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**REGULAR SESSION AUGUST 15, 2016**

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. Leader, Mr. Whiston and Mr. Miller.

Public in attendance: Warren Davis, Alberta Stojkovic, Morrow County Sentinel and Shane Farnsworth, Economic Development.

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Miller, 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 10, 2016: 16-R-515**

Mr. Leader made a motion to approve the minutes of regular session of August 10, 2016, as recorded in the Commissioners Journal # 46.

Mr. Whiston duly seconded this motion

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller.., "yea"

**IN THE MATTER OF  
PAY-INS: 16-R-516**

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

Pay-in # 3534 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$42.00

Pay-in # 3535 Chesterville sewer maintenance and operations portion 159-159-40100 \$108.00

Pay-in # 3536 Chesterville sewer debt retirement portion 159-159-50100 \$138.00

Pay-in # 3537 Chesterville sewer asset management portion 159-159-50200 \$12.00

Pay-in # 3538 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$14.00

Pay-in # 3539 Johnsville sewer maintenance and operations portion 100-101-40100 \$60.00

Pay-in # 3540 Johnsville sewer debt retirement portion 100-101-50100 \$40.00

Pay-in # 3541 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$54.16

Pay-in # 3542 Ketterman – City of Galion portion 121-121-40300 \$169.20

Pay-in # 3549 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$50.40

Pay-in # 3550 Chesterville sewer maintenance and operations portion 159-159-40100 \$129.60

Pay-in # 3551 Chesterville sewer debt retirement portion 159-159-50100 \$165.60

Pay-in # 3552 Chesterville sewer asset management portion 159-159-50200 \$14.40

Pay-in # 3553 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$27.08

Pay-in # 3554 Ketterman – City of Galion portion 121-121-40300 \$84.60

Pay-in # 3555 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$28.00

Pay-in # 3556 Johnsville sewer maintenance and operations portion 100-101-40100 \$120.00

Pay-in # 3557 Johnsville sewer debt retirement portion 100-101-50100 \$80.00

Pay-in # 3571 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$7.00

Pay-in # 3572 Johnsville sewer maintenance and operations portion 100-101-40100 \$30.00

Pay-in # 3573 Johnsville sewer debt retirement portion 100-101-50100 \$20.00

Pay-in # 3575 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$16.80

Pay-in # 3576 Chesterville sewer maintenance and operations portion 159-159-40100 \$43.20

Pay-in # 3577 Chesterville sewer debt retirement portion 159-159-50100 \$55.20

Pay-in # 3578 Chesterville sewer asset management portion 159-159-50200 \$4.80

**IN THE MATTER OF  
RESOLUTION TO APPROVE PAYING ONE-HALF (½) OF THE DOG WARDEN'S  
OPOTA TRAINING AT MARION TECHNICAL COLLEGE: 16-R-517**

**WHEREAS**, Sarina Atwell, Morrow County Dog Warden was accepted as a cadet in the Marion Technical College Peace Officer Basic Training; and

**WHEREAS**, she has accepted a seat in the academy and had requested as to whether the Morrow County Commissioners would be willing to assist her with the tuition costs related to this training; and

**WHEREAS**, the total cost of this training, minus financial aid will be \$3,748.00; and

**WHEREAS**, Sarina has stated she will be responsible for the remainder of the tuition cost and she will make sure all hours of the Dog Shelter are covered during open and after hours during the period of time she is in training.

**THEREFORE**, Mr. Leader made a motion to approve paying one-half (1/2) of the tuition cost (\$1,874.00) to assist Sarina Atwell, Morrow County Dog Warden, in attending the Marion Technical College Peace Officer Basic Training with the requirement that she remain in her position for at least 2 years upon the completion of this training.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF  
APPROVAL OF AMENDED RENTAL LEASE AGREEMENT WITH  
MORROW COUNTY BOARD OF ELECTIONS: 16-R-518**

**WHEREAS**, the Morrow County Board of Commissioners (landlord) and the Morrow County Board of Elections (tenant) have entered into a rental lease agreement for office space at 619 West Marion Road, Mt. Gilead, Ohio 43338; and

**WHEREAS**, the lease agreement is amended each year. The components of allowable rental cost shall be depreciation on a straight-line basis over the expected useful life of the building; maintenance; taxes; insurance and interest on related debt.

**THEREFORE**, Mr. Miller made a motion to approve amending lease agreement with Board of Elections.

**Depreciation:**  $153,333.33 \times .050 = \$7,666.67$  (tenant’s share of annual depreciation)  
 $\$7,666.67/12 = \$638.89$  per month (tenant’s monthly share of depreciation)

**Annual Direct Expenses:**  $\$333,969.71 \times \text{occupancy } .05 = \$6,698.48/12 = \$1,391.54$  per month

**Total Rent Per Month 2016: \$2,030.43                      Annual Total: \$24,365.16**

The amended agreement between the Morrow County Board of Commissioners and the Morrow County Board of Elections will be in effect January 1, 2016 through December 31, 2016.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF  
APPROVAL OF AMENDED RENTAL LEASE AGREEMENT WITH  
MORROW COUNTY BOARD OF HEALTH: 16-R-519**

**WHEREAS**, the Morrow County Board of Commissioners (landlord) and the Morrow County Board of Health (tenant) have entered into a rental lease agreement for office space at 619 West Marion Road, Mt. Gilead, Ohio 43338; and

**WHEREAS**, the lease agreement is amended each year. The components of allowable rental cost shall be depreciation on a straight-line basis over the expected useful life of the building; maintenance; taxes; insurance and interest on related debt.

**THEREFORE**, Mr. Miller made a motion to approve amending lease agreement with Board of Health, as prepared by Tom C. Elkin, Assistant Prosecutor:

**Depreciation:**  $153,333.33 \times .189 = \$28,980.00$  (tenant's share of annual depreciation)  
 $\$28,900.00/12 = \$2,415.00$  per month (tenant's monthly share of depreciation)

**Annual Direct Expenses:**  $\$333,969.71 \times \text{occupancy} .189 = \$63,120.27/12 = \$5,260.02$  per month

**Total Rent Per Month: \$7,675.02**

**Annual Total: \$92,100.24**

The amended agreement between the Morrow County Board of Commissioners and the Morrow County Board of Health will be in effect January 1, 2016 through December 31, 2016.

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller..., "yea"

**IN THE MATTER OF  
 APPROVAL TO SIGN CONTRACT DOCUMENTS WITH CONTRACTOR D L SMITH  
 CONCRETE LLC FOR THE (RE-BID) GILEAD STREET SIDEWALK CDBG PROJECT  
 FOR THE VILLAGE OF CARDINGTON: 16-R-520**

**WHEREAS**, on July 27, 2016, the Morrow County Commissioners approved awarding contract for the Gilead Street Sidewalk CDBG Project – Village of Cardington to D L Smith Concrete; and

**WHEREAS**, contract documents with D L Smith Concrete LLC have been presented for signature; and

**THEREFORE**, Mr. Leader made a motion to approve signing the agreement as presented for D L Smith Concrete LLC for the (Re-Bid) Gilead Street Sidewalk CDBG project for the Village of Cardington as presented.

**AGREEMENT**

This Agreement entered into by and between the Village of Cardington and Morrow County Board of Commissioners, a municipal corporation, located in Morrow County, Ohio, hereinafter referred to at times as "Owner" and D L Smith Concrete LLC hereinafter referred to at all times as "Contractor".

**WITNESSETH**

**WHEREAS**, the Clerk of the Owner, duly authorized by Council of the Village of Cardington and Morrow County Board of Commissioners, Ohio, advertised for bids for the **(Re-Bid) Gilead Street Sidewalk CDBG** in accordance with the plans and specifications for said work, prepared by OHM Advisors / Chad M. Lewis, PE, and on file in the office of the Clerk; and

**WHEREAS**, certain bids were received by the Clerk pursuant to the aforesaid authority of Village of Cardington and Morrow County Board of Commissioners, Ohio, for the aforesaid purpose, and the Owner has determined that the bid by D L Smith Concrete LLC was the lowest and best bid submitted therefore; and

**WHEREAS**, it is the mutual desire of the parties to consummate the improvement pursuant to the plans and specifications prepared by OHM Advisors / David G. Krock, P.E., and on file in the office of the Clerk, the advertisement for bids and/or the proposal, as well as the bid and/or proposal submitted by D L Smith Concrete LLC for said improvement therefore.

In consideration of the premises, the covenants and promises of the parties hereto which are set forth herein, said parties have agreed and do hereby agree as follows:

1. The Contractor agrees to complete the **(Re-Bid) Gilead Street Sidewalk CDBG** in the Village of Cardington and Morrow County Board of Commissioners, Ohio in accordance with the plans and specifications prepared by OHM Advisors / Chad M. Lewis, P.E. and on file in the office of the Clerk, the advertisement for bids for said improvement as well as the bid and/or proposal of the Contractor submitted for the improvement.
2. The Owner agrees to pay to the Contractor for the said work in accordance with the terms and conditions specified in the bid or proposal of the Contractor submitted to the Owner.

- 3. It is further mutually agreed that the plans and specifications prepared by OHM Advisors / Chad M. Lewis, P.E., and on file in the office of the Clerk, the advertisement for bids, the bid and/or proposal of the Contractor submitted for the **(Re-Bid) Gilead Street Sidewalk CDBG** in the Village of Cardington and Morrow County Board of Commissioners, Ohio, the instructions to bidders, the affidavit, performance bond, the Contractor's certificate of having Workman's Compensation Insurance with the State of Ohio, the Contractor's proof of property damage and liability insurance in a suitable amount are incorporated, and by reference hereto, made a part of this agreement as though fully rewritten herein.
- 4. It is further mutually agreed by and between the parties hereto that no escrow account for the **(Re-Bid) Gilead Street Sidewalk CDBG** in the Village of Cardington and Morrow County Board of Commissioners, Ohio, will be established pursuant to Sections 153.13, 153.14, and 153.63 of the Ohio Revised Code nor shall any interest be paid on any retainage.

**IN WITNESS WHEREOF**, the Village of Cardington and Morrow County Board of Commissioners, by its Mayor Susan A. Peyton, and its Clerk, and D L Smith Concrete LLC

s/Derek Smith  
Village of Cardington

s/Susan A. Peyton  
Mayor

s/Debra Fry  
Clerk of Council

Morrow County Board of Commissioners

s/Richard J. Miller  
Commissioner

s/Tom E. Whiston  
Commissioner

s/Dennis A. Leader  
Commissioner

s/Cheryl Heacock  
Clerk

Mr. Miller duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller..., "yea"

**IN THE MATTER OF  
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – COMMON PLEAS  
FUND 40: 16-A-070**

At the request of Diana McLain, Fiscal Coordinator, Morrow County Court of Common Pleas, a motion was made by Mr. Whiston to appropriate from the unappropriated certified monies to the following account:

040-410-26013	Contract Services	\$2,000.00
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Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller..., "yea"

**IN THE MATTER OF  
TRANSFER OF FUNDS – COMMON PLEAS FUND 103: 16-T-097**

At the request of Diana McLain, Fiscal Coordinator, Morrow County Court of Common Pleas, a motion was made by Mr. Leader to approve the following transfer of funds:

From 103-103-29099 Other Expenses to 103-103-29100 PERS in the amount of \$2,000.00  
From 103-103-29099 Other Expenses to 103-103-01099 Salaries in the amount of \$10,000.00

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

**IN THE MATTER OF  
RESOLUTION APPROVING CREATION OF THE POSITION TITLE,  
ELIGIBILITY/REFERRAL SPECIALIST 2/TRAINING OFFICER 1,  
CLASSIFICATION NUMBER 30123: 16-R-521**

**WHEREAS**, Don Wake, Director of Job and Family Services has requested the creation of position title, Eligibility/Referral Specialist 2/Training Officer 1, Classification number 30123; and

**WHEREAS**, the new position has been reviewed by Clemons & Nelson, and recommended the position be in Pay Grade 8.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Morrow County, Ohio, that the Morrow County Job & Family Services shall adopt the new position of Eligibility/Referral Specialist 2/Training Officer 1, Classification Number 30123 as recommended by Don Wake, Director of Job and Family Services.

Mr. Miller made a motion to approve the creation of the new position per Don Wake’s request.

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

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

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “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