
REGULAR SESSION SEPTEMBER 21, 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. Whiston and Mr. Miller.

Absent: Mr. Leader

Public in attendance: Warren Davis, Shad Gallogly, Glenn Bragg and Shane Farnsworth (Development Office).

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 SEPTEMBER 19, 2016: 16-R-594**

Mr. Whiston made a motion to approve the minutes of regular session of September 19, 2016, as recorded in the Commissioners Journal # 46.

Mr. Miller duly seconded this motion

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

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 16-R-595**

Mr. Miller made a motion to approve payment of bills numbered 1 through 131 submitted by the Morrow County Auditor's office.

Mr. Whiston duly seconded this motion with adjustment to Diamond Drugs voucher.

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

**IN THE MATTER OF
PAY-INS: 16-R-596**

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

Pay-in # 4124 Payment from Businessolver for COBRA insurance payment (Garry) 222-222-08777
\$651.33

Pay-in # 4133 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100
\$25.20

Pay-in # 4136 Chesterville sewer maintenance and operations portion 159-159-40100 \$64.80

Pay-in # 4134 Chesterville sewer debt retirement portion 159-159-50100 \$82.80

Pay-in # 4135 Chesterville sewer asset management portion 159-159-50200 \$7.20

Pay-in # 4137 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$14.00

Pay-in # 4138 Johnsville sewer maintenance and operations portion 100-101-40100 \$60.00

Pay-in # 4139 Johnsville sewer debt retirement portion 100-101-50100 \$40.00

Pay-in # 4140 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$6.72

Pay-in # 4141 Ketterman – City of Galion portion 121-121-40300 \$21.28

Pay-in # 4167 Payment from Wenmor user monthly user fees 095-215-30200 \$15.75

Pay-in # 4168 Wenmor user monthly debt service fee 095-215-30300 \$189.00

Pay-in # 4169 Wenmor user operations and maintenance fees 095-215-50100 \$110.25

Pay-in # 4170 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$67.70

Pay-in # 4171 Ketterman – City of Galion portion 121-121-40300 \$211.50

Pay-in # 4172 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$42.00

Pay-in # 4173 Johnsville sewer maintenance and operations portion 100-101-40100 \$180.00

Pay-in # 4174 Johnsville sewer debt retirement portion 100-101-50100 \$120.00

Pay-in # 4175 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100
\$116.34

Pay-in # 4176 Chesterville sewer maintenance and operations portion 159-159-40100 \$299.16

Pay-in # 4177 Chesterville sewer debt retirement portion 159-159-50100 \$382.26

Pay-in # 4178 Chesterville sewer asset management portion 159-159-50200 \$33.24

**IN THE MATTER OF
APPROVAL TO ENTER INTO PARTICIPATION AGREEMENT WITH COUNTY
EMPLOYEE BENEFIT CONSORTIUM OF OHIO, INC. (CEBCO) TO ASSIST IN
CONTROLLING EMPLOYEE BENEFIT PLAN COSTS: 16-R-597**

WHEREAS, the Board of Morrow County Commissioners has received a new participation agreement from County Employee Benefit Consortium of Ohio, Inc. (CEBCO) to provide Morrow County Employee's health benefit coverage and administrative services; and

WHEREAS, the Participation Agreement provides benefits and rate proposals, submitted to the member each year by CEBCO, to provide medical, dental, prescription drug and/or life insurance coverage; and

WHEREAS, this agreement shall commence at 12:01 a.m. on the 1st day of January 2017, and shall terminate at 11:59 p.m. on the 31st day of December 2019;

THEREFORE, Mr. Miller made a motion to renew the Participation Agreement from the County Employee Benefit Consortium of Ohio, Inc. for three years, January 1, 2017 through December 31, 2019.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO ACCEPT NEW COBRA INSURANCE RATES FOR
FISCAL YEAR 2017: 16-R-598**

WHEREAS, on September 19, 2016, Resolution# 16-R-593, the Board of Morrow County Commissioners approved new health insurance rates for the period of January 1, 2017 through December 31, 2017; and

WHEREAS, COBRA insurance rates are based on the rate of the health insurance premium plus 2% to cover administrative cost; and

THEREFORE, Mr. Miller made a motion to accept the following COBRA insurance rates for fiscal year 2017:

Single-PPO Plan Rates Health, RX, Dental and Vision Insurance \$709.54, plus \$14.19 = \$723.73
Single-HSA Plan Rates Health, RX, Dental and Vision Insurance \$645.98, plus \$12.92 = \$658.90
Employee/Spouse PPO Health, RX, Dental and Vision Insurance \$1,549.36, plus \$30.99 = \$1580.35
Employee/Spouse HAS Health, RX, Dental and Vision Insurance \$1,409.35, plus \$28.19 = \$1,437.54
Employee/Child PPO Health, RX, Dental and Vision Insurance \$1,282.26, plus \$25.65 = \$1,307.91
Employee/Child HSA Health, RX, Dental and Vision Insurance \$1,168.04, plus \$23.36 = \$1,191.40
Family/PPO Health, RX, Dental and Vision Insurance \$2,137.27, plus \$42.75 = \$2,180.02
Family/HSA Health, RX, Dental and Vision Insurance \$1,946.58, plus \$38.93 = \$1,985.51

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL FOR THE ECONOMIC DEVELOPMENT OFFICE TO TRANSFER MONEY
FROM MOVING OHIO FORWARD DEMOLITION PROGRAM FUND 32 TO THE
MORROW COUNTY LAND REUTILIZATION CORPORATION: 16-R-599**

WHEREAS, Shane Farnsworth, Morrow County Economic Development Director, has requested approval to transfer \$15,500.00 from the Moving Ohio Forward Demolition Program Fund 32 to the Morrow County Land Reutilization Corporation for land bank seed money; and

WHEREAS, he has correspondence from Matt Lampke, Assistant Attorney General that Morrow County has the Attorney General's Office permission to use and transfer any program income from the Moving Ohio Forward demolition program for any program and purposes of your choosing.

THEREFORE, Mr. Miller made a motion to approve the Morrow County Economic Development Office transferring \$15,500.00 from the Moving Ohio Forward Demolition Program Fund 32 to the Morrow County Land Reutilization Corporation.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL OF PRISONER HOUSING AGREEMENT
WITH THE CITY OF GALLIPOLIS: 16-R-600**

WHEREAS, Morrow County owns and operates the Morrow County Correctional Facility, a full-service jail facility; and

WHEREAS, the City of Gallipolis does not have adequate jail facilities and needs housing for qualified misdemeanants and/or felons; and

WHEREAS, the City of Gallipolis agrees to pay Morrow County the sum of Fifty-three Dollars and sixty-four cents (\$53.64) per day for each prisoner sent to the Morrow County Jail Facility. All prisoners sent to the minimum security portion of the Correctional Facility must be properly qualified and sentenced to such facility as non-violent misdemeanants subject to rehabilitation. Reservations for such confinement must be arranged in advance; and

WHEREAS, the City of Gallipolis agrees to reimburse Morrow County for any and all medical care provided by Morrow County or the Morrow County Hospital. The City of Gallipolis shall be notified immediately when medical care is necessary.

A complete copy of this Prisoner Housing Agreement will be on file in the Morrow County Commissioners’ Office.

THEREFORE, Mr. Whiston made a motion to approve the Prisoner Housing Agreement with the City of Gallipolis, prepared by Charles S Howland, Morrow County Prosecutor.

Mr. Miller duly seconded this motion.

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

**IN THE MATTER OF
APPROPRIATIONS OF UNAPPROPRIATED CERTIFIED MONIES – HEALTH
DEPARTMENT FUND 50 (District Health): 16-A-089**

At the request of Jill Thompson, Fiscal Administrative Assistant III, Morrow County Health Department, a motion was made by Mr. Miller to appropriate from the unappropriated certified monies to the following accounts:

050-066-00005	Medicare	\$ 117.21
050-066-01099	Salary	\$8,083.02
050-066-21001	Supplies	\$1,726.77
050-066-23000	Travel	\$ 356.40
050-066-29100	PERS	\$1,131.63
050-066-29107	Insurance	\$ 252.18
050-066-33001	Equipment	\$9,971.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
APPROPRIATIONS OF UNAPPROPRIATED CERTIFIED MONIES – HEALTH
DEPARTMENT FUND 65 (Pools): 16-A-090**

At the request of Jill Thompson, Fiscal Administrative Assistant III, Morrow County Health Department, a motion was made by Mr. Miller to appropriate from the unappropriated certified monies to the following accounts:

065-024-00005	Medicare	\$ 5.00
065-024-01099	Salary	\$250.00
065-024-23000	Travel	\$100.00
065-024-29098	Leave	\$200.00
065-024-29100	PERS	\$ 35.00
065-024-29107	Insurance	\$100.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROPRIATIONS OF UNAPPROPRIATED CERTIFIED MONIES – HEALTH
 DEPARTMENT FUND 68 (Solid Waste): **TABLED TILL MONDAY****

**IN THE MATTER OF
 APPROVAL OF CONTRACT WITH MID-OHIO PAVING INC. FOR MORROW COUNTY
 DEVELOPMENT PROJECT CHIP AND SEAL COUNTY ROAD 252: 16-R-601**

WHEREAS, on September 14, 2016, the Morrow County Commissioner’s approved to award bid for Chip Sealing, County Road 252 Extension for the Morrow County Development Office to Mid Ohio Paving, Inc. in the amount of \$47,752.90; and

WHEREAS, the Morrow County Development Office is requesting approval for the Commissioner’s to sign the Contract with Mid Ohio Paving, Inc. for the chip and seal project listed above.

THEREFORE, Mr. Miller made a motion to approve and sign the contract with Mid Ohio Paving, Inc. for the project Chip and Seal on County Road 252 for the Morrow County Development Office.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROVAL TO RECESS SESSION: 16-R-602**

Mr. Whiston made a motion to recess session at 9:13 a.m.

Mr. Miller duly seconded this motion.

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

Commissioner Miller left the office during recess and Commissioner Leader is now in attendance.

**IN THE MATTER OF
 APPROVAL TO RETURN TO REGULAR SESSION: 16-R-603**

Mr. Whiston made a motion to return to regular session at 12:50 p.m.

Mr. Leader duly seconded this motion.

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

**IN THE MATTER OF
 A RESOLUTION ESTABLISHING USER CHARGES IN THE CHESTERVILLE AREA
 SANITARY SEWER SUB-DISTRICT TO PROVIDE FUNDS NEEDED TO PAY FOR
 DEBT, OPERATION, MAINTENANCE AND REPLACEMENT EXPENSES ASSOCIATED
 WITH THE CHESTERVILLE SANITARY SEWER IMPROVEMENTS: 16-R-604**

Mr. Whiston moved the adoption of the following resolution:

WHEREAS, the Morrow County Board of Commissioners, Ohio, will be installing two pump stations and associated force mains as well as a gravity sewer collection system; and

WHEREAS, the Morrow County Board of Commissioners, Ohio entered into a purchase agreement between the County and the Village of Chesterville for the village wastewater utility infrastructure; and

WHEREAS, the County is committed to making such services of the Chesterville Area Sanitary Sewer Sub-District available within its capacity to all persons in the service area without discrimination as to race, color, religion, sex, national origin, age, marital status, military status, or physical or mental handicap (possess capacity to enter into legal contact for services) at reasonable charges, including assessments, taxes, or fees in accordance with a schedule of such charges, whether for one or more classes of service; and

WHEREAS, it is the County's intention to establish proportionate user charges that place the costs of abatement directly on the sources of pollution, conserve portable water and maintain financial self-sufficiency; and

WHEREAS, the County must pay the debt service retirement, short lived assets expenses, required reserve account costs, operations and maintenance costs and equipment replacement expenses associated with the wastewater collection systems;

NOW, THEREFORE, BE IT RESOLVED by the Morrow County Board of Commissioners, Ohio; that the following user charges and associated user charge requirements are established.

ARTICLE I

Section 101 – It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the County to collect charges from all users who contribute wastewater to the Chesterville Area Sanitary Sewer Sub-District collection systems. The proceeds of such charges so derived will be used for the purpose of debt service retirement, short lived assets expenses, required reserve account costs, operations and maintenance costs and equipment replacement expenses associated with the wastewater treatment.

ARTICLE II **Budget**

Section 201 – The revenues collected, as a result of the user charges levied for sewer service, shall be deposited in a non-lapsing fund known as the Sewer Operating Fund. A portion of the revenue shall be set aside in separate Reserve/Replacement Fund for replacement of equipment of the sewer system. The amount for the reserve/replacement fund shall be determined on an annual basis.

Section 202 – Fiscal year-end balances in the operating funds shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the operating funds shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.

ARTICLE III **User Rates**

Section 301 – Each user shall pay for the service provided by the County based on a rate structure as identified in section 302.

Section 302 – The monthly sewer rates and charges shall be established as follows, to become effective on the date of connection. A residential unit is defined as a single family dwelling. Non-residential rates shall be billed per 1,000 gallon as shown in the table below.

Residential Units:

Inside the Village of Chesterville

\$60.00 per unit

Outside the Village of Chesterville

\$66.00 per unit

*Gallon Pricing Schedule - Monthly Fee		
0-13,500 gal	\$17.00	per 1,000 gal
13,500-45,000 gal	\$16.50	per 1,000 gal
45,000-90,000 gal	\$16.00	per 1,000 gal
90,000-180,000 gal	\$15.50	per 1,000 gal
>180,000 gal	\$15.00	per 1,000 gal

*Commercial Only

Section 303 – Any user, who discharges to the sanitary sewer system any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the sewage collection systems, shall pay for increased costs. The charge to each such user shall be as determined by the County Agent or appropriate financial personnel and approved by the County.

Section 304 – When either or both the total suspended solids and the five days Biochemical Oxygen Demand (BOD) of a water or waste accepted for admission to the system exceeds the values of their constituents for normal domestic sewage, the excess concentration in either or both, as the case may be, shall be subject to a surcharge based on the cost per pound to remove the excess quantity of each constituent. In addition to the surcharge, the user will pay the user charges ad defined in other sections of this Resolution.

Section 305 – In addition to a surcharge of BOD, and suspended solids, the County shall have the right to surcharge any user for the discharge of any pollutant into the sewage system or for other reason deemed necessary and appropriate, such as excessively high rates of discharge.

Section 306 – The County shall have the right to gain access to the waste stream from any establishment and take its own samples.

Section 307 – The user charge rates established in this article apply to all users in the service area of the Chesterville Area Sewer Sub-District.

**ARTICLE IV
Connection Fees**

Section 401 – For new connections to the Chesterville Area Wastewater Collection System, connection fees shall be assessed at the time of permitting/installation. A residential unit is defined as a single family dwelling. Non-residential rates shall be billed per 1,000 gallon as shown in the table below.

a. Connection Fees:

Residential Connection Fee: \$5,000

Commercial Rates:

Gallon Pricing Schedule - Tap Fee		
0-4,500 gal	\$5,000.00	flat
4,500-45,000 gal	\$250.00	per 1,000 gal
45000-90000 gal	\$150.00	per 1,000 gal
90000-180000 gal	\$50.00	per 1,000 gal
>180000 gal	\$25.00	per 1,000 gal

**ARTICLE V
Billing**

Section 501 – All users shall be billed monthly. Billings for any particular month will be sent within ten days after the end of the month. Payments are due within twenty days after the billing date. Any

payment not received within thirty days after the end of the month shall be delinquent. The first sewer system billing shall begin on the date of connection to the sanitary sewer system and will be prorated based on the number of days in service for the first month.

Section 502 – A late payment penalty of 10% (ten percent) of the user charge bill will be added to each delinquent bill.

Section 503 – If a bank should return a check for insufficient funds, the account will be subject to an insufficient funds charge of \$35.00 (thirty five dollars). If a person has two checks returned for insufficient funds, the County may require all future payments to be made in cash or money order. Upon the claim of a person that the return of a check for insufficient funds was a bank error, the County may waive an insufficient funds charge and/or accept payment by check if the bank supplied adequate documentation of its error.

Section 504 – Any unpaid billings, together with accrued penalties, shall be annually certified to the County Auditor, pursuant to the Ohio Revised Code, who shall place such delinquencies upon the real property tax duplicate for the property receiving sewage service. Such delinquencies shall be alien upon the property from the date the delinquency is placed upon the real property tax duplicate and shall be collected in the same manner as other real estate taxes. Failure to pay delinquencies certified may result in a foreclosure of the property by the County Prosecutor. This part shall be in addition to all other collection remedies provided by law including an action in Small Claims Court.

ARTICLE VI Rate Changes

Section 601 – The county will review the user charges (rate schedules) at least annually and revise the rates as necessary to ensure that adequate revenues are generated to pay the costs of debt retirement, operation and maintenance, including replacement, and that the sewer system continues to provide the proportional distribution of operation, maintenance, and replacement costs among users and user classes.

Section 602 – The County will notify each user at least annually of the rate being charged for sewer service and that portion of the sewer service charge which is attributable to operation, maintenance, and replacement of the sewer collection systems.

Section 603 – The User Rate and Connection Fee rates shall increase 1½% annually beginning January 1, 2018 and shall increase at 1½% of each year unless the Board of County Commissioners review and approve through resolution to charge the previous year rates. This action will only apply to the year in review. The automatic increase for the next year will stay in effect unless further action is taken by the Board of County Commissioners.

ARTICLE VII MISC.

Section 701 – This Resolution hereby supersedes any and all ordinances previously passed related to sewer rates in the Chesterville Area Sewer Sub-District.

Section 702 – This Resolution shall take effect and be in full force on September 21, 2016, for the preservation of the public peace, health, and safety of the County, specifically for the incorporated village of Chesterville and the unincorporated areas of Chester & Franklin Township and within the Chesterville Area Sewer Sub-District.

Section 703 – It is hereby found that all formal action(s) of this Board concerning and relating to the passage of this Resolution were adopted at an open meeting of the Board or its committees that resulted in such formal actions, were in open meetings to the public, and complies with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 704 – The Clerk shall cause this Resolution to be published by posting at these public places with the County of Morrow, Ohio:

Morrow County Annex, 80 North Walnut Street, Mt. Gilead, OH 43338
Morrow County Health Department, 619 W. Marion Road, Mt. Gilead, OH 43338
Chester Township – Zolman Memorial Building, Chesterville, Ohio

BOARD OF MORROW COUNTY COMMISSIONERS

s/Thomas E. Whiston

s/Dennis A. Leader

s/Richard J. Miller

Mr. Leader duly seconded this motion.

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

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

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS