

REGULAR SESSION NOVEMBER 30, 2020

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. Davis and Mr. Whiston.

Absent: Mr. Castle

Public in attendance: Tim Abraham

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Davis, 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 25, 2020: 20-R-874**

Mr. Davis made a motion to approve the minutes of regular session of November 25, 2020, as recorded in the Commissioners Journal # 49.

Mr. Whiston duly seconded this motion

Roll Call Vote: ...,Mr. Whiston..., "yea" ...,Mr. Davis..., "yea" .., Mr. Castle.., "absent"

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 20-R-875**

Mr. Whiston made a motion to approve payment of bills numbered 1 through 9 submitted by the Morrow County Auditor's office.

Mr. Davis duly seconded this motion

Roll Call Vote: ...,Mr. Whiston..., "yea" ...,Mr. Davis..., "yea" .., Mr. Castle.., "absent"

**IN THE MATTER OF
PAY-INS: 20-R-876**

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

Pay-in# 203400 Payment from Morrow County Services for Older Citizens for insurance premium – Dec/Jan 7222-7777-740100 \$1,581.37

**IN THE MATTER OF
APPROVAL OF PAY REQUEST# 2 (FINAL) FOR PROJECT MRW-CR23-6.71,
CRAWFORD CONSTRUCTION COMPANY AND APPROVAL FOR VICE
CHAIRMAN TO SIGN: 20-R-877**

Mr. Whiston made a motion to approve Pay Request# 2 (Final) for project MRW-CR23-6.71 to Crawford Construction Company as presented and approval for Vice Chairman Warren Davis to sign.

PAY REQUEST

Project: MRW-CR23-6.71, PID 11024

Estimate No. 2 (Final)

Date: November 24, 2020

**Owner Address: Morrow County Commissioners
80 North Walnut Street
Mount Gilead, OH 43338**

**Contractor Address: Crawford Construction Company
782 Charles Street, PO Box 148
Galion, OH 44833**

**Engineer Address: Morrow County Engineer
50 East High Street
Mount Gilead, OH 43338**

Original Contract: \$217,940.00
Change orders to date \$51,518.00
Total Contract Amount \$269,521.00

Amount Completed to date \$269,521.00
Less Previous Payments (\$208,478.75)
Total amount due this request \$61,042.25

s/Contractor

s/Bart Dennison, Engineer

s/Warren E. Davis, Commissioner

Mr. Davis duly seconded this motion.

Roll Call Vote: ...,Mr. Whiston..., “yea” ...,Mr. Davis..., “yea” .., Mr. Castle..., “absent”

**IN THE MATTER OF
 APPROVAL OF ADDENDUM TO LEASE, OSU EXTENSION MORROW COUNTY: 20-R-878**

Mr. Davis made a motion to approve the following addendum to lease for OSU Extension Morrow County as presented and approved by the Morrow County Prosecutor:

ADDENDUM TO LEASE

THIS ADENDUM TO LEASE (as the same may be amended, restated or otherwise modified, the “Addendum”) is made this 30th day of November 2020, **Ag Credit ACA** having a business address at 610 W. Lytle Street, Fostoria, Ohio 44830 (the “Landlord”) and **OSU Extension Morrow County having a business address at 5362 St. Rt. 42 Mt. Gilead, Ohio 43338, suite 101**, (the “Tenant”).

WHEREAS, the Landlord and Tenant are parties to a certain Lease dated November 23, 2015, the “Lease”; and

WHEREAS, the parties desire to amend the Lease to modify the term and rent, as set forth in the lease, all as set forth below; and

NOW, THEREFORE, it is mutually agreed between the parties hereto that:

1. Term. Paragraph 2 of the Lease is amended and replaced with the following:
 “The term of this Lease (the “Lease Term”) will be for a period of five (5) years. The Term will commence at 8:00 a.m. on or about January 1, 2021 and will terminate at 5:00 p.m. on December 31, 2025.”
2. Rent. Paragraph 4 of the Leaser is amended and replaced with the following:
 “(a) **Base Rent.** Tenant will during the term of this Lease, pay to Landlord base rent (the “Base Rent”) in accordance with the following schedule:

Year’s 1 – 5 \$26,576.00/annum
 Payable \$2,214.67/month or \$6,644.00/quarterly

Payments of Base Rent will be made in advance, without notice being sent to Tenant or demand being made by Landlord, on the first day of each month or quarter; if only a part of a calendar month (or quarter, if Base Rent is paid quarterly in advance) falls within the Lease Term, a per diem adjustment in Base Rent will be made with respect to such month (or quarter).

- (b) **Renewal Option.** Landlord and Tenant will have the option of extending the lease at agreed upon terms and conditions subject to market conditions at the time of the lease expiration.”

2. Amendment. This Addendum is intended only to modify and/or supplement those terms of the Lease specifically as set forth herein. Each and every other term of the Lease not

specifically modified, amended or supplemented herein, shall remain in full force and effect as set forth in the Lease. Except to the extent specifically modified, supplemented or amended hereby, the terms and provisions of the Lease are hereby ratified and confirmed.

- 3. **Severability.** If any provision of this Addendum is held invalid under any applicable law, such invalidity shall not affect any other provision of this Addendum that can be given effect without the invalid provision and to, this end, the provisions hereof are severable.
- 4. **Entire Agreement:** This Addendum and the Lease shall constitute the entire agreement between the Tenant and the Landlord, and may not be altered or amended unless signed in writing by both the Landlord and the Tenant.

THIS AGREEMENT AND THE LEASE REPRESENT THE FINAL AGREEMENT BETWEEN THE PARTIES AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR CONTEMPORANEOUS OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NOT UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES.

IN WITNESS WHEREOF, the Tenant and the Landlord have executed this Agreement on the date set forth above.

s/Landlord: Ag Credit, ACA

s/Tenant: OSU Extension Morrow County – by Morrow County Commissioners

Mr. Whiston duly seconded this motion.

Roll Call Vote: ...,Mr. Whiston..., “yea” ...,Mr. Davis..., “yea” .., Mr. Castle.., “absent”

IN THE MATTER OF APPROVAL TO RECESS SESSION: 20-R-879

Mr. Whiston made a motion to recess session at 9:08 a.m.

Mr. Davis duly seconded this motion.

Roll Call Vote: ...,Mr. Whiston..., “yea” ...,Mr. Davis..., “yea” .., Mr. Castle.., “absent”

IN THE MATTER OF APPROVAL TO RETURN TO REGULAR SESSION: 20-R-880

Mr. Davis made a motion to return to regular session at 11:30 a.m.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ...,Mr. Whiston..., “yea” ...,Mr. Davis..., “yea” .., Mr. Castle.., “absent”

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

Roll Call Vote: ...,Mr. Whiston..., “yea” ...,Mr. Davis..., “yea” .., Mr. Castle.., “absent”

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS

