

**REGULAR SESSION NOVEMBER 27, 2019**

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), Alberta Stojkovic (Sentinel), Sheriff John Hinton and Andrew Esposito (Clemans and Nelson).

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, 2019: 19-R-918**

Mr. Castle made a motion to approve the minutes of regular session of November 25, 2019, as recorded in the Commissioners Journal # 48.

Mr. Whiston duly seconded this motion

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

**IN THE MATTER OF  
APPROVAL OF BILLS FOR PAYMENT: 19-R-919**

Mr. Davis made a motion to approve payment of bills numbered 1 through 116 submitted by the Morrow County Auditor's office.

Mr. Whiston duly seconded this motion

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

**IN THE MATTER OF  
PAY-INS: 19-R-920**

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

- Pay-in #193382 Payment received from Sims Bros for scrap metal 1000-1070-480830 \$8.93
- Pay-in #193383 Payment received from Ketterman customers for sewer fund 5121 \$167.52
- Pay-in #193384 Payment received from Johnsville customers for sewer fund 5100 \$285.00
- Pay-in #193385 Payment received from Chesterville customers for sewer fund 5159 \$600.00
- Pay-in #193386 Payment received from SoMoCo customers for sewer fund 5110 \$356.40
- Pay-in #193397 Payment received from Sewers for Cost Allocation 1000-1020-420210 \$3,352.00
- Pay-in #193398 Payment received from JFS for December 2019 rent 2072-1070-470802 \$27,196.95
- Pay-in #193399 Payment received from Ketterman customers for sewer fund 5121 \$290.36
- Pay-in #193400 Payment received from Johnsville customers for sewer fund 5100 \$114.00
- Pay-in #193401 Payment received from Chesterville customers for sewer fund 5159 \$120.00

**IN THE MATTER OF  
TRANSFER OF FUNDS – GENERAL FUND, COMMISSIONERS: 19-T-210**

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

\*\*Reason – invoice from the Ohio Department of Health to cover x-ray registration renewal

From 1000-0118-530350 Courthouse Utilities to 1000-0118-520350 Professional Dues/Fees in the amount of \$117.00

Mr. Castle duly seconded this motion.

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

**IN THE MATTER OF  
APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – RECYCLING FUND  
2006: 19-A-143**

At the request of Lindsey Grimm, Recycling & Litter Prevention, a motion was made by Mr. Davis to approve the following transfer of funds:

\*\*Reason – to cover the purchase of promotional items that will be utilized during the 50<sup>th</sup> celebration of Earth Day. The promotional items include Earth Day plantable bracelets; expandable stainless steel straw with case.

2006-2006-530349                    OTHER – Communications, Printing, Advertising                    \$2,746.55

\*\*Reason – to cover holiday advertisement to encourage Morrow County residents to be A Green Crusader this holiday season and recycle properly. In addition to recycling right, an awareness announcement to utilized the compost facility for cut trees

2006-2006-530340                    Communications/Printing/Advertising                    \$800.00

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
SUPPLEMENTAL APPROPRIATION – COMMON PLEAS FUND 2619 TECHNOLOGY  
GRANT: 19-A-144**

**WHEREAS**, an amended official certificate of estimated resources is expected from the Morrow County Budget Commission, in the amount of \$8,534.44;

**THEREFORE**, a motion was made by Mr. Whiston to approve appropriating from the amended certificate to the following account based upon receipt of the amended official certificate of estimated resources approve on November 25, 2019:

2619-6250-550745                    Computer Software                    \$8,534.44

Mr. Castle duly seconded this motion.

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

**IN THE MATTER OF  
SUPPLEMENTAL APPROPRIATION – CHILDREN SERVICES FUND 2141: 19-A-145**

**WHEREAS**, an amended official certificate of estimated resources is expected from the Morrow County Budget Commission, in the amount of \$55,600.56;

**THEREFORE**, a motion was made by Mr. Davis to approve appropriating from the amended certificate to the following account based upon receipt of the amended official certificate of estimated resources approve on November 25, 2019:

2141-1181-530334                    Shared/Indirect Costs                    \$55,600.56

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO ADVERTISE TIME & PLACE FOR PUBLIC HEARING CONCERNING  
2020 COUNTY BUDGET APPROPRIATIONS: 19-R-921**

Mr. Castle made a motion to approve advertising the following notice for a public hearing on the 2020 county budget appropriations:

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Board of Morrow County Commissioners will hold a public hearing on December 18, 2019 at 11:00 a.m. for the purpose of County Budget Appropriations for 2020. The hearing will take place in the Morrow County Commissioner’s Hearing Room, 80 North Walnut Street, Mt. Gilead, Ohio.

The residents of Morrow County are invited to attend the hearing and/or provide written or oral comments or questions concerning the entire budget for 2020.

**BY ORDER OF THE BOARD OF MORROW COUNTY COMMISSIONERS**

Advertise: Morrow County Sentinel, December 4, 2019 and morrowcountyohio.gov

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RECESS SESSION: 19-R-922**

Mr. Whiston made a motion to recess session at 9:14 a.m.

Mr. Davis duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RETURN TO REGULAR SESSION: 19-R-923**

Mr. Davis made a motion to return to regular session at 10:59 a.m.

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
ENTER INTO EXECUTIVE SESSION – SHERIFF’S COLLECTIVE BARGAINING  
AGREEMENT: 19-R-924**

Mr. Davis made a motion to enter into Executive Session to discuss the Sheriff’s collective bargaining agreement at 10:59 a.m. with Sheriff Hinton and Andrew Esposito (Clemans and Nelson).

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL TO RETURN TO REGULAR SESSION: 19-R-925**

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

Mr. Whiston duly seconded this motion.

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

**IN THE MATTER OF  
APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE MORROW  
COUNTY SHERIFF’S OFFICE AND THE FRATERNAL ORDER OF POLICE, OHIO  
LABOR COUNCIL, INC.: 19-R-926**

Mr. Whiston moved the adoption of the following resolution:

**RESOLUTION**

**WHEREAS**, representatives of the Morrow County Sheriff’s Office and the FOP/OLC have been negotiating to reach an agreement relative to wages, hours and other conditions of employment for the Sheriff’s Office employees in the bargaining unit; and

WHEREAS, pursuant to Section 4117 of the Ohio Revised Code, the negotiated settlement is now before the Morrow County Commissioners for approval or rejection in its entirety with the following major changes noted (highlighted in yellow):

Section 2.1 The Employer hereby recognizes the Fraternal Order of Police, Ohio Labor Council, Inc. as the sole and exclusive bargaining agent for all full-time employees that have been certified by the State Employment Relations Board in:

- Unit A: Sergeant and Lieutenant; Sergeants and above  
Case N: 84-VR-04-0149
- Unit B: All deputy sheriffs appointed pursuant to Revised Code section 311.04 below the rank of Sergeant including
  1. Deputy Dispatcher, Deputy Corrections Officer, and Corrections Corporals and Records Clerks
  2. Deputy Road Patrol.  
Case Nos: 84-VR-10-2234, 84-RC-11-2349

Section 3.8 All text removed

Section 4.1 The Employer and the Labor Council agree not to unlawfully discriminate against any bargaining unit employee with respect to compensation, or terms or conditions of employment because of such individual's race, color, religion, sex, age, national origin, military status, veteran's status, genetic information, disability, ancestry of any person, or Labor Council membership or non-membership.

**ARTICLE 12**  
**PROBATIONARY PERIOD**

Section 12.1. Every newly hired employee will be subject to a probationary period of one (1) year. An employee whose classification is changed, either within the bargaining unit or between bargaining units, will be subject to a probationary period of one hundred eighty (180) calendar days. If an employee's classification is changed to Road Deputy, they are subject to a probationary period of two hundred-seventy (270) days.

**ARTICLE 20**  
**SUBSTANCE TESTING AND ABUSE**

Section 20.1. Drug/Alcohol testing may be conducted on employees if there is reasonable suspicion to believe that an employee used or is using a controlled substance or alcohol in an unlawful or abusive manner and may be based upon, but not limited to:

- A. Observable phenomena, such as direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol;
- B. A pattern of abnormal conduct or erratic behavior, including abnormal leave patterns;
- C. Arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug or alcohol possession, use, or trafficking;
- D. Information provided either by reliable and credible sources or independently corroborated;
- E. Evidence that an employee has tampered with a previous drug test;
- F. Facts or circumstances developed in the course of an authorized investigation of an accident or unsafe working practice.

Such reasonable suspicion shall normally be recorded and reduced to writing as soon as practicable and a copy thereof given to the member.

No Morrow County Sheriff's Office employee shall refuse to take any of the following required tests:

1. Pre-employment (drug only);
2. Random (completed by a third party);
3. Post work-related accident;
4. Return to duty;
5. Reasonable suspicion; and
6. Follow-up prior to return to work.

All Morrow County Sheriff's Office employees will be required to submit to drug and/or alcohol testing on a random basis immediately upon notification.

Any cost borne out of a mandated drug test shall be paid by the Employer.

**ARTICLE 21**  
**WAGES**

Section 21.1. The following rates will be effective February 1, 2020:

A.

Classification		A	B	C	D	E
Deputy (Road)	(4%)	\$18.74	\$19.46	\$20.19	\$21.07	\$21.88
Deputy (Jailer)	(4%)	\$15.76	\$16.39	\$17.09	\$17.74	\$18.47
Deputy/Dispatcher	(4%)	\$15.76	\$16.39	\$17.09	\$17.74	\$18.47
Records Clerk	(4%)	\$15.76	\$16.39	\$17.09	\$17.74	\$18.47

Sergeants (Road-Jail) (4%) \$24.05  
Lieutenants (4%) \$25.81

The following rates will be effective February 1, 2021:

Classification		A	B	C	D	E
Deputy (Road)	(4%)	\$19.49	\$20.24	\$21.00	\$21.91	\$22.75
Deputy (Jailer)	(4%)	\$16.39	\$17.04	\$17.77	\$18.48	\$19.21
Deputy/Dispatcher	(4%)	\$16.39	\$17.04	\$17.77	\$18.48	\$19.21
Records Clerk	(4%)	\$16.39d	\$17.04	\$17.77	\$18.48	\$19.21

Sergeants (Road-Jail) (5%) \$25.25  
Lieutenants (5%) \$27.10

The following rates will be effective February 1, 2022:

Classification		A	B	C	D	E
Deputy (Road)	(4%)	\$20.27	\$21.05	\$21.84	\$22.79	\$23.66
Deputy (Jailer)	(4%)	\$17.04	\$17.72	\$18.48	\$19.22	\$19.98
Deputy/Dispatcher	(4%)	\$17.04	\$17.72	\$18.48	\$19.22	\$19.98
Records Clerk	(4%)	\$17.04	\$17.72	\$18.48	\$19.22	\$19.98

Sergeants (Road-Jail) (6%) \$26.77  
Lieutenants (6%) \$28.73

**ARTICLE 23**  
**VACATION**

Section 23.1. Each full-time employee of the bargaining unit shall earn vacation leave upon the completion of the required years of employment and annually thereafter as follows:

- After one (1) year service ..... 80 hours vacation
- After six (6) years' service .....120 hours vacation
- After twelve (12) years' service ..... 160 hours vacation
- After eighteen (18) years' service .....200 hours vacation
- After twenty-three (23) years' service .....240 hours vacation

Section 25.8. Employees who work six (6) months without missing more than four (4) scheduled work time hours (due sick leave) will be eligible for one (1) Personal day (8 hours) time-off with pay (for no more than two (2) personal days per contract year) at a mutually agreeable time that does not cause over-time.

All personal days earned after February 1, 2020 must be used within twelve (12) months. Requests for personal leave cannot be unreasonable denied.

Section 27.7. Certified peace officers assigned by the Sheriff to wear plain clothes shall receive an annual allowance of four hundred dollars (\$400.00) per year for the purchase of civilian clothes worn in the line of duty. Employees who receive the four hundred dollars (\$400.00) annual allowance shall be permitted to be reimbursed for up to two hundred dollars (\$200.00) in the first six (6) months of the year and up to two hundred dollars (\$200.00) in the second six (6) months of the year. The Employer will pay up to one hundred dollars (\$100.00) per year for cleaning such clothes. If the Employer determines that utilization of purchase orders in lieu of the semi-annual allowance checks are more practical, the purchase order policy shall be written and adhered to by both the members and the Employer. The employee will be required to provide receipts.

## **ARTICLE 28** **TRAINING EXPENSES**

Section 28.1. There shall be two (2) types of training:

1. Paid/approved training
2. Sponsored non-paid training

Section 28.2. Whenever an employee is in approved paid training, it shall be considered as work time and the employee shall be paid at the appropriate rate of pay.

Section 28.3. Non-paid/approved training consists of training that an employee wishes to attend on their own time and at their own expense. The Sheriff (or designee) is simply signing off on the training to authorize the employee, as some classes need a supervisor's signature or letterhead verifying that the employee is in fact a law enforcement employee.

Section 28.4. The Employer may provide certified patrol units ammunition for practice one time per year.

Section 32.3. It is the goal of both the Sheriff and the members of the bargaining unit to encourage and support physical fitness within the Sheriff's Office. The parties recognize that efforts to maintain or improve physical fitness and health support such goals.

Members, who can demonstrate their personal contribution and involvement in improving their physical fitness, may receive one (1) additional personal day each year, if they achieve the physical fitness standards in accordance with the Ohio Peace Officer Training Academy program requirements for age and gender.

The physical fitness test will be administered by the Sheriff in June of each year effective 2021. Participation in the Morrow County Sheriff's Physical Fitness Testing Program shall be voluntary, unpaid, and employees shall take the test outside their normal working hours.

The employee may use the one (1) additional personal day at a mutually agreeable time that does not cause over-time.

## **ARTICLE 34** **SEVERABILITY**

Section 34.1. Should any part of this Agreement or any provisions contained herein be declared invalid by operation of law by a tribunal of competent jurisdiction, it shall be of no further force and effect, but such invalidation of such part or provision shall not invalidate the remaining portions hereof and they shall remain in full force and effect.

Section 36.1.

A. This Agreement shall be effective upon signing and shall remain in full force and effect until midnight, January 31, 2023, unless otherwise terminated as provided herein.

The parties hereto have caused this Agreement to be executed and signed by their duly authorized representatives this 27th day of November, 2019.

MORROW COUNTY:  
s/Tom Whiston, Commissioner

FOP/OLC:  
s/Staff Representative, Tracy Rader

s/Warren Davis, Commissioner

s/Negotiations Committee Member

s/Burgess Castle, Commissioner

s/Negotiations Committee Member

s/John Hinton, Sheriff

s/Negotiations Committee Member

APPROVED AS TO FORM:

s/Negotiations Committee Member

s/Charles Howland, County Prosecutor

APPROVED AS TO CONTENT:

s/Andrew Esposito, Consultant

Mr. Castle duly seconded this motion.

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

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

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

We hereby certify the foregoing to be true and correct.

\_\_\_\_\_  
CHAIRMAN

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\_\_\_\_\_  
CLERK

\_\_\_\_\_

\_\_\_\_\_  
ASSISTANT CLERK

\_\_\_\_\_  
MORROW COUNTY COMMISSIONERS