
REGULAR SESSION JUNE 10, 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, Mr. Whiston and Mr. Castle.

Public in attendance: Andy Ware (Development), Sarah Cleveland, Heather Turner, Emmalee Eagon and Dewey Montgomery.

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Castle, 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 JUNE 8, 2020: 20-R-451**

Mr. Castle made a motion to approve the minutes of regular session of June 8, 2020, as recorded in the Commissioners Journal # 48.

Mr. Whiston duly seconded this motion

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

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 20-R-452**

Mr. Whiston made a motion to approve payment of bills numbered 1 through 144 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..., "yea"

**IN THE MATTER OF
PAY-INS: 20-R-453**

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

Pay-in #201710 Payment received from Chesterville customers for sewer fund 5159 \$221.45
Pay-in #201711 Payment received from Johnsville customers for sewer fund 5100 \$118.00
Pay-in #201712 Payment received from Ketterman customers for sewer fund 5121 \$446.72
Pay-in #201721 Payment received from Job and Family Services for June rent at Community Service Building 2072-1070-470802 \$35,076.01

**IN THE MATTER OF
TRANSFER OF FUNDS – BOARD OF ELECTIONS FUND 2097 HAVA GRANT: 20-T-045**

At the request of April Brown, Deputy Director, a motion was made by Mr. Castle to approve the following transfer of funds:

**Reason – to pay for an office shredder for sensitive documents that need to be shredded

From 2097-0016-530319 Professional Services to 2097-0016-540410 Office Supplies in the amount of \$143.99

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
TRANSFER OF FUNDS – COMMON PLEAS COURT FUND 2640 DYS GRANT: 20-T-046**

At the request of Darlene Morehart, Fiscal Coordinator, a motion was made by Mr. Whiston to approve the following transfer of funds:

**Reason – this FY2020 DYS Grant ends June 30th. Wage increase (probation) that occurred during the fiscal year created a need to do a budget revision for the grant as well as an intrafund transfer to cover wages for the remaining month of June.

From 2640-6460-530335 Incentives to 2640-6460-510120 Employee Wages in the amount of \$1,000.00

From 2640-6460-540400 Supplies & Materials to 2640-6460-510120 Employee Wages in the amount of \$300.00

From 2640-6460-540400 Supplies & Materials to 2640-6460-510211 OPERS in the amount of \$1,300.00

From 2640-6460-540400 Supplies & Materials to 2640-6460-510213 Medicare in the amount of \$100.00

Mr. Davis duly seconded this motion.

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

**IN THE MATTER OF
 APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE STATEWIDE
 CONSORTIUM OF COUNTY LAW LIBRARY RESOURCE BOARDS AND BOARD OF
 MORROW COUNTY COMMISSIONERS ON BEHALF OF THE MORROW COUNTY LAW
 LIBRARY RESOURCES BOARD AND APPROVAL FOR CHAIRMAN TO SIGN
 MOU: 20-R-454**

Mr. Davis made a motion to approve the following Memorandum of Understanding between the Statewide Consortium of County Law Library Resource Boards and Board of Morrow County Commissioners on behalf of the Morrow County Law Library Resources Board and approval for Chairman Burgess Castle to sign.

**MEMORANDUM OF UNDERSTANDING
 BETWEEN THE
 STATEWIDE CONSORTIUM OF COUNTY LAW LIBRARY RESOURCE BOARDS
 AND BOARD OF MORROW COUNTY COMMISSIONERS ON BEHALF OF THE
 MORROW COUNTY LAW LIBRARY RESOURCES BOARD**

This Memorandum of Understanding (“MOU”) is made by and between the Statewide Consortium of County Law Library Resources Boards (hereinafter the “Consortium”) and the Board of Morrow County Commissioners (hereinafter the “County”) on behalf of the Morrow County Law Library Resources Board (hereinafter the “LLRB”).

SECTION 1: PURPOSE AND USE

- 1.1 The Consortium is a statewide consortium comprised of all county law library resource boards under R.C. 3375.481. The Consortium is governed by a five-member board authorized by R.C. 3375.481(E)(2) to provide grants to LLRBs.
- 1.2 The County is a political subdivision of the State of Ohio.
- 1.3 The LLRB is a County board.

SECTION 2: RESPONSIBILITIES OF THE CONSORTIUM

- 2.1 The Consortium will provide a total grant award in the amount of \$44,569.22, on the terms and conditions specified in its Request for Proposals, to the County for use by the LLRB.
- 2.2 A true and accurate copy of the Request for Proposals is attached and incorporated.

SECTION 3: RESPONSIBILITIES OF THE CONSORTIUM

- 3.1 The LLRB will use the grant funds as described in its grant proposal

- 3.2 A true and accurate copy of the LLRB's grant proposal in response to the Request for Proposals is attached and incorporated.

SECTION 4: RESPONSIBILITIES OF THE BOARD OF COUNTY COMMISSIONERS

- 4.1 The County will allocate the grant funds to the LLRB fund for use as described in the grant proposal. The County agrees that it will be liable to repay any funds spent in a manner inconsistent with this MOU or the stated purpose, as determined by the Consortium.
- 4.2 A true and accurate copy of the LLRB's awarded funds is attached and incorporated.

SECTION 5: TERM, TERMINATION

- 5.1 The term of this MOU shall be effective upon execution and shall continue until May 31, 2021. The CLLRB may cancel this MOU by sending a written notice of termination to the Consortium and returning funds at any time during the grant term.
- 5.2 The Consortium reserves the right to terminate this MOU immediately upon verification that grant funds have been or will be used in a manner that is not consistent with the grant proposal or in a manner that otherwise violates the provisions of this agreement. In such an instance, the Consortium will notify the CLLRB and the County of the violation or anticipated violation in writing, and the County and the CLLRB will return all grant funds in full within ten days of such written notification.
- 5.3 All notices in connection with this MOU shall be sent to the following representatives:
- | | |
|--|---|
| Jennifer D. Jones, Executive Director | Barbara L. Patterson, Director |
| Statewide Consortium of County Law | Morrow County Law Library Resources Board |
| Library Resources Board | 48 E. High St. |
| 369 S. High Street, 10 th Floor | Mt. Gilead, OH 43338 |
| Columbus, Ohio 43215 | |

Section 6: MISCELLANEOUS

- 6.1 This MOU constitutes the entire agreement between the parties as to the subject matter described herein and any changes or modifications to this MOU shall be made and agreed to in a written amendment signed by all parties.
- 6.2 This Agreement shall be governed, construed and interpreted in accordance with the laws of the State of Ohio.
- 6.3 The County and the LLRB agree that, in the performance of this MOU, they will not unlawfully discriminate in their employment or contract practices, on the basis of race, religion, gender, national origin, age, handicap, or veteran status.
- 6.4 The County and the LLRB agree to comply with all applicable federal, state, and local laws in administration of the grant award funds. The County and LLRB, by signatures on this document, certify that they have reviewed and understand the Ohio ethics and conflict of interest law, and will take no action inconsistent with those laws.
- 6.5 The LLRB agrees to provide the Consortium accurate receipts of all purchases by May 31, 2021, and to refund any unspent funds to the Consortium by June 30, 2021.
- 6.6 If any provision of this MOU shall be invalid, illegal, or unenforceable, in any respect, said provision shall be severed. The validity, legality, and enforceability of all other provisions of this Agreement shall not in any way be affected or impaired unless such severance would cause this Agreement to fail of its essential purpose.
- 6.7 The failure of any party to exercise or enforce in any respect any right or provision provided for in this MOU shall not be deemed a waiver of any such right or provision.
- 6.8 This MOU shall bind the parties thereto; and their respective assigns, successors, receivers, and legal representatives of any type whatsoever; and shall not be modified unless done so in writing signed by authorized representatives of all parties.

- 6.9 The headings in this MOU are for reference only. They are not intended and shall not be construed to be a substantive part of this MOU or in any other way to effect the validity, interpretation, or effect of any of the provision of this MOU.
- 7.0 The County and the LLRB affirmatively represent and warrant to the Consortium that they are not subject to a finding for recovery under R.C. 9.24 or that they have taken the appropriate remedial steps required under R.C. 9.24 or otherwise qualify under that section. The County and the LLRB agree that if this representation and warranty is deemed to be false, the MOU shall be void ab initio as between the parties to this MOU, and any funds paid by the Consortium shall be immediately repaid to the consortium, or an action for recovery may be immediately commenced by the Consortium for recovery of said funds.
- 7.1 The County and the LLRB affirm that funds received under this MOU will not be used for any political campaign or governmental lobbying in a partisan manner. Funds must be used during the Term and manner as stated above.
- 7.2 The parties to this agreement affirm that the individuals shown as signatories below on this MOU have been duly authorized by their respective organizations.
- 7.3 This MOU shall be fully executed and effective on the last date it has been signed by a party hereto. Failure to execute and return the MOU to the Consortium within 60 days will result in a rescission of the grant approval.

IN WITNESS WHEREOF, the parties hereunto have caused this MOU to be executed by their duly authorized representatives.

Statewide Consortium of County Law
 Library Resources Boards
 s/Jennifer D. Jones, Executive Director
 Date: _____

Morrow County Law Library Resources
 Board
 s/Barbara L. Patterson, Director
 Date: _____

Board of Morrow County Commissioners
 s/Burgess W. Castle, President
 Date: _____

ADDENDUM
 May 20, 2020

Award List and Amount (Items)	
Canon Copier	
Canon Maintenance Agreement	
PC	
Speakers	
Microsoft Office License	\$4,569.22

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF
 APPROVAL TO REAPPOINT BRUCE FISSELL TO FLOODPLAIN APPEALS
 BOARD: 20-R-455**

WHEREAS, the term for Bruce Fissell on the Floodplain Appeals Board will expire on June 8, 2020; and

WHEREAS, Bruce has indicated that he is willing to serve for another term;

THEREFORE, Mr. Whiston made a motion to approve the reappointment of Bruce Fissell effective June 9, 2020 through June 8, 2022.

Mr. Davis duly seconded this motion.

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

**IN THE MATTER OF
 TRANSFER OF FUNDS – CHESTERVILLE FUND 5159: 20-T-047**

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

**Reason – to cover invoice from Poggemeyer for Chesterville Wastewater Expanded Service Study

From 5159-5101-530327 Chesterville Real Estate Taxes to 5159-5101-530310 Professional Services in the amount of \$742.84

Mr. Castle duly seconded this motion.

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

**IN THE MATTER OF
FULFILLING THE REQUIREMENTS OF OHIO SENATE BILL 310 FOR THE PASSAGE OF
A RESOLUTION IN ORDER TO RECEIVE AND EXPEND FEDERAL FUNDS UNDER
SECTION 5001 OF THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY
(CARES) ACT: 20-R-456**

A motion was made by Commissioner Whiston to adopt the following:

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in Amended Substitute Senate Bill 310 of the 133rd General Assembly (S.B. 310); and

WHEREAS, S.B. 310 requires subdivisions receiving funds, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, the Morrow County Board of Commissioners is requesting its share of funds from the County Coronavirus Relief Distribution Fund; and, therefore be it

RESOLVED by the Morrow County Board of Commissioners affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to S.B. 310 be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in Morrow County’s most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. And be it further

RESOLVED by the Morrow County Board of Commissioners that the Morrow County Auditor take the following actions and all other necessary actions to remain in compliance with S.B. 310:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the county’s local coronavirus relief fund to the county coronavirus relief distribution fund;
- (2) On or before December 28, 2020, pay the balance of any money in the county’s local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- (3) Provide any information related to any payments received under S.B. 310 to the Director of the Ohio Office of Budget and management as requested.

RESOLVED, that the Clerk to the Board is hereby authorized and instructed to transmit a certified copy of this resolution to the county auditor and to the Director of the Ohio Office of Budget and Management.

Adopted on: June 10, 2020

Commissioner Davis duly seconded this motion.

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

I, Cheryl Heacock, Clerk of the Board of County Commissioners of Morrow County, Ohio, hereby do certify that the foregoing is a full, true and correct copy of a resolution adopted by said Board at the regularly scheduled and conducted meeting held on the stated date, which resolution is on file and of record in the office of said board.

s/Cheryl Heacock, Clerk

**IN THE MATTER OF
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – CAPITAL FUND
4111 (JAIL): 20-A-055**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following account for HVAC repairs at the Jail.

4111-0119-550720	Capital – Buildings Jail	\$8,141.00
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Mr. Castle duly seconded this motion.

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

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 20-R-457**

Mr. Castle made a motion to recess session at 9:27 a.m.

Mr. Whiston duly seconded this motion.

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

Commissioner Davis left for another meeting

**IN THE MATTER OF
APPROVAL TO RETURN TO REGULAR SESSION: 20-R-458**

Mr. Castle made a motion to return to regular session at 12:47 a.m.

Mr. Whiston duly seconded this motion.

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

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

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

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS