

REGULAR SESSION JANUARY 27, 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. Siegfried and Mr. Whiston.

Public in attendance: Pat Davies (Auditor)

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 JANUARY 25, 2021: 21-R-066**

Mr. Siegfried made a motion to approve the minutes of regular session of January 25, 2021, as recorded in the Commissioners Journal # 49.

Mr. Abraham 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-067**

Mr. Whiston made a motion to approve payment of bills numbered 1 through 80 submitted by the Morrow County Auditor's office.

Mr. Siegfried duly seconded this motion

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

**IN THE MATTER OF
PAY-INS: 21-R-068**

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

- Pay-in #210246 Payment received from Johnsville customers for sewer fund 5100 \$118.00
- Pay-in #210247 Payment received from Johnsville customers for sewer fund 5100 \$59.00
- Pay-in #210248 Payment received from Chesterville customers for sewer fund 5159 \$641.83
- Pay-in #210249 Payment received from Chesterville customers for sewer fund 5159 \$120.00
- Pay-in #210250 Payment received from Somoco customers for sewer fund 5110 \$515.18
- Pay-in #210251 Payment received from Morrow County Firefighters for 2021 Accu Globe fees 2728-1020-430302 \$3,620.00
- Pay-in #210252 Payment received from Village of Cardington and Lincoln Township for 2021 EMA services 2012-1050-450525 \$2,889.00
- Pay-in #210267 Payment received from Ketterman customers for sewer fund 5121 \$614.24
- Pay-in #210268 Payment received from Johnsville customers for sewer fund 5100 \$590.00
- Pay-in #210269 Payment received from Chesterville customers for sewer fund 5159 \$1,481.23
- Pay-in #210270 Payment received from Somoco customers for sewer fund 5110 \$1,528.01

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – JOB AND FAMILY
SERVICES FUND 2152 WIOA: 21-A-016**

At the request of Sundie Brown, Director, a motion was made by Mr. Siegfried to appropriate from the unappropriated certified monies to the following account:

2152-1105-530340 WIOA Reed Act Communications/Printing/Advertising \$14,200.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
 COMMISSIONERS: 21-A-017**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following account as per ORC 315.12 we must pay the Engineer 1/3 of their office supply expense for 2020, not enough money was budgeted as we based it on last year and this year was more.

1000-0134-540410	Engineer Office Supply fee	\$1,154.55
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Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – GENERAL FUND,
 COMMISSIONERS: 21-A-018**

Mr. Abraham made a motion to appropriate from the unappropriated certified monies to the following account to transfer out (cash) from general fund to recycling for payroll expenses until 1st quarter DKMM money is received:

1000-2006-590910	Transfer Out	\$2,545.66
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Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 TRANFER OF FUNDS (CASH)- GENERAL FUND/RECYCLING: 21-T-006**

Mr. Whiston made a motion to approve the following transfer of funds (cash) from the general fund to recycling fund 2006 to cover payroll expenses with the understanding the money will be transferred back when received.

From 1000-2006-590910 Commissioners Transfer Out to 2006-1090-490931 Recycling Transfer In in the amount of \$2,545.66

Mr. Abraham duly seconded this motion.

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

**IN THE MATTER OF
 RE-ORGANIZATION OF INVESTMENT ADVISORY COMMITTEE: 21-R-069**

WHEREAS, per Ohio Revised Code 135.341, the Morrow County Investment Advisory Committee shall consist of two County Commissioners and the County Treasurer, or all three County Commissioners, County Treasurer and the County Clerk of Courts; and

WHEREAS, the committee shall elect its own chairperson, and committee members shall receive no additional compensation for the performance of their duties as committee members; and

WHEREAS, the committee shall establish written county investment policies and shall meet at least once every three months, to review or revise its policies and to advise the investing authority on the county investments in order to ensure the best and safest return of funds available to the county for deposit or investment. Any member of the county investment advisory committee, upon giving five days’ notice, may call a meeting of the committee. The committee’s policies may establish a limit on the period of time that moneys may be invested in any particular type of investment..

THEREFORE, Mr. Abraham made a motion to appoint Chairman Tom Whiston and Vice-Chairman Timothy Siegfried along with Treasurer Michael Goff, to the Investment Advisory Committee for 2021.

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO JOURNALIZE REPORT FROM THE MORROW COUNTY TREASURER
FOR GAP SHEET AS OF THE CLOSE OF BUSINESS ON DECEMBER 31, 2020: 21-R-070**

Mr. Whiston made a motion to journalize receipt of the Gap sheet 12.31.2020 report from the Morrow County Treasurer, Michael Goff and acknowledged and signed by the Morrow County Auditor, Pat Davies and the Board of County Commissioners as presented:

Receipts/Disbursements balance close of business			
Recon. Items	\$327.83		
Vault	\$3,000.00		
Checking Account	\$2,016,718.33		
Sweep ICS	\$3,625,602.11		
Star Ohio	\$143,379.77		
Star Ohio Plus	\$393,712.86		
CDARS 1	\$511,201.75		
CDARS 2	\$514,472.22		
CDARS 3	\$1,029,575.59		
Wire	\$10,546.30		
Fifth Third	\$13,446,871.64		
Engineer Note	\$408,646.49		
Commissioners	\$208,000.00		
Adjustment	\$0.00		
Point N Pay	\$5,897.52		
Warrant	\$0.00		
Balance	\$22,317,952.41		
Monthly Investments Balance		Interest pd in	
Star Ohio	\$143,379.77	\$16.10	1.4.2021
Fifth Third	\$13,446,871.64	\$33,939.51	1.5.2021 Nov/Dec
Star Ohio Plus	\$393,712.86	\$48.49	1.4.2021
CDARS 1	\$511,201.75	\$43.41	1.5.2021
CDARS 2	\$514,472.22	\$992.64	1.5.2021
CDARS 3	\$1,029,575.59	\$2,029.14	1.5.2021
Balance Engineer Note	\$408,646.49	\$1,232.68	12.04.20
Commissioners Note	\$208,000.00		
Daily Investments Balance			
Rounding	\$0.00		
Checking Account	\$2,016,718.33	Bank Balance	
Vault	\$3,000.00		
Wire Acct	\$10,546.30		
FKNB Sweep ICS	\$3,625,602.11	75.76	1.4.2021
Warrant	\$0.00		
Point N Pay	\$5,897.52		
Reconciling Items	\$327.83		
	\$22,317,952.41	Funds and Banks VIP	

Mr. Siegfried duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF SPECIAL EVENT VENUE-RENTAL AGREEMENT BY AND BETWEEN
FOUR SEASONS BARN, LTD AND MORROW COUNTY COURT OF COMMON PLEAS**

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**AND THE MORROW COUNTY MUNICIPAL COURT AND APPROVAL FOR
COMMISSIONERS CHAIRMAN TO SIGN: 21-R-071**

Mr. Abraham made a motion to approve the special event venue-rental agreement by and between Four Seasons Barn, Ltd and Morrow County Court of Common Pleas and the Morrow County Municipal Court and approval for Commissioners Chairman Tom E. Whiston to sign.

**FOUR SEASONS BARN
3310 Township Road 155, Cardington, OH 43315**

SPECIAL EVENT VENUE-RENTAL AGREEMENT

This agreement made and entered into 1/1/2021 by and between Four Seasons Barn, Ltd and the Morrow County Court of Common and the Morrow County Municipal Court (CLIENT(S)), collectively referred to as the "PARTIES";

WHEREAS. The CLIENT(S) desires to hold Court proceedings on agreed upon schedule (date) and reserving the venue from agreed upon schedule to December 31, 2021 (date) at Four Seasons Barn.

WHEREAS, Four Seasons Barn, Ltd herein referred to as Four Seasons Barn, whose business address 3310 Township Road 155, Cardington, OH 43315, operated on 25 acres. Four Seasons Barn hereby grants the CLIENT(S) a revocable license for the temporary use of the barn and grounds, as set forth herein ("Property") for the purpose of conducting jury trials and/or related Court proceedings ("event").

THEREFORE, in consideration of Four Seasons Barn permitting the use of the PROPERTY, and for other good valuable consideration, the PARTIES hereto agree as follows:

VENUE RENTAL FEES

Rental Fee: **\$275.00/day**

- a) Check is accepted payment method. There is a \$35.00 fee for any bounced checks.
- b) Payments will be made by the 5th of the following month for the month prior dates used.

CANCELLATIONS

- a) Should a trial be scheduled and a reservation request be made by another party on the schedule date(s), Four Seasons Barn shall contact and inform the Court. The Court shall then provide Four Seasons Barn an update on the status of the trial that is scheduled. If a trial is cancelled and Four Seasons Barn turned away other business for that day, the rental fee will still be incurred and paid.
- b) If a trial is cancelled and Four Seasons Barn did not turn away other business for that day, the rental fee will not be charged.

OUTDOOR LOCATION

- a) Property regulations: All additional large items brought on the PROPERTY will need to be approved by Four Seasons Barn.
- b) Children: Children are not permitted on the PROPERTY unsupervised.
- c) Property: Four Seasons Barn is occasionally going to undergo upgrades, renovations, and repairs. Four Seasons Barn cannot guarantee the conditions of the PROPERTY will match those of previous visits by CLIENT(S), though every effort will be made to minimize disruptions. Four Seasons Barn acknowledges that CLIENTS minimum requirements include, but are not limited to, the ability to facilitate social distancing, substantial parking, use of the bridal and groom suites, adequate restroom facilities, electricity, use of mixer and televisions, and other amenities necessary to conduct a trial/Court proceeding, and the absence of construction/renovation/repair noise that would interfere with CLIENTS need for a clear record of its proceedings. If for some reason the PROPERTY is compromised in an unexpected way (e.g. fire, tornado) and is not suitable to host the event, Four Seasons Barn reserves the right to cancel. All money paid by CLIENT and received by Four Seasons Barn will be returned in full.

AMENDMENT

This agreement may be modified or amended if the amendment is made in writing and signed by all parties. The clients, individually and independent of each other, reserve the right to modify this agreement.

APPLICABLE LAW

This agreement shall be governed by the laws of the State of Ohio.

RULES AND REGULATIONS

The following is a list of rules and regulations to be upheld by CLIENT(S), which includes CLIENTS and VENDORS who are involved in planning and execution of a special event on the PROPERTY of Four Seasons Barn.

- a) Food Services: Four Seasons Barn will not prepare or handle food for the event, and there, is not liable for any incidents occurring from improperly handled food. CLIENT(S) agree to abide by all Morrow County Department of Public Health and Safety rules, laws, and regulations regarding food service. If a vendor without the required licensing and insurance provides service or food for the event, the CLIENT(S) further understands they are liable for any foodborne illness, choking, allergic reaction, or similar incident.
- b) Insurance: Any VENDOR of goods and services should maintain General Liability Insurance (any VENDOR serving alcohol shall also maintain Liquor Liability Insurance). Such insurance shall name Four Seasons Barn as additional insured, and a certificate of insurance with an endorsement must be provided sixty (60) days prior to event. A 24-hour Liability policy must be provided by the CLIENTS also naming Four Seasons Barn as additional insured, and a certificate of insurance with an endorsement must be provided prior to the event.
- c) Illegal Substances: Except when brought in as evidence as part of proceedings, hearings, trials, etc., no illegal substances, including but not limited to all illicit drugs and alcohol, shall be present.
- d) Smoking: Ashtrays will be provided and smoking permitted only at the designated locations. No smoking is allowed in any of the buildings including but not limited to the barn.
- e) Pond: No boats, rafts, or vessels of any type are allowed in the pond. No swimming, boating, or wading are allowed in the pond. No objects of any kind are allowed to be placed or tossed into the pond.
- f) Tables/Chairs: Tables and chairs will be provided for up to 300 guests. Banquet tables and cake/dessert table will also be provided.
- g) Clean Up: PROPERTY must be clean of all personal items, rental linens must be placed in designated bags and all trash needs to be placed in appropriate dumpsters or trash cans. Tables and floor cleared of all trash.

TERMINATION OF AGREEMENT

Either of the clients may cancel this rental agreement by providing Four Seasons Barn with a written notice of at least 30 days in advance.

SIGNATURES

Each signature affixed below indicates that the undersigned:

- a) Reads and understands this Rental Agreement
- b) Agrees to abide by this Rental Agreement
- c) Is unaware of any condition that prevents this agreement from being followed

Approved as To Form:

s/Morrow County Prosecuting Attorney

Party Receiving Services:

Client(s), or agent of client(s) who is financially responsible for all of the above.

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

s/Jenifer Burnaugh, Morrow County Municipal Court

s/Tom E. Whiston, Morrow County Board of Commissioners

s/Four Seasons Barn, Inc.

Mr. Siegfried 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-072**

Mr. Siegfried made a motion to recess session at 9:11 a.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-073**

Mr. Whiston made a motion to return to regular session at 10:08 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 ENTER INTO EXECUTIVE SESSION: 21-R-074**

Mr. Whiston made a motion to enter into executive session at 10:09 a.m. per ORC 121.22 (G) (6), details relative to the security arrangements and emergency response protocols for a public body or a public office, confidential in nature.

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-075**

Mr. Whiston made a motion to return to regular session at 10:55 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 RECESS SESSION: 21-R-076**

Mr. Whiston made a motion to recess session at 10:56 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-077**

Mr. Whiston made a motion to return to regular session at 1:57 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. Abraham and duly seconded by Mr. Siegfried.

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