

REGULAR SESSION JUNE 26, 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 JUNE 21, 2023: 23-R-503**

Mr. Mason made a motion to approve the minutes of regular session of June 21, 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-504**

Mr. Abraham made a motion to approve payment of bills numbered 1 through 59 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-505**

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

Receipt Batch #3551 Payments received from Chesterville customers for sewer fund 5159 \$1,507.51
Payments received from Johnsville customers for sewer fund 5100 \$240.00
Payments received from Ketterman customers for sewer fund 5121 \$112.00
Payments received from Somoco customers for sewer fund 5110 \$799.91

Receipt# 231694 Payment for Opioid Settlement 2020-1050-450577 \$12,973.04

Receipt# 231695 Payment from Inmate Calling Solutions for April phone commissary 2901-1020-420204 Sheriff portion \$2,275.88 General Fund portion \$401.62

Receipt Batch #3554 Payments received from Chesterville customers for sewer fund 5159 \$120.00
Payments received from Johnsville customers for sewer fund 5100 \$154.60
Payments received from Ketterman customers for sewer fund 5121 \$56.00
Payments received from Somoco customers for sewer fund 5110 \$54.76

Receipt Batch #3557 Payments received from Johnsville customers for sewer fund 5100 \$786.00
Payments received from Ketterman customers for sewer fund 5121 \$224.00
Payments received from Somoco customers for sewer fund 5110 \$163.20

Receipt# 231719 Payment from State of Ohio for public defender reimbursement March/April 2023 1000-1050-450515 \$61,357.89.

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
DOUGLAS STREET: 23-A-092**

Mr. Mason made a motion to appropriate from the unappropriated certified monies to the following account to pay for 480 Douglas Street property taxes until can do exemption:

1000-0114-530327 Taxes \$3,071.17

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 – SOMOCO FUND 5110:
 23-A-093**

Mr. Siegfried made a motion to appropriate from the unappropriated certified monies to the following account to pay for property taxes on newly acquired parcel at Somoco WWTP:

5110-5101-530327	Taxes	\$34.48
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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 – GENERAL FUND,
 COMMISSIONERS: 23-A-094**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following account to process refund to Tenant for the County Home Farmland lease:

1000-0101-590940	Refunds	\$4,626.72
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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 – CAPITAL
 IMPROVEMENTS FUND 4111, COURTHOUSE: 23-A-095**

Mr. Siegfried made a motion to appropriate from the unappropriated certified monies to the following account for new HVAC system in IT room at the Courthouse:

4111-0118-550730	Improvement of Sites	\$5,751.19
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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
 TRANSFER OF FUNDS – RECYCLING FUND 2006: 23-T-067**

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

***Reason – for DKMM electronic closeout/TV collections April 9-June 12, 2023*

From 2006-2006-540490 Other Supplies and Materials to 2006-2008-530300 Purchased Services in the amount of \$80.00

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’S FUND 2202: 23-T-068**

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

***Reason – to pay for Dust Control*

From 2202-2202-540444 Patching Material to 2202-2202-540449 Dust Control in the amount of \$60,000.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF SERVICES CONTRACT BY AND BETWEEN THE MORROW COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE, THE MORROW COUNTY OFFICE OF
HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY AND THE
MORROW COUNTY COMMISSIONERS AND APPROVAL FOR CHAIRMAN TO
SIGN: 23-R-506**

Mr. Siegfried made a motion to approve the following agreement by and between the Morrow County Local Emergency Planning Committee and Morrow County Office of Homeland Security and Emergency Management Agency and approval for Chairman Tim Abraham to sign.

This agreement, made and entered into by and between the Morrow County Local Emergency Planning Committee (MCLEPC) and the Morrow County Office of Homeland Security and Emergency Management Agency (MCOHS/EM), and the Morrow County Commissioners:

WHEREAS, the contract shall include, but not be limited to the following services:

1. Serving as the MCLEPC emergency information coordinator.
2. Coordinating and assisting in the preparation of the Hazardous Materials Emergency Response Plan for Morrow County.
3. Conducting field exercises of the Emergency Response Plan.
4. Investigation of alleged violations of reporting hazardous or extremely hazardous chemicals.
5. Conducting field visits to industries and others that may use hazardous chemicals which fall under SARA Title III.
6. Representing the MCLEPC at the sites of spills or other unauthorized releases to the environment.
7. Maintain all required chemical filing forms.
8. To complete the annual grant for the MCLEPC.

THEREFORE, the parties agree:

1. MCOHS&EM Director shall be the person to provide such services and agrees to notify MCLEPC of any changes in this designation.
2. In order to facilitate the services described in this agreement the MCLEPC agrees to:
 - a. Voucher to the MCOHS/EMA, EMA Assistance Fund, the total amount of the LEPC Grant
(Grant determined yearly by the State of Ohio EPA office)
 - b. Hold the MCOHS&EM harmless from any and all liability, suits, losses, judgments, damages, or any other demand brought because of the actions or omissions in the performance of this contract.
3. The MCLEPC and MCOHS/EMA agree that in the performance of this contract, there will be no discrimination against any person because of race, color, sex, religion, national origins, age, handicap, or any other factor as specified in the Civil Rights Act of 1964, as amended, in Section 504, of the Rehabilitation Act of 1973, as amended, and in any subsequent law or regulation pertaining to Civil Rights.

4. The term of this contract shall be twelve (12) months, beginning on July 1, 2023, and ending on June 30, 2024. This contract may be canceled by either party with 30 days of written notice of such cancellation to be transmitted by personal mail or personal delivery to the other party.

s/John Harsch Chairperson, Morrow County Local Emergency Planning Committee 6/8/2023

s/Joseph Edwards Chairperson, Morrow County Emergency Management Agency Executive Committee 6/14/2023

s/Tim Abraham, Chairman, Board of Morrow County Commissioners 6/26/2023

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
 APPROVAL OF LEASE AGREEMENT BETWEEN THE MORROW COUNTY
 FIREFIGHTER AND SQUADSMENS ASSOCIATION AND THE MORROW COUNTY
 COMMISSIONERS FOR EMA SPACE: 23-R-507**

Mr. Abraham made a motion to approve the lease agreement between the Morrow County Firefighter and Squadsmens Association and the Morrow County Commissioners for space to be used by the Morrow County Emergency Management Agency.

Lease Agreement

This lease is between the Morrow County Firefighter and Squadsmens Association at of 140 S. Main St., Mt. Gilead, OH 43338 herein referred to as the “Lessor” and the Morrow County Commissioners at 80 N Walnut St., Mt. Gilead, OH 43338 herein referred to as the “Lessee”, collectively referred to herein as the “Parties”.

Description and Use of Leased of Premises

The Lessor hereby agrees to lease to the Lessee and the Lessee does hereby lease from the Lessor with full right, title, and enjoyment thereto the following described space within the following premises: 140 S. Main St. Mt. Gilead, OH 43338, referred to herein as the “Premises”

More particularly, the Lessor shall lease office space to be used by the Morrow County Emergency Management Agency in the building it currently occupies. The office space shall consist of 340 square feet located in the northwest portion of the facility to include an office with a locking door and space for a permanent Emergency Operations Center. The Lessor will allow the Morrow County EMA employees and invitees use of the common areas at the front of the building for the purpose of meetings, training, etc. Also, the Lessor will allow the access to the outside parking area. Further the Lessor shall provide access to the garage space and allow the storage of the EMA vehicle, EMA command vehicle, two metal cabinets and miscellaneous small equipment. The Lessor will provide utilities, phone, and internet as part of the agreement.

Original Term

The term of the lease shall be twelve (12) months, beginning on July 1, 2023, and ending June 30, 2024.

Rent

The rent for the term shall be \$500 per month which will be payable in quarterly installments of \$1500 with the first payment due upon commencement of the Lease and each quarterly installment payable thereafter on the first day of each quarter.

Gross Lease

It is the intention of the Parties, and they hereby agree, that this Lease be considered a Gross Lease and as such, the above Base Rent is the entirety of the monthly rent and expenses payable by Lessee to Lessor and Lessee is not obligated to pay any additional expenses including utilities, real estate taxes, insurance (other than on the Lessee’s property) liens, charges or expenses of any nature whatsoever in conjunction with the ownership and operation of the Premises.

Indemnification

The Lessee hereby covenants and agrees to indemnify, defend, and hold the Lessor harmless from any and all claims or liabilities which may arise from any cause whatsoever as a result of the Lessee's use and occupancy of the Premises.

Amendment

No amendment of this Lease shall be effective unless reduced to writing and subscribed by the parties with all the formality of the original.

Binding Effect

This Lease and any amendments thereto shall be binding upon the Lessor and the Lessee and/of their respective successors or administrators.

Approved By:

s/Keith Acker
Morrow County Firefighter and Squadsmen's Association

s/Jon Mason

s/Tim Siegfried

s/Tim Abraham
Morrow County Commissioners

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF PAY APPLICATION #1, BCU ELECTRIC INC., GENERATOR PROJECT:
23-R-508**

Mr. Siegfried made a motion to approve Pay Application #1, BCU Electric Inc.

APPLICATION AND CERTIFICATION FOR PAYMENT

APPLICATION #1

To (Owner): Morrow Co Commissioners Project: Morrow Co Generator Projects

Period to: 5/30/2023

From (Contractor): BCU Electric Inc.
1019 US Highway 250 N
Ashland, OH 44805

Original Contract Sum:	\$332,734.00
Change orders	(\$ 2,200.00)
Contract Sum to date	\$330,534.00
Total completed and Stored to Date	\$ 16,697.00
Total retainage	\$ 1,335.76
Total Earned less retainage	\$ 15,361.24
Less previous certificates for payment	\$ 0.00
Current payment due	\$ 15,361.24

s/Contractor – Ben Uselton/President 5/25/2023

s/Engineer – Al Berger 6/23/2023

Mr. Mason duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 23-R-509**

Mr. Abraham made a motion to recess session at 9:19 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-510**

Mr. Abraham made a motion to return to regular session at 11:01 a.m.

Mr. Siegfried duly seconded this motion.

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

11:00 Public Hearing – 2024 Tax Budget

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 23-R-511**

Mr. Abraham made a motion to recess session at 11:12 a.m.

Mr. Mason 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-512**

Mr. Abraham made a motion to return to regular session at 3:03 p.m.

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 – MCAT FUND 2061: 23-T-069**

At the request of Megan Spaulding, Fiscal Supervisor, a motion was made by Mr. Abraham to approve the following transfer of funds:

**Reason – need appropriation for a legal consultation bill

From 2061-0163-540410 Office Supplies to 2061-0163-530311 Professional Legal Fees in the amount of \$1,500.00

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 FOR NORTH COURTROOM LIGHTING ALTERATIONS
AT THE MORROW COUNTY COURTHOUSE: 23-R-513**

WHEREAS, the following 2 quotes were received for lighting alterations in the North Courtroom at the Morrow County Courthouse:

Peak Power	\$5,470.00
McFarland Electric	\$4,520.00

THEREFORE, Mr. Abraham made a motion to approve awarding the quote to McFarland Electric in the amount of \$4,520.00 for the lighting alterations in the North Courtroom.

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 – CAPITAL
IMPROVEMENT FUND 4111: 23-A-096**

Mr. Siegfried made a motion to appropriate from the unappropriated certified monies to the following account for the lighting alterations in the North Courtroom:

4111-0118-550730	Improvement of Sites	\$4,520.00
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Mr. Abraham 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