

**REGULAR SESSION NOVEMBER 30, 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.

County Staff: John Harsch (EMA), Jamie Brucker (Director of Operations) and Brent Russell (Planning-Zoning).

Public in attendance:

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 NOVEMBER 28, 2022: 22-R-931**

Mr. Whiston made a motion to approve the minutes of regular session of November 28, 2022, as recorded in the Commissioners Journal # 50.

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-932**

Mr. Siegfried made a motion to approve payment of bills numbered 1 through 56 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-933**

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

Receipt Batch #3070 Payments received from Chesterville customers for sewer fund 5159 \$1,386.83  
Payments received from Johnsville customers for sewer fund 5100 \$1,071.40  
Payments received from Ketterman customers for sewer fund 5121 \$386.40  
Payments received from Somoco customers for sewer fund 5110 \$1,981.64

Receipt# 223000 Payment from Inmate Calling Solutions for inmate phone commissary – Sheriff 2901-1020-420204 \$34,118.80 and Gen Fund 1000-1020-420204 \$6,020.96

Receipt Batch #3077 Payments received from Chesterville customers for sewer fund 5159 \$749.00  
Payments received from Johnsville customers for sewer fund 5100 \$538.90  
Payments received from Ketterman customers for sewer fund 5121 \$218.40  
Payments received from Somoco customers for sewer fund 5110 \$4,051.22

Receipt# 223021 Payment from Gov Deals for auction item (MCAT) 2061-1080-480804 \$145.00

**IN THE MATTER OF  
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – JOHNSVILLE SEWER  
FUND 5100: 22-A-197**

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

5100-5101-530350 Utilities – Johnsville \$600.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – TIF FUND 4041: 22-T-197**

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

\*\*Reason – to reimburse the general fund for payments made on the Treasurer note

From 4041-0101-590910 Transfer Out (TIF fund) to 1000-1090-490931 Transfer In (Gen Fund) in the amount of \$84,369.55

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – PROSECUTOR FUND 2447 DTAC: 22-T-198**

At the request of Thomas J Smith, Prosecutor, a motion was made by Mr. Whiston to approve the following transfer of funds:

\*\*Reason – to completely use the money appropriated

From 2447-4402-510120 Employee Wages to 2447-4402-530311 Professional Legal Fees in the amount of \$200.00

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 – GENERAL FUND, BOARD OF ELECTIONS: 22-T-199**

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

\*\*Reason – to cover shortages in the payroll accounts

From 1000-0016-530315 Poll Workers to 1000-0016-510120 Employee Wages in the amount of \$3,661.93

From 1000-0016-530315 Poll Workers to 1000-0016-510211 OPERS in the amount of \$2,000.00

From 1000-0016-530315 Poll Workers to 1000-0016-520330 Medicare in the amount of \$200.00

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 – GENERAL FUND, JAIL AND LAW ENFORCEMENT: 22-T-200**

At the request of Melissa Caldwell, Office Administrator, a motion was made by Mr. Whiston to approve the following transfer of funds:

\*\*Reason – bills/wages

From 1000-9119-530333 Lab Service to 1000-9119-520330 Training/Travel in the amount of \$445.58

From 1000-9119-530333 Lab Service to 1000-9119-530351 Electric in the amount of \$374.42

From 1000-9119-510213 Medicare to 1000-9119-510129 Wages in the amount of \$1,140.10

From 1000-9119-510211 OPERS to 1000-9119-510129 Wages in the amount of \$1,843.58

From 1000-9119-510190 OT to 1000-9119-510129 Wages in the amount of \$821.85

From 1000-9019-530342 Postage to 1000-9019-530310 Prof Services in the amount of \$500.00  
From 1000-9019-530343 Postage rental to 1000-9019-530310 Prof Services in the amount of \$351.00  
From 1000-9019-540420 Fuel to 1000-9019-530325 Vehicle Repairs in the amount of \$12,000.00

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL OF INTERMITTENT EMPLOYEE FOR THE COMMISSIONER'S  
OFFICE: 22-R-934**

Mr. Siegfried made a motion to approve Windy Tennant as an intermittent employee, \$20.00 hour, up to 20 hours effective immediately.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO ADVERTISE TIME & PLACE FOR PUBLIC HEARING CONCERNING  
2023 COUNTY BUDGET APPROPRIATIONS: 22-R-935**

Mr. Siegfried made a motion to approve advertising the following notice for a public hearing on the 2023 county budget appropriations:

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Board of Morrow County Commissioners will hold a public hearing on December 28, 2022 at 11:00 a.m. for the purpose of County Budget Appropriations for 2023.

The hearing will take place in the Morrow County Commissioner's Hearing Room, 80 North Walnut Street, Mt. Gilead, Ohio.

The residents of Morrow County are invited to attend the hearing and/or provide written or oral comments or questions concerning the entire budget for 2023.

**BY ORDER OF THE BOARD OF MORROW COUNTY COMMISSIONERS**

Advertise: Morrow County Sentinel, December 7 and December 14, 2022 and [morrowcountyohio.gov](http://morrowcountyohio.gov)

Mr. Whiston 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 COLUMBIA GAS OF OHIO, INC. AID TO  
CONSTRUCTION AGREEMENT: 22-R-936**

Mr. Abraham made a motion to approve Chairman Timothy Siegfried to sign the aid to construction agreement with Columbia Gas of Ohio, Inc as relates to the Generator project.

Facilities to be installed:

Please install 100'-2" service line. Max Load: 7.83 mcfh

\$7,517.00 from Morrow County Commissioners as an Aid to Construction.

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-937**

Mr. Siegfried made a motion to recess session at 9:16 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-938**

Mr. Siegfried made a motion to return to regular session at 1:01 p.m.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
BID OPENING – SOMOCO WWTP AND OUTFALL SEWER IMPROVEMENTS: 22-R-939**

**WHEREAS**, on October 3, 2022, the Morrow County Commissioners approved advertisement for bids for the Somoco Wastewater Treatment Plant and Outfall Sewer Improvements Morrow County, Ohio; and

**WHEREAS**, a bid opening is being held this day at 1:00 p.m.; and

**WHEREAS**, the following bids were submitted:

Simonson	\$3,839,000.00
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**THEREFORE**, Mr. Whiston made a motion to approve holding the bids for review.

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-937**

Mr. Siegfried made a motion to recess session at 9:16 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-938**

Mr. Siegfried made a motion to return to regular session at 1:01 p.m.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL OF PORT AUTHORITY CREATION RESOLUTION TO CREATE  
MORROW COUNTY DEVELOPMENT AUTHORITY: 22-R-942**

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF MORROW, OHIO**

The Board of County Commissioners of the County of Morrow, Ohio (the “County”) met in regular session on November 30, 2022, at 3 p.m., at the offices of the Board, 80 North Walnut Street, Suite A, Mt. Gilead, Ohio, with the following members present:

Commissioner Tim Siegfried, Commissioner Tim Abraham, and Commissioner Tom Whiston

Mr. Whiston introduced the following resolution and moved its passage:

**PORT AUTHORITY CREATION RESOLUTION**

A RESOLUTION TO APPROVE THE CREATION OF THE MORROW COUNTY DEVELOPMENT AUTHORITY AS AN OHIO PORT AUTHORITY, PROVIDING FOR APPOINTMENTS OF THE MEMBERS OF THE BOARD OF DIRECTORS OF SUCH AUTHORITY, AND PROVIDING FOR THE ORGANIZATION OF SUCH AUTHORITY.

WHEREAS, under authority of Ohio Revised Code Sections 4582.21 to 4582.99 (the "Act"), a county may, by resolution, create a port authority which shall be a body corporate and politic, have the powers and jurisdiction enumerated in the Act and have territorial limits coterminous with the territorial limits of the county creating the port authority, subject, however, to the territorial limits of any pre-existing port authority; and

WHEREAS, this board of county commissioners (the "Board of County Commissioners") of the County of Morrow, Ohio (the "County") desires and determines that it is necessary to enhance, foster, aid, provide or promote transportation, economic development, housing, recreation, education, government operations, culture and research; and

WHEREAS, there was no prior existing port authority established by the County; and

WHEREAS, the Board of County Commissioners desires and determines it to be necessary to create a port authority to serve the territory of the County for purposes of enhancing, fostering, providing or promoting transportation, economic development, housing, recreation, education, government operations, culture and research; and

WHEREAS, pursuant to the Act, the Board of County Commissioners is to appoint the members of the board of directors of a port authority created by the exclusive action of a county;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MORROW, OHIO THAT:

**Section 1.** The Board of County Commissioners hereby makes the determinations set out in the preamble to this resolutions, and further determines and declares that a port authority to be designated and known as the "Morrow County Development Authority" (the "Port Authority") and further described below is hereby created pursuant to the Act.

**Section 2.** The Port Authority shall have territorial limits coterminous with the boundaries of the County as they now or hereafter exist. The Port Authority shall be a body corporate and politic and, except as described below, shall have the powers and jurisdiction now or hereafter given to it by the Act. The exercise of those powers and jurisdiction by the Port Authority are hereby deemed to be essential government functions of the State of Ohio.

**Section 3.** It is necessary that the Port Authority be governed by a five member board of directors (the "Board of Directors") each of whom shall serve for a term of four years, provided that the Board of Directors initially shall be composed of members having terms of office commencing on the effective date of their appointment and expiring as follows: one member shall have a term of office expiring December 31, 2023; one member shall have a term of office expiring December 31, 2024; one member shall have a term of office expiring December 31, 2025; and two members shall each have a term of office expiring December 31, 2026. A majority of the members of the Board of Directors shall be qualified electors of, or shall have their businesses or places of employment in, the County for a period of at least three years next preceding their appointment. All of the members of the Board of Directors shall be appointed by the Board of County Commissioners. Upon the resignation or removal of a member of the Board of Directors, or the expiration of the term of office of a member of the Board of Directors, a new member of the Board of Directors shall be appointed by the Board of County Commissioners. Any person appointed to fill a vacancy on the Board of Directors shall be appointed to only the unexpired term of that vacancy. Any member of the Board of Directors may be eligible for reappointment to the Board of Directors.

**Section 4.** Each member of the Board of Directors shall serve without compensation, but expenses incurred by any member of the Board of Directors may be paid or reimbursed as the Board of Directors may determine. No person appointed to the Board of Directors shall hold any other public office except that of notary public, member of the State militia or member of a reserve component of the United States Armed Forces.

**Section 5.** Any member of the Board of Directors may be removed by the Board of County Commissioners for misfeasance, nonfeasance, or malfeasance in office. No member of the Board of

Directors shall be interested in the profits or emoluments of any contract, job, work or service of the Port Authority. Any member of the Board of Directors who is so interested in such profits or emoluments shall be deemed guilty of malfeasance. Any member of the Board of Directors shall scrupulously follow Ohio's ethics laws and the adopted policy regarding conflicts of interest adopted by the Board of Directors.

**Section 6.** Upon the appointment of the third member to the Board of Directors, the Clerk of the Board of County Commissioners, after consultation with the individuals appointed as directors of the Port Authority at that time, shall establish the place, time, and manner of the organizational meeting of the Board of Directors and shall give notice of the time, place, and manner of the organizational meeting of the Board of Directors in the manner established for giving notice of regular meetings of the Board of County Commissioners. The Clerk shall also give notice, at least twenty-four hours prior to the meeting, of the time, place and purpose of the organizational meeting of the Board of Directors to any news media to which notice of special meetings of the Board of County Commissioners is required to be given, or which have requested notice of such meeting. The Board of Directors at such organizational meeting shall, in accordance with the Act elect one of its members as chairperson and the other as vice-chairperson and shall designate their terms of office, and shall appoint a secretary, who need not be a member of the Board of Directors.

**Section 7.** Subject to compliance with the Act and any applicable provisions of law or contract, the Development Authority may be dissolved or its powers amended at any time by the passage of a resolution by the Board of County Commissioners.

**Section 8.** The Board of County Commissioners finds and determines that all formal actions of the Board of County Commissioners concerning and relating to the passage of this resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of the Board of County Commissioners and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code.

**Section 9.** This resolution shall take effect immediately upon its adoption, provided that the Port Authority shall exist from and after the date of the organizational meeting of the Board of Directors referred to in Section 6.

Mr. Abraham seconded the motion and, after discussion, a roll call vote was taken and the results were:

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

**IN THE MATTER OF  
APPROVAL OF THE APPOINTMENT OF 3 OF 5 MEMBERS TO THE MORROW  
COUNTY DEVELOPMENT AUTHORITY: 22-R-943**

Mr. Siegfried made a motion to appoint the following 3 members to the Morrow County Development Authority:

- Derek Allen with a term ending 12/31/2023
- Angela Powell with a term ending 12/31/2024
- Jamie Brucker with a term ending 12/31/2026

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. Siegfried 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.

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CHAIRMAN

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CLERK

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ASSISTANT CLERK

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MORROW COUNTY COMMISSIONERS