

**MORGAN COUNTY COMMISSIONERS  
RIECKER BUILDING**

The Board of the Morgan County Commissioners met in their offices on Tuesday, September 6, 2011 with the following members present:

Mike Reed, President  
Dean Cain, Vice-President  
Tim VanHorn, Member

The meeting was called to order at 8:30 am with the pledge of allegiance to the flag. The minutes of the August 29, 2011 meeting were read and approved.

**11-342** Motion by Mr. Mike Reed and seconded by Mr. Dean Cain to approve the minutes from August 29, 2011.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

Becky Thompson, Dog Warden, reported traveling 181.4 miles responding to dog calls. Mrs. Thompson stated 7 dogs were impounded and 1 dog was redeemed.

Gary Woodward, Auditor, noted the concern with Churches not being charged a fee for renting the Community Room. Between two new churches (The Rock and Living Waters Faith Life Church), every Sunday is booked all day. Gary brought it to the Commissioner's attention the building was not occupied on Sunday, September 4<sup>th</sup>, at noon and 6:00pm; the costs associated with the Heating Ventilation Air Conditioning Unit for all day every Sunday was discussed. Commissioners informed Gary of the new policy for rental fees the board passed on August 1, 2011; for non-profits including churches, for use of Community Room/Kitchen (aka: Multi-Purpose Room) effective October 1, 2011: Non-Profits will acquire four (4) free rental opportunities per year regardless of the amount of hours rented for the each event; after which, the Non-Profits will be charged the regular Community Room Rental Rates. Also, starting in October the Community Room will be available from noon till 6pm for the community to use. The Commissioner's Office received several complaints with the lack of availability on Sundays. Gary questioned General Fund employees not having Friday of the Fair off. Commissioner Reed stated it was his intent to offer the General Fund employees a personal day instead of having Friday of the Fair off. It was mentioned some employees may appreciate a personal day in lieu of Friday of the Fair. The employees could use this day whenever they wanted to; not everyone attends the fair. Gary mentioned the reason why Friday of the Fair was taken away from the General Fund employees is because the offices were closed on Fridays. This was never given back to the employees after the offices began working 5 days a week. A discussion was held concerning departments working during the fair; however, they are not manning their booths all the time. Commissioner VanHorn stated some use vacation time; he realizes they are supposed to be at their booth.

Stevan Hook, Engineer, updated Commissioners on County Road 2 and noted County Road 66 paving project is complete.

**11-343** Motion by Mr. Tim VanHorn and seconded by Mr. Dean Cain to enter into Executive Session at 8:48am with Engineer Hook, as per O.R.C. 121.22 (G)(1), Employment, Personnel.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-344** Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to exit Executive Session at 9:00am with Engineer Hook, as per O.R.C. 121.22 (G)(1), Employment, Personnel. No action was taken.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

Heidi Burns, Job and Family Services, asked the Board of Commissioners if they wanted to continue to sign all purchase requests over \$200.00 or would they like to increase the dollar amount. Commissioners stated everything has been running smoothly therefore they intend to continue signing purchase requests over \$200.00. The following items were submitted for Commissioners signatures: PRC to send to State and the OJT's for Mahle and Miba Bearings.

Della Bratton telephoned Commissioners to discuss the requirement to drug test welfare recipients as a condition of eligibility.

Shannon Wells, Morgan County Commissioners' Development Office, affirmed she is working on the Transit Grant which is due September 23<sup>rd</sup>, 2011; estimated \$900,000 budget. Mrs. Wells mentioned she is working with Washington State Community College to offer a Microenterprise online class for credit hours, due to the lack of public interest for the grant.

**11-345** Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to enter into Executive Session at 10:37am with Shannon Wells, Morgan County Commissioners' Development Office, as per O.R.C. 121.22 (G)(1), Employment, Personnel.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-346** Motion by Mr. Tim VanHorn and seconded by Mr. Dean Cain to exit Executive Session at 11:07am with Shannon Wells, Morgan County Commissioners' Development Office, as per O.R.C. 121.22 (G)(1), Employment, Personnel. No action was taken.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-347** Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to approve the establishment of a new expense and receipt line items in the 068 Fund which will be receiving \$31,059.50 for the 2011-2012 year, as requested by Terry McGrew, Health Department:

Salaries	068-2012-5102.00	\$12,000.00
Supplies	068-2012-5303.00	\$ 750.00
Equipment	068-2012-5304.00	0.00
PERS	068-2012-5367.00	\$ 1680.00
Medicare	068-2012-5368.00	\$ 174.00
Workers Comp	068-2012-5369.00	0.00
Travel	068-2012-5307.00	\$ 250.00
Advertising	068-2012-5308.00	\$ 250.00
Other Expenses	068-2012-5309.00	\$ 1255.50
Contract Services	068-2012-5306.00	\$14,700.00

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-348 Motion** by Mr. Tim VanHorn and seconded by Mr. Dean Cain to approve a transfer of funds in the amount of \$500.00 from Employees Salary 001-0301-5102.00 and place into Contract Services 001-0301-5309.00; as requested by Louise Pennock, Board of Elections.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-349 Motion** by Mr. Dean Cain and seconded by Mr. Tim VanHorn to approve a transfer of funds in the amount of \$304.52 from Workers Comp 001-0301-5369.00 and place into Unemployment Compensation 001-0301-5369.01; as requested by Katy Chapin, Chief Deputy Auditor.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-350 Motion** by Mr. Tim VanHorn and seconded by Mr. Dean Cain to approve and enter into the following lease agreement with Community Action Program Corporation of Washington-Morgan Counties:

This Lease Agreement dated this 6<sup>th</sup> day of September 2011, between “The Morgan County Commissioners”, a unit of local government, hereafter the Lessor and “The Community Action Program Corporation of Washington-Morgan Counties, Ohio,” a non profit Ohio corporation; hereafter “Lessee”:

**Witnesseth:**

That in consideration of the mutual covenants and benefits set forth herein, the parties hereto agree as follows:

1) **Description of the Property** - The Lessee does hereby lease the use of specific areas of the Riecker Building, 155 East Main Street, McConnelsville, OH 43756 as follows:

- a) The exclusive Monday through Friday daytime (6:00 a.m. to 3:00 p.m.) use of the kitchen area of the Riecker Building
- b) The use of the specific areas of the dining area from Monday through Friday daytime 11:00 a.m. to 2:00 p.m.
- c) The exclusive use of the food storage areas at all times that are adjacent to the kitchen
- d) The exclusive use of locked cold food storage
- e) Special use of the kitchen dining area at other times as is agreeable with the Lessor.

Lessor shall reserve in advance with the Lessor

2) **The Term of the Lease** shall be from November 1, 2011 to October 31, 2012. Either party has the right to at any time during the lease to cancel this lease upon either party giving the other party 60 days written notice of its intention to cancel the lease and at the expiration of the 60 days, and will be canceled and with no further effect

3) **Rental Amount** - Lessee agrees to pay the Lessor the sum of Three Hundred and Eighty-Five dollars (\$385.00) per month for the use of the space outlines above, which amount may be re-negotiated annually. A letter of amendment signed by both parties may modify the amount to be paid.

- a) Lessee agrees to provide kitchen and dining room equipment during the term of this lease at no cost to the Lessor and for the general safe, healthy and careful use by the Lessor at other times when it is not in use by the Lessee. After the Lessor or its assignees use the noted equipment the Lessor agrees to be

responsible for cleaning the kitchen and dining equipment. The above noted equipment is listed an Attachment A to this lease, but may change from time to time as may be useful for the Lessee to perform its services.

4) **Lease Expiration** - Lessee agrees that at the expiration of the lease, it shall surrender the premises in good condition, except for normal wear and tear. Lessee agrees to provide routine cleaning to the leased premises on its regular cleaning schedule

5) **Indemnification**- Lessee agrees to save the Lessor harmless during the term of the Lease, when the Lessee is in actual use of the premises from any and all claims of any kind, nature or description resulting from injury to any person or persons or property and agree to promptly defend any actions which may be brought as a result there of at its own cost and expense.

6) **Insurance** - Lessee shall provide written proof of insurance in the amount of One Million Dollars (\$1,000,000) coverage, as currently available and acceptable to the Lessor, with said coverage to remain in effect during the term of said Lease.

7) The parties hereto agree that this lease shall not be assigned or sublet without the express written consent of both parties hereto.

**IN WITNESS WHEREOF, THE PARTIES HAVE HEREUNTO SET THEIR HANDS THIS 6<sup>th</sup> DAY OF SEPTEMBER, 2011.**

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-351** Motion by Mr. Mike Reed and seconded by Mr. Dean Cain to approve the following invoices as attached to the minutes.

**Vote Mike Reed- yea, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**11-352** Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to adjourn the meeting at 4:00 PM.

**Vote Mike Reed- absent, Dean Cain- yea, Tim VanHorn- yea. Motion Carried**

**Commissioners,**

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**Mike Reed, President**

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**Dean Cain, Vice-President**

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**Tim VanHorn, Member**

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**Andrea Plummer, Clerk**