon Mason

s/GREEN SAVOREE MID-OHIO, LLC

APPROVED
s/John Hinton, Morrow County Sheriff

APPROVED AS TO FORM
s/Thomas Smith
Morrow County Prosecuting Attorney

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF CHANGE ORDER #2 – ENGINEER'S PROJECT MRW-CR11-2.86 AND
APPROVAL FOR CHAIRMAN TO SIGN: 23-R-068**

Mr. Abraham made a motion to approve the following Change Order#2 with contractor R&I Construction as presented and approval for Chairman Tim D. Abraham to sign:

**Change Order
No. 1**

Date of Issuance: 1/10/23 Effective Date: 1/10/23

Project: MRW-CR11-2.86 Owner: Morrow County

Contract: PID 106653 Date of Contract: 4/22/2022

Contractor: R&I Construction

Description: Quantity adjustment for a bid item that was not fully performed

Attachments: DLZ Change Order 02 Summary Sheet, ODOT Appendix L – CO Notification form

Original Contract Price:	\$2,305,621.00
Previous Change orders:	\$ 2,320.00
Contract Price to date:	\$2,307,941.00
Net decrease this Change order:	\$ (67,767.24)
Contract Price with change order:	\$2,240,173.76

s/Engineer, DLZ 1/11/23 s/Bart Dennison, Owner 1/18/23 s/Contractor R&I Construction 1/11/23

s/Tim D. Abraham, Commissioner 1/23/23

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF PAY REQUEST #6 (FINAL) FOR PROJECT MRW-CR11-2.86, PID 106653
AND APPROVAL FOR CHAIRMAN TO SIGN: 23-R-069**

Mr. Abraham made a motion to approve Pay Request#6 for the project MRW-CR11-2.86, PID 106653 and approval for Chairman Tim D. Abraham to sign:

Pay Request

Estimate No. #6 (FINAL)
Date: 1/18/2023
Invoice No. NA

Project: MRW-CR11-2.86, PID 106653

Owner Address: Morrow County Commissioner’s
80 North Walnut Street
Mt. Gilead, Ohio 43338

Contractor Address: R & I Construction, Inc.
2931 S. State Route 67
Tiffin, Ohio 44833

Engineers Address: Morrow County Engineer
50 East High Street
Mount Gilead, Ohio 43338

Original Contract:	\$2,305,621.00
Change Order To Date	\$ (65,447.24)
Total Contract Amount	\$2,240,173.76
Amount completed to-date	\$2,240,173.76
Less Previous Payments	\$1,963,473.96
Total Amount Due This Request	\$ 276,699.80

s/Contractor 1/10/2023

s/Bart Dennison 1/18/2023

s/Tim D. Abraham 1/23/2023

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF MORROW COUNTY AIRPORT, GRANT NO. 3-39-0114-016-2021
AMENDMENT AND APPROVE THE SIGNING OF PROJECT CLOSE-OUT
REPORT: 23-R-070**

Mr. Siegfried made a motion to approve the Morrow County Airport – Mount Gilead, Ohio Grant No. 3-39-0114-016-2021 Amendment and approve the signing of the Project Close out Report as presented:

Amendment:

The original 2021 grant amount was for \$156,758. With the additional construction expenses, plus the adjusted engineering costs, the total project came in \$8,368 over the \$156,758 approved grant application for a total cost of \$165,126. Ninety percent of the additional project costs is approximately \$7,531. This addition would increase the grant total to \$164,289 with the County providing the \$837.00 (10%) match for the grant overage.

With that we are requesting an amendment of \$7,531 to be added to the original grant amount bringing it to \$164,289. This proposed amendment increase equates to 4.8% of the original grant amount.

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO JOURNALIZE REPORT FROM THE MORROW COUNTY TREASURER
FOR GAP SHEET AS OF THE CLOSE OF BUSINESS ON DECEMBER 30, 2022: 23-R-071**

Mr. Siegfried made a motion to journalize receipt of the Gap sheet 12/30/22 report from the Morrow County Interim Treasurer, Tina Wright and acknowledged and signed by the Morrow County Auditor, Pat Davies and the Board of County Commissioners as presented:

Receipts/Disbursements balance close of business			
Recon. Items	\$0.00		
Vault	\$3,000.00		
Checking Account	\$3,532,346.15		
Sweep ICS	\$1,973,162.07		
Star Ohio	\$546,715.40		
CDARS 4	\$2,005,174.07		
CDARS 5	\$1,037,246.10		
PARK ICS 0603	\$227.25		
R459	\$9,094,133.78		
Wire	\$8,181.66		
Fifth Third	\$13,721,959.18		
Engineer Note	\$0.00		
Commissioners	\$0.00		
Point N Pay	\$22,393.99		
Warrant	\$0.00		
Balance	\$31,944,539.65		
Monthly Investments Balance		Interest pd in	
Star Ohio	\$546,715.40	\$1,943.81	
Fifth Third	\$13,721,959.18	\$22,190.44	
CDARS 4	\$2,005,174.07	\$340.25	
CDARS 5	\$1,037,246.10	\$176.10	

PARK ICS 0603	\$227.25	\$0.39	
Morrow Co Managing Agency R459	\$9,094,133.78	\$27,720.98	
Engineer Note		\$92.42 both notes paid in full	
Commissioners Note		\$284.40	
Daily Investments Balance	\$26,405,455.78		
Checking Account	\$3,532,346.15	Bank Balance	
Vault	\$3,000.00		
Wire Acct	\$8,181.66		
FKNB Sweep ICS	\$1,973,162.07		
Warrant	\$0.00		
Recon. Issue	\$0.00		
Point N Pay	\$22,393.99		
	\$31,944,539.65	Funds and Banks VIP	

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
RESOLUTION OF SUPPORT FOR ENGINEER’S BRIDGE PROJECT MRW-TR221-0136,
PERU TOWNSHIP: 23-R-072**

Mr. Abraham made a motion to approve supporting the Engineer’s Bridge Project, MRW-TR221-0136, Peru Township as summarized below and as well as cooperating with ODOT and the federal government as needed for funding:

MRW-TR221-0136 (SFN 5932602)

This project is the proposed restoration of the existing historic truss on Township Road 221 over Alum Creek in Peru Township. This restoration will maintain the historic nature of the truss while improving the structural condition. The restored truss will remain posted at below legal load levels, however at a higher load posting then present (4 Tons). The project construction is currently projected to cost approximately \$704,000, using (TAP) funding, with the federal share at 95% and the county share at 5%. The county (LPA) will be responsible for preliminary engineering.

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-073**

Mr. Abraham made a motion to recess session at 9:08 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-013**

Mr. Abraham made a motion to return to regular session at 2:30 p.m.

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 – GENERAL
FUND, OFFICIAL BONDS: 23-A-013**

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

1000-0133-530383	Official Bonds	\$488.00
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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