

**REGULAR SESSION AUGUST 16, 2021**

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.

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. Whiston, 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 AUGUST 11, 2021: 21-R-578**

Mr. Abraham made a motion to approve the minutes of regular session of August 11, 2021, as recorded in the Commissioners Journal # 49.

Mr. Siegfried duly seconded this motion

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

**IN THE MATTER OF  
APPROVAL OF BILLS FOR PAYMENT: 21-R-579**

Mr. Whiston made a motion to approve payment of bills numbered 1 through 63 submitted by the Morrow County Auditor's office.

Mr. Abraham duly seconded this motion

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

**IN THE MATTER OF  
PAY-INS: 21-R-580**

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

- Receipt Batch #1983 Payments received from Chesterville customers for sewer fund 5159 \$816.45
- Payments received from Johnsville customers for sewer fund 5100 \$59.00
- Receipt Batch #1986 Payments received from Chesterville customers for sewer fund 5159 \$120.00
- Payments received from Johnsville customers for sewer fund 5100 \$175.00
- Payments received from Ketterman customers for sewer fund 5121 \$111.68
- Payments received from Somoco customers for sewer fund 5110 \$50.00
- Pay-in# 212254 Payment received from Job and Family Services for cost allocation 1000-1020-420212 in the amount of \$12,339.50
- Receipt Batch #1991 Payments received from Chesterville customers for sewer fund 5159 \$60.00
- Pay-in# 212268 Payment received from Morrow County Services for Older Citizens for September insurance premium 7222-7777-740100 in the amount of \$1,743.75

**IN THE MATTER OF  
TRANSFER OF FUNDS – ENGINEER’S FUND 2202: 21-T-063**

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

\*\*Reason – additional fund are needed to pay for finishing of dust control.

From 2202-2202-540448 Salt to 2202-2202-540449 Dust Control in the amount of \$1,594.62.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
TRANSFER OF FUNDS – GENERAL FUND 1000: 21-T-064**

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

\*\* Reason – transfer appropriation to pay for municipal court preventative maintenance inspection on X-Ray machine.

From 1000-0118-530323 Courthouse Maintenance to 1000-0118-530310 Professional Services in the amount of \$700.00.

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO ADVERTISE NOTICE FOR PUBLIC HEARING CONCERNING MORROW  
COUNTY ZONING RESOLUTION TEXT AMENDMENT: 21-R-581**

**WHEREAS**, the Morrow County Zoning Commission held a public hearing on August 9, 2021 and voted unanimously to approve language for Solar Energy Regulations to be added to the Morrow County Zoning Resolution; and

**WHEREAS**, the Morrow County Regional Planning Commission has also reviewed the proposed Solar Energy Systems Zoning language and made a motion to recommend approval of the proposed language as written;

**WHEREAS**, the proposed amendments were forwarded to the Morrow County Commissioners on August 11, 2021;

**WHEREAS**, the proposed amendments are available for viewing at the Morrow County Commissioner’s office, Monday through Friday, 7:30 a.m. – 4:00 p.m.

**THEREFORE**, Mr. Whiston made a motion to hold a public hearing on September 8, 2021 at 9:30 a.m. in the Morrow County Commissioners’ Hearing Room, 80 N. Walnut Street, Mt. Gilead, Ohio 43338 as required by law, and to advertise a public notice on the Morrow County website and the Morrow County Sentinel on August 25, 2021.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
MEMORANDUM OF UNDERSTANDING BETWEEN MORROW COUNTY COURT OF  
COMMON PLEAS AND MORROW COUNTY SHERIFF’S OFFICE AND MORROW  
COUNTY BOARD OF COMMISSIONERS AND APPROVAL FOR CHAIRMAN TO SIGN:  
21-R-582**

Mr. Abraham made a motion to approve the following Memorandum of Understanding and approval for Chairman Thomas E. Whiston to sign.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
MORROW COUNTY COURT OF COMMON PLEAS  
AND  
MORROW COUNTY SHERIFF’S OFFICE  
AND  
MORROW COUNTY BOARD OF COMMISSINERS**

The Morrow County Court of Common Pleas, the Morrow County Sheriff’s Office, and the Morrow County Board of Commissioners have developed this Memorandum of Understanding to enhance collaboration and to create a mutual understanding of the procedures and expectations of each party regarding Targeted Community Alternatives (T-CAP) funding and treatment and programming at the Morrow County Correctional Facility.

- 
- 
- A. Morrow County Court of Common Pleas Responsibilities
- a. Refer, either through Court Order or sanctioning by Probation Services, defendants and probationers to participate in treatment and/or programming at the Correctional Facility. Programming can include, but is not limited to, substance abuse counseling, mental health counseling, cognitive behavioral therapy, etc. Such treatment and/or programming shall be conducted by a licensed treatment provider that is recognized and credentialed through the Delaware-Morrow Mental Health and Recovery Services Board.
  - b. Provide payment towards operational supplies, non-lethal equipment, and transportation vehicle/equipment, including but not limited to, Utility Terrain Vehicle(s), MARCS Radios, vests, tasers, etc., from T-CAP funding, to the Morrow County Sheriff's Office in the amounts of \$37,500 for Fiscal Year 2022 and \$37,500 for Fiscal Year 2023. Said payment may be made in any of the following manners: monthly, quarterly, or annually. Payments shall be made as long as T-CAP funding is being received by the Court; should T-CAP funding stop, or be modified, this arrangement shall be re-evaluated with the potential to be ended.
- B. Morrow County Sheriff's Office Responsibilities
- a. Provide classroom-like setting whereby treatment and/or daily programming can take place.
  - b. Provide staffing responsible for the transporting from housing section(s) (e.g., pods, dorms, etc.) to the treatment/programming site, and from the treatment/programming site back to the housing section(s). Working in conjunction with the treatment provider(s), and staff shall be responsible for the distribution, tracking, and collection of any necessary treatment/programming-related documentation (e.g., daily attendance reports, progress reports, etc.). Documentation shall be provided to the Court on a weekly basis.
  - c. Working in conjunction with the treatment provider(s) and the Court, serving as a liaison and communicating with the participants in addressing questions/concerns.
- C. Morrow County Board of Commissioners Responsibilities
- a. Continue to provide the Morrow County Sheriff's Office adequate facilities to conduct treatment and/or programming.
- D. Shared Responsibilities
- a. The Morrow County Court of Common Pleas, the Morrow County Sheriff's Office, and the Morrow County Board of Commissioners agree to confidentiality and privacy provisions of Title 42 Part 2 of the Code of Federal Regulations and any other applicable State laws regarding the confidentiality of alcohol and drug abuse client records.
- E. Terms of Agreement
- a. This agreement is in effect July 1, 2021 through June 30, 2023 and is subject to modification upon consent by all parties after thirty (30) days' notice. Please note one exception to the thirty (30) day notification stipulation: Payments shall be made as long as T-CAP funding is being received by the Court; should T-CAP funding cease, or be modified, this arrangement shall be immediately re-evaluated with the potential to end. Should this occur, the court will, within seventy-two (72) hours of being notified by the funding source, provide written notice to all parties that such funding has ceased, and the agreement has ended.

s/Robert C. Hickson Jr., Administrative Judge, Morrow County Court of Common Pleas

s/John L. Hinton, Sheriff

s/Thomas E. Whiston, Chairman, Morrow County Board of Commissioners

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL OF OHIO DEPARTMENT OF REHABILITATION AND CORRECTION  
SUBSIDY GRANT AGREEMENT FOR TARGETED COMMUNITY ALTERNATIVES TO  
PRISON: 21-R-583**

Mr. Abraham made a motion to approve the Ohio Department of Rehabilitation and Correction Subsidy Grant Agreement for Targeted Community Alternatives to Prison.

**OHIO DEPARTMENT OF REHABILITATION AND CORRECTION  
SUBSIDY GRANT AGREEMENT FOR – Targeted  
Community Alternatives to Prison**

THIS SUBSIDY GRANT AGREEMENT FOR TARGETED COMMUNITY ALTERNATIVES TO PRISON (hereinafter referred to as “Agreement”), pursuant to authority in Sections 2929.34 and 5149.38 of the Ohio Revised Code (hereinafter referred to as RC), is made and entered into by and between the Ohio Department of Rehabilitation and Correction, Division of Parole and Community Services, Bureau of Community Sanctions, (hereinafter referred to as “Grantor”), located at 4545 Fisher Road Suite D, Columbus, Ohio and Morrow County (hereinafter referred to as “Grantee”), located at 48 E. High Street, Mt. Gilead, Ohio. The Grantor and the Grantee are hereinafter collectively referred to as the “Parties” and separately known as the “Party”.

**WHEREAS**, the Grantee has submitted a grant application to the Grantor; and

**WHEREAS**, the Grantor is authorized, pursuant to RC 2929.34 and 5149.38 to determine and award grant funds to assist local governments under the Targeting Community Alternatives to Prison (hereinafter referred to as T-CAP) program, that is designed to reduce or divert the number of persons committed to state penal institutions and/or detained in and/or committed to local corrections agencies.

**WHEREAS**, the purpose of this grant is to provide funds to Ohio counties to effectively supervise, treat and hold accountable low-level, non-violent offenders, and at the same time safely reduce Ohio’s prison population. The grantor reserves the right to amend the T-CAP grant program should a sufficient reduction in the prison population not be realized.

**NOW, THEREFORE**, in consideration of the mutual promises, covenants, and agreements set forth herein, the Parties hereto agree as follows:

**1. Target Population:** The Parties agree that during the term of this agreement no individual sentenced to a fourth or fifth degree felony shall serve a prison term in an institution under the control of the department of rehabilitation and correction (hereinafter referred to as “DRC”) unless the individual meets the disqualifying criteria set forth below. As outlined in 2929.34 (B)(3)(c), fifth degree felony offenders are prohibited from serving a prison sentence in an Ohio prison on or after July 1, 2018, and fourth degree felony offenders are prohibited from serving a prison sentence in an Ohio prison on or after September 1, 2022. This does not apply to any person to whom any of the following disqualifying criteria apply:

- A. The felony of the fourth or fifth degree is an offense of violence, as defined in section 2901.01 of the Revised Code, a sex offense under Chapter 2907 of the Revised Code, a violation of section 2925.03 of the Revised Code, or any offense for which a mandatory prison term is required.
- B. The person previously has been convicted of or pleaded guilty to any offense or violence, as defined in section 2901.01 of the Revised Code.
- C. The person previously has been convicted of or pleaded guilty to any felony sex offense under Chapter 2907 of the Revised Code.
- D. The person’s sentence is required to be served concurrently to any other sentence imposed upon the person for a felony that is required to be served in an institution under the control of the DRC.

**2. Funds:** The Grantor awards to the Grantee a total amount up to **Two Hundred Seventy Two Thousand Four Hundred dollars (\$272,400.00)** (hereinafter referred to as “Funds”), to be paid in **eight** installments. The Grantor will make payments of Funds by electronic fund transfer to the Grantee’s designee. Such payments will be made during the first month of each quarter of the Grantor’s fiscal year until the Funds have been expended. The payments will be made in the following manner:

- Four payments totaling up to \$136,200.00 during Fiscal Year 2022

- Four payments totaling up to \$136,200.00 during Fiscal Year 2023

**3. Term:** This Agreement is effective as of the signature date of this document. The Grantor’s financial obligation to the Grantee will end on June 30, 2023. Due to the Grantee’s ability to use the funds and its requirements to continue to report on the spending of the funds, the grant term will end on June 30, 2024.

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

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
 APPROVAL OF OHIO DEPARTMENT OF REHABILITATION AND CORRECTION  
 SUBSIDY GRANT AGREEMENT FOR JUSTICE REINVESTMENT AND INCENTIVE  
 FUNDING: 21-R-584**

Mr. Siegfried made a motion to approve the Ohio Department of Rehabilitation and Correction Subsidy Grant Agreement for Justice Reinvestment and Incentive Funding.

**OHIO DEPARTMENT OF REHABILITATION AND CORRECTION  
 SUBSIDY GRANT AGREEMENT FOR  
 JUSTICE REINVESTMENT AND INCENTIVE FUNDING**

THIS SUBSIDY GRANT AGREEMENT FOR JUSTICE REINVESTMENT AND INCENTIVE FUNDING (hereinafter referred to as “Agreement”), is made and entered into by and between the Ohio Department of Rehabilitation and Correction, Division of Parole and Community Services, Bureau of Community Sanctions, (hereinafter referred to as “Grantor”), located at 4545 Fisher Road Suite D, Columbus, Ohio and Morrow County Court of Common Pleas Adult Probation Department (hereinafter referred to as “Grantee”), located at 48 E. High Street, Mt. Gilead, Ohio. The Grantor and the Grantee are hereinafter collectively referred to as the “Parties” and separately known as the “Party”.

**WHEREAS**, the Grantee has made an application to the Grantor for monies made available for through Justice Reinvestment and Incentive Grant Application (hereinafter referred to as “JRIG Application”), for the use of these funds;

**WHEREAS**, the Grantor has authority pursuant to section 5149.30 *et seq.* of the Ohio Revised Code (“ORC”), to determine and award grants to assist local governments in community-based law enforcement services; and

**WHEREAS**, the purpose of this grant is to provide funds to common pleas, municipal, and county court probation department and community-based correctional facilities to adopt policies and practices based on the latest research on how to reduce the number of offenders on probation supervision who violate the conditions of their supervision.

**NOW, THEREFORE**, in consideration of the mutual promises, covenants, and agreements set forth herein, the Parties hereto agree as follows:

**1. Funds:** The Grantor awards to the Grantee the sum of \$76,688.00 (hereinafter referred to as “Grant Funds”), to be paid in quarterly installments for the period beginning with the effective date of this agreement and ending June 30, 2023 subject to the terms and conditions of this agreement, unless extended or renewed by written agreement of both parties or otherwise a provided herein. Total Grant Funds expenditure for the grant period (July 1, 2021 to June 30, 2023) will not in any case exceed \$76,688.00. The installments shall be paid in the following manner:

- (a) FY 22 – Four payments of \$9,586.00 totaling \$38,344.00
- (b) FY 23 – Four payments of \$9,586.00 totaling \$38,344.00

Payments of Grant funds will be made by the Grantor by way of Electronic Fund Transfer to the designated public entity. Such payments will be made during the first month of each quarter of the Grantor’s fiscal year. This process will continue until the total Grant Funds are expended not to extend beyond June 30, 2023.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers, as of the day and year first written above.

**FOR THE GRANTOR:**

s/Christopher Galli, Chief  
Bureau of Community Sanctions

s/Cynthia Mausser, Managing Director  
Division of Parole & Community Services

**FOR THE GRANTEE:**

It is hereby certified that the authority below has properly agreed to the terms of this agreement and has designated the undersigned to sign on behalf of the authority.

s/Tom E. Whiston, Commissioner

s/Tim D. Abraham, Commissioner

s/Timothy R. Siegfried, Commissioner

s/County Executive

s/Mayor/City Manager

\*\* A complete copy of this agreement will be on file with the Morrow County Commissioner's office

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RECESS SESSION: 21-R-585**

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

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RETURN TO REGULAR SESSION: 21-R-586**

Mr. Whiston made a motion to return to regular session at 12:03 p.m.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
APPROVING THE MORROW COUNTY JOB AND FAMILY SERVICES  
COMPENSATION PLAN STRUCTURE AND ADMINISTRATION  
AMENDMENTS: 21-R-587**

**WHEREAS**, the Morrow County Job & Family Services have made amendments to the compensation plan structure and administration for the Agency; and

**WHEREAS**, two steps have been removed from the beginning of each pay range of the salary schedule and two 4% steps have been added to the end of each pay range of the salary schedule, effective August 15, 2021; and

**WHEREAS**, the Administrative Assistant position be moved from Pay Range 7 to Pay Range 8, effective August 15, 2021; and

**WHEREAS**, the Accountant and Fiscal Specialist positions be moved from Pay Range 6 to Pay Range 8, effective August 15, 2021; and

**NOW THEREFORE, BE IT RESOLVED**, Mr. Siegfried made a motion that the County Board of Commissioners, having reviewed said plan, now desires to approve the amendments of the compensation plan structure and administration.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RECESS SESSION: 21-R-588**

Mr. Whiston made a motion to recess session at 12:03 p.m.

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RETURN TO REGULAR SESSION: 21-R-589**

Mr. Whiston made a motion to return to regular session at 2:38 p.m.

Mr. Siegfried duly seconded this motion.

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

We hereby certify the foregoing to be true and correct.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_

\_\_\_\_\_  
CLERK

\_\_\_\_\_

\_\_\_\_\_  
ASSISTANT CLERK

\_\_\_\_\_  
MORROW COUNTY COMMISSIONERS