

REGULAR SESSION OCTOBER 31, 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:

County Staff: Mr. Abraham, Mr. Whiston, Jamie Brucker (Director of Operations) Andy Ware (Development Director) Mike Goff (Treasurer) Whitney Padgett (Assistant Clerk)

Absent: Mr. Siegfried

Public in attendance: Chad Swank, Jerry Gradee, Clint Canterbury, Mike Carey and Alissa Carey.

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 OCTOBER 26, 2022: 22-R-851**

Mr. Whiston made a motion to approve the minutes of regular session of October 26, 2022, as recorded in the Commissioners Journal # 50.

Mr. Abraham duly seconded this motion

Roll Call Vote: .., Mr. Whiston..., "yes" ..,Mr. Abraham..., "yes" .., Mr. Siegfried.., "Absent"

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 22-R-852**

Mr. Abraham made a motion to approve payment of bills numbered 1 through 122 submitted by the Morrow County Auditor's office.

Mr. Whiston duly seconded this motion

Roll Call Vote: .., Mr. Whiston..., "yes" ..,Mr. Abraham..., "yes" .., Mr. Siegfried.., "Absent"

**IN THE MATTER OF
PAY-INS: 22-R-853**

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

Receipt Batch #3009 Payments received from Chesterville customers for sewer fund 5159 \$120.00
Payments received from Johnsville customers for sewer fund 5100 \$153.23
Payments received from Ketterman customers for sewer fund 5121 \$106.60

Receipt Batch #3012 Payments received from Somoco customers for sewer fund 5110 \$936.97
Payments received from Chesterville customers for sewer fund 5159 \$348.30
Payments received from Johnsville customers for sewer fund 5100 \$240.00
Payments received from Ketterman customers for sewer fund 5121 \$441.06

Receipt Batch #3014 Payments received from Chesterville customers for sewer fund 5159 \$594.45
Payments received from Johnsville customers for sewer fund 5100 \$120.00

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – DEBT FUND
3178: 22-A-169**

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

3178-3178-560830 Debt Interest \$0.01

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
 DOUGLAS STREET: 22-A-170**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following accounts, to set up appropriations for possible building expenses for 2022:

1000-0114-530323	Facility Repairs/Maintenance	\$15,000.00
1000-0114-530341	Telephone/Cell phones	\$500.00
1000-0114-530350	Utilities	\$3,000.00
1000-0114-540420	Operating Supplies	\$500.00
1000-0114-550740	Equip/computers/furniture	\$1,500.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
 PUBLIC DEFENDER AND JUVENILE HOUSING: 22-A-171**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following accounts, due to unexpected higher expenses for 2022:

1000-0635-530311	Public Defender	\$50,000.00
1000-0635-530321	Juvenile Housing	\$25,000.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – MCAT FUND 2061: 22-A-172**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following accounts, due to unexpected higher expenses for 2022:

2061-0163-520330	Training & Travel	\$300.00
2061-0163-530319	IT Professional Services	\$5,000.00
2061-0163-530354	Heating Oil	\$1,000.00
2061-0164-530364	Tires & Tubes	\$1,600.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – PROSECUTOR’S
 FUND 2448, VICTIM WITNESS VOCA GRANT: 22-A-173**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following accounts, due to unexpected higher expenses for 2022:

2448-4447-510120	Employee Wages	\$47,775.00
2448-4447-510211	OPERS	\$6,800.92
2448-4447-510213	Medicare	\$754.00
2448-4447-510220	Insurance	\$10,000.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – DOG & KENNEL
 FUND 2005: 22-A-174**

At the request of Whitney Padgett, Assistant Clerk, a motion was made by Mr. Abraham to appropriate from the unappropriated certified monies to the following accounts due to end of year shortage for utilities, maintenance and fuel plus vehicle repair invoices needing to be paid.

2005-0105-530325	Vehicle Maintenance & Repair	\$1,250.00
2005-0105-530350	Utilities (Dog Shelter)	\$500.00
2005-0105-530323	Facility Repairs and Maintenance	\$200.00
2005-0105-530365	Fuel	\$780.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
 BUILDINGS: 22-A-175**

At the request of Whitney Padgett, Assistant Clerk, a motion was made by Mr. Abraham to appropriate from the unappropriated certified monies to the following accounts due to unexpected amounts in utilities and office supplies.

1000-0118-530350	Utilities (Courthouse)	\$1,150.00
1000-0117-540401	Office Supplies (Walnut)	\$200.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 TRANSFER OF FUNDS – GENERAL FUND, TREASURER: 22-T-167**

At the request of Michael Goff, Morrow County Treasurer, a motion was made by Mr. Whiston to approve the following transfer of funds:

**Reason – to cover payroll through the end of the year

From 1000-3003-540345 Legal Advertising to 1000-3003-510120 Employee Wages in the amount of \$350.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 TRANSFER OF FUNDS – GENERAL FUND, MUNICIPAL COURT: 22-T-168**

At the request of the Morrow County Municipal Court, a motion was made by Mr. Abraham to approve the following transfer of funds:

**Reason – Contract with Four Seasons Barn to facilitate jury selection

From 1000-8015-530317 Juror Fees to 1000-8015-530321 Leases & Rent in the amount of \$1,675.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 TRANSFER OF FUNDS – PROSECUTOR’S FUND 2448, VICTIM WITNESS VOCA
 GRANT: 22-T-169**

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

****Reason – To complete payroll**

From 2448-4447-510220 Health Insurance Employee Fund to 2448-4447-510120 Employee Wages in the amount of \$210.00

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
TRANSFER OF FUNDS – MCAT FUND 2062: 22-T-170**

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 refund**

From 2062-0036-530366 Other Expenses to 2062-0036-590941 Misc Reimbursements in the amount of \$984.67

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
TRANSFER OF FUNDS – BOARD OF DD FUND 2010: 22-T-171**

At the request of the Director of Finance & Operations, Collin Sanders a motion was made by Mr. Abraham to approve the following transfer of funds:

****Reason – For the payments of concrete sidewalk work for access of doors.**

From 2010-0500-530400 Grant Match to 2010-0500-550700 Capital Improvement in the amount of \$7,000.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
TRANSFER OF FUNDS – ENGINEER’S FUND 2202: 22-T-172**

At the request of the Toni Ridge, Administrative Secretary, a motion was made by Mr. Whiston to approve the following transfer of funds:

****Reason – Additional funds are needed for utilities.**

From 2202-2002-540422 Uniforms to 2202-2002-530350 Utilities in the amount of \$2,000.00

****Reason – Additional funds for end of year salary**

From 2202-2002-510121 Salary-Tax Map to 2202-2002-510120 Salary-Admin Support in the amount of \$1,100.00

From 2202-2002-510120 Salary-Tax Map to 2202-2002-510127 Salary-Administration in the amount of \$8,200.00

From 2202-2002-510120 Salary-Tax Map to 2202-2002-510213 Medicare in the amount of \$2,000.00

From 2202-2002-510120 Salary-Tax Map to 2202-2002-510125 Salary-Mechanics in the amount of \$19,000.00

From 2202-2002-510120 Salary-Tax Map to 2202-2002-510211 PERS in the amount of \$12,900.00

From 2202-2002-510230 Workers Compensation to 2202-2002-510211 PERS in the amount of \$1,300.00

From 2202-2002-510230 Workers Compensation to 2202-2002-510220 Health Insurance in the amount of \$6,500.00

Mr. Abraham duly seconded this motion.

Roll Call Vote: .., Mr. Whiston..., "yes" ..,Mr. Abraham..., "yes" .., Mr. Siegfried., "Absent"

IN THE MATTER OF APPROVAL OF PROPOSAL BETWEEN MORROW COUNTY COMMISSIONERS AND LAWHON & ASSOCIATES, INC. FOR CULTURAL RESOURCES SURVEY AND WETLAND DELINEATION FOR SOMOCO WWTP AND APPROVAL FOR VICE-CHAIRMAN TO SIGN: 22-R-854

WHEREAS, on October 26, 2022, the Morrow County Commissioners approve the quote from Lawhon & Associates to provide Cultural Resources Investigation and Wetland Delineation work for the SoMoCo WWTP & Outfall sewer project in the amount of \$12,000.00; and

THEREFORE, Mr. Abraham made a motion to approve the following:

Proposal to Provide a Phase I Cultural Resources Survey and Wetland Delineation for the Proposed SoMoCo WWTP Improvement Project in Peru Township, Morrow County, Ohio Technical Proposal

TASK 1: PHASE I CULTURAL RESOURCES SURVEY

The project consists of a proposed WWTP Plant upgrade, including a new tertiary treatment building and approximately 6,000 feet of force main. The footprint of the proposed project and any work areas or staging areas be subjected to an archaeological survey. The Phase 1 survey will meet the guidelines established in Archaeology Guidelines (OHPO 1994) and generally follow the recommended format and design. A literature review will be conducted at the State Historic Preservation Office (SHPO) and through various online resources. This review will include, but is not limited to, the Ohio Archaeological Inventory, Ohio Historic Inventory, Determinations of Eligibility, National Register of Historic Places files, SHPO Cultural Resource Management Reports, and various pertinent historic atlases and other cartographic resources. It is anticipated that subsurface shovel testing and visual inspection will be utilized as field methods to survey the project.

TASK 2: WETLAND DELINEATION AND ECOLOGICAL STUDY

The purpose of the wetland delineation and ecological study will be to identify potentially jurisdictional waters (i.e. wetlands, streams, ponds, lakes, and reservoirs) and the presence of any federal and state listed species, or their suitable habitat (i.e. potential roost trees), within the study are for the proposed water transmission main.

Estimate Fees

L&A proposes to perform the tasks as outlined in this proposal for the fixed lump sum fee of Twelve Thousand Dollars (\$12,000.00).

Project Schedule

Task 1	Field work – 2 days	Report Submittal – 45 days from completion of field work
Task 2	Field work – 1 day	Report Submittal – 45 days from completion of field work

Lawhon & Associates, Inc.
s/ Jason M. Earley, PWS
s/ Karrie A. Bontrager, LEED AP

Morrow County Commissioners
s/ Tim D. Abraham, Vice Chairman

**A complete copy of this proposal will be on file with the Morrow County Commissioner’s office

Mr. Whiston duly seconded this motion.

Roll Call Vote: .., Mr. Whiston..., "yes" ..,Mr. Abraham..., "yes" .., Mr. Siegfried., "Absent"

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 22-R-855**

Mr. Abraham made a motion to recess session at 9:11 a.m.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RETURN TO REGULAR SESSION: 22-R-856**

Mr. Abraham made a motion to return to regular session at 3:07 p.m.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF QUOTE TO PURCHASE 72” ZERO TURN MOWER FOR MORROW
COUNTY MAINTENANCE: 22-R-857**

WHEREAS, Mark Mathews, Maintenance Supervisor received the following quotes to purchase a 72” Zero Turn mower:

Miller Lawn & Power:		
Exmark Lazer X-Series 31HP KAW		\$14,799.00
Exmark Lazer X-Series 37HP EFI Vanguard		\$15,199.00
Exmark Lazer X-Series 38 HP EFI Kohler		\$15,999.00
John Deere:		
SCAG 38HP		\$14,772.00
John Deere Z950M		\$12,360.69
Hustler Super Z 35 HP		\$13,420.00
Holmes Rental & Sales Inc.:		
Toro 4000 Z-Master 35 HP KAW		\$12,040.62
Toro Z Master 31 HP KAW		\$15,803.04
Toro Z Master 6000 31 HP KAW		\$15,385.48

WHEREAS, the recommendation of Mark Mathews is to purchase the Toro Z Master 31 HP KAW from Holmes Rental & Sales Inc. in the amount of \$15,803.04 due to the fact the mower is in stock compared to others would be months out on delivery and the machine had the best warranty.

THEREFORE, Mr. Whiston made a motion to approve the quote from Holmes Rental & Sales Inc. for the Toro Z Master 31 HP KAW in the amount of \$15,803.04 based on lowest and best bid.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – CAPITAL FUND 4111,
EQUIPMENT: 22-A-176**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following account for the purchase of a lawn mower for maintenance:

4111-0118-550740	Capital – Equipment, computers, furniture	\$15,803.04
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Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
COUNTY ROAD 11 MITIGATION PROJECT: 22-R-858**

WHEREAS, this date, October 31, 2022, Commissioner Whiston moved for the adoption of the following Resolution:

WHEREAS, the Morrow County Engineer has identified a potential mitigation project that would be beneficial to Morrow County located along County Road 11, which includes Permanent Parcel Nos. C07-001-00-094-00 and C07-001-00-094-02.

WHEREAS, the purchase of Permanent Parcel Nos. C07-001-000-094-00 and C07-001-00-094-02 will fulfill federally funded Olentangy Watershed Permit requirements in regard to the Morrow County Engineer's County Road 11 and County Road 146 bridge replacement projects, and possibly future projects.

WHEREAS, the current owner of the above property, Carol I. Ebert, and the Morrow County Engineer have negotiated a purchase price of a cash payment of \$7,000 per acre (\$69,426) and an acknowledgement of a land donation from Carol Ebert in the amount of \$2,000 per acre (\$19,836) for a total compensation of \$89,262 for said property.

WHEREAS, the Morrow County Engineer's recommendation is for Morrow County to purchase said property and gift, assign, or otherwise devise the property to the Morrow County Park District to manage, with the Morrow County Engineer's necessary assistance, in compliance with the Ohio EPA's mitigation project requirements.

WHEREAS, the Morrow County Engineer's Office will provide the funds for the purchase and any recording fees.

WHEREAS, the Morrow County Commissioners agree with the Morrow County Engineer's recommendation.

NOW THEREFORE, it is hereby resolved that:

1. The Morrow County Commissioners, on behalf of Morrow County, shall make an offer to purchase parcel numbers C07-001-00-094-00 and C07-001-00-094-02 from Carol I. Ebert for the price of \$7,000 per acre (\$69,426) and an acknowledgement of a land donation from Carol Ebert in the amount \$2,000 per acre (\$19,836) for a total compensation of \$89,262, for the purpose of transferring the property to the Morrow County Park District.
2. The Morrow County Park District has agreed to, in cooperation with the Morrow County Engineer, manage the property in compliance with Ohio EPA mitigation project requirements, including any covenants, easements, or memorandums of understanding executed between the Morrow County Engineer, the Morrow County Park District and the Ohio EPA.
3. Once full agreement on all covenants, easements, or memorandums of understanding between the Morrow County Engineer, the Morrow County Park District and the Ohio EPA has been reached, the above referenced property shall be transferred to the Morrow County Park District.
4. Commissioner Siegfried will have authority to sign and execute any and all documents on behalf of the Morrow County Board of Commissioners to facilitate the execution of this Resolution.

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

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Board of County Commissioners concerning a relating to the adoption of this Resolution were adopted in an open meeting of the Board of County Commissioners, and that all deliberations of the Board of County Commissioners and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 31st day of October, 2022

s/Morrow County Board of Commissioners

Attest:

s/Cheryl Heacock, Clerk

Prepared by: s/Thomas J. Smith, Morrow County Prosecuting Attorney

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

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

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

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS