

**MORGAN COUNTY COMMISSIONERS
RIECKER BUILDING**

The Board of Morgan County Commissioners met in their offices Monday, May 6, 2019.
The meeting was called to order at 8:30am with the pledge of allegiance to the flag.

Adam Shriver, President
Mike Reed, Vice- President
Tom Bragg, Member

19-163- Motion by Mr. Reed and seconded by Mr. Bragg to approve the minutes of April 29, 2019.
Mr. Shriver yea Mr. Reed yea Mr. Bragg yea Motion Carried

*Commissioners are in receipt of April expense, revenue and statement of cash report from the Morgan County Auditor.

Valarie McKibben, BOE

19-164- Motion by Mr. Reed and seconded by Mr. Bragg to approve the following:

WHEREAS, pursuant to Amended Substitute Senate Bill 135 of the 132nd Ohio General Assembly (as the same may be amended, modified, revised, supplemented or superseded from time to time, the "Act") and the financing program authorized thereunder (the "SoS Financing Program"), the Secretary of State of the State of the Ohio (the "Sublessor") is providing financing to Ohio counties for the acquisition of voting systems, including, but not limited to, voting machines, marking devices, automatic tabulating equipment, and direct record electronic voting machines, as defined in Ohio Revised Code ("ORC") Section 3506.01, together with associated allowable expenditures, as defined in the Act; and

WHEREAS, in accordance with ORC Section 3506.02, it has been determined that the equipment used by the citizens of the County of MORGAN, Ohio (the "Sublessee") to vote in federal, state and local elections shall be changed to that equipment described in the Proposal of ES&S (the "Vendor") dated MARCH 27, 2019 (the "Proposal"); and

WHEREAS, the Vendor has submitted a draft contract for the implementation of the Proposal to the Sublessee (the "Project Contract"), and the Sublessor has reviewed and approved the Project Contract (as it relates to the SoS Financing Program) and the Project Equipment (as hereinafter defined); and

WHEREAS, the Proposal requires the Sublessee to acquire certain voting machines and equipment (the "Project Equipment") and pay certain costs related to implementing the Proposal (along with the acquisition of the Project Equipment, the "Project") and this Board of County Commissioners of the Sublessee (the "Legislative Authority") desires to accept the Proposal, enter into the Project Contract, undertake the Project, and finance a portion of the cost of the Project by utilizing the provisions of the SoS Financing Program;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of MORGAN, State of Ohio, that:

SECTION 1. It is hereby determined to be necessary, desirable and expedient, and in the best interests of the Sublessee and its citizens, for the Sublessee (i) to accept the Proposal, (ii) enter into the Project Contract, (iii) acquire the Project Equipment, and (iv) finance a portion of the costs of the Project Equipment (the "State-Financed Equipment") and other costs of the Project by participating in the SoS Financing Program.

SECTION 2. The Sublessee's participation in the SoS Financing Program shall be evidenced by a Sublease-Purchase Agreement between the Sublessor and the Sublessee (together with all exhibits and appendices thereto, the "Sublease"). At least two members of the Legislative Authority and the Sublessee's County Auditor (collectively, the "County Signers") are hereby separately and individually authorized, alone or with others, to execute and deliver the Sublease on behalf of the Sublessee in substantially the form presently on file with the Legislative Authority, which is hereby approved, with such changes not substantially adverse to the Sublessee as the County Signers may approve; the approval of such changes and that the same are not

substantially adverse to the Sublessee shall be conclusively evidenced by the execution of the Sublease by the County Signers.

SECTION 3. All of the obligations of the Sublessee set forth and covenants made by the Sublessee under the Sublease are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Sublessee within the meaning of ORC Section 2731.01 *et seq.*

SECTION 4. Pursuant to the SoS Financing Program, the Sublessee shall not be required to make any scheduled payments towards the purchase of the State-Financed Equipment to the Sublessor or any other entity. To pay that portion of the cost of the Project not financed through the SoS Financing Program, there is hereby appropriated from the Sublessee's GENERAL Fund (i) the amount of \$13,175.00, and (ii) to pay the Sublessee's other obligations under the Sublease during this [2019], the amount of \$0.00.

SECTION 5. The County Signers and other appropriate officers of the Sublessee, or any of them, are hereby separately and individually authorized and directed to (i) make the necessary arrangements with the Sublessor to establish the date, location, procedure and conditions for executing and delivering the Sublease, and delivering the Sublease to, the Sublessor, and (ii) give all appropriate notices and execute and deliver, on behalf of the Sublessee, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out, give effect to and consummate the transaction contemplated thereby in such forms as the official executing the same may approve, and to take all other steps necessary or appropriate to effect the due execution, delivery and performance of the Sublease pursuant to the provisions of this resolution. The Clerk of the Board of County Commissioners shall furnish to the Sublessor a true transcript of proceedings pertaining to the Sublease containing such information from the records of the Sublessee as is necessary to evidence or determine the regularity and validity of the authorization, execution and delivery of the Sublease. Each of the County Signers is hereby separately and individually designated to act as the authorized representative of the Sublessee for purposes of the Sublease until such time as the Legislative Authority shall designate any other or different authorized representatives for such purpose.

SECTION 6. The Sublease shall constitute a special obligation of the Sublessee. Nothing in the Sublease or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt, bonded indebtedness or a general obligation of the Sublessee. Neither the taxing power nor the full faith and credit of the Sublessee are pledged or shall be pledged for the payment or security of the Sublease, or any other related agreement or document.

SECTION 7. The Legislative Authority acknowledges that the Sublessor has obtained funds for the SoS Financing Program by utilizing a sublease-purchase / certificates of participation arrangement, and that the interest component of the Sublessor's lease payments thereunder is intended to be exempt from federal income taxation under the Internal Revenue Code of 1986, as amended and the regulations prescribed thereunder (the "Code"). The Legislative Authority hereby covenants that it will restrict the use of the State-Financed Equipment in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the Sublease is entered into, so that the interest portion of such lease payments by the Sublessor will not be subject to federal income taxation under the Code. Any County Signer or any other officer having responsibility with respect to the execution and delivery of the Sublease is authorized and directed to give an appropriate certificate on behalf of the Sublessee on the date of delivery of the Sublease, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the State-Financed Equipment and other matters under the Code.

SECTION 8. It is hereby determined that the terms of the Sublease and this resolution are in compliance with all legal requirements. If any section, paragraph, clause or provision of this resolution or the Sublease shall for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any remaining provisions of this resolution or the Sublease, respectively. Any provisions of any ordinance or resolution inconsistent with this resolution are hereby repealed, but only to the extent of such inconsistency; this provision shall not be construed as reviving any ordinance or resolution or any part thereof.

SECTION 9. It is found and determined that all formal actions of the Legislative Authority concerning and relating to the adoption of this resolution were adopted in an open meeting of the Legislative Authority, and that all deliberations of the Legislative Authority and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including ORC Section 121.22.

SECTION 10. This resolution shall take effect and be in force upon its adoption.

ADOPTED May 6, 2019.

Mr. Shriver yea Mr. Reed yea Mr. Bragg yea Motion Carried

Vicki Quesinberry, JFS

*The hiring process was postponed due to one of the potential employees' relationship with the hirer.

***Mr. Shriver excused himself from the meeting and did not participate in executive session.**

19-165- Motion by Mr. Bragg and seconded by Mr. Reed to enter executive session at 9:05am with Vicki Quesinberry pursuant to ORC 121.22 section (G)(1) Employee Personnel.

Mr. Shriver absent Mr. Reed yea Mr. Bragg yea Motion Carried

19-166- Motion by Mr. Reed and seconded by Mr. Bragg to exit executive session at 9:15am with Vicki Quesinberry pursuant to ORC 121.22 section (G)(1) Employee Personnel.

Mr. Shriver absent Mr. Reed yea Mr. Bragg yea Motion Carried

Mr. Shriver returned to regular meeting upon closure of executive session.

Ryan Evans, Southeast Regional Director, Ohio Attorney General Office

-Mr. Evans is the liaison at the Ohio Attorney General's Office for of ten counties. He works with central and Southeastern Ohio and has been in this current position since February. He let commissioners know how to contact him if they needed anything from his office.

-Terry Campbell, Concerned Citizen

-Mr. Campbell was concerned about Homer and Union townships to see about mowing cemeteries. The commissioners asked if either townships had cemetery levies, as that is how most township pay to have them maintained. Otherwise the townships general fund has to pay for it.

Judge Favreau, Court of Common Pleas

-One of Judge Favreau's employees position will no longer exist when Ohio's new parole changes goes into effect. However, Judge Favreau would like to move said employee to another position. When grant funding becomes available in 2020, he will use that along with an increase to his budget from the commissioners to re hire an employee for the former position. The commissioners are still having further discussion on this topic.

Shannon Wells, Development Office

- Community Housing Impact & Preservation 2019 grant submitted 5/3/19.
- Chesterhill Income Survey has started in the village for Community Development Block Grant Neighborhood Revitalization program.
- Hittle Roofing completing a free estimate on roof at the Morgan County Health Center building. G&M Construction providing an estimate on the building renovations.

- Pennsville, Chesterhill, M&M and Stockport fire departments have been sent applications for CDBG funding due May 10 to the Development Office. This will provide funding to these departments for 2020 and 2021 because of the biennial funding cycles from CDBG to Morgan County.

- Quotes for minor renovations in the Development Office storage room have been received.

G&M Construction	\$4,600.00
King's Future Builders	\$6,540.00
Krigbaum Construction	\$7,600.00

- Opera House contract completion is 5/31/19. All renovation work will be completed.
- Recycling – Appliance Collection Saturday, May 11, 2019 from 9am-2pm
- Bristol change order \$640.00 for Miller Excavating one check valve for Kalb residence and pressure regulators for six homes that were not included in the specs after a pre-construction meeting with Morgan Meigsville water district.

19-167- Motion by Mr. Bragg and seconded by Mr. Reed to allow Mrs. Wells to make changes to her office space, moving a door and some electrical wiring with G+M Construction in the amount of \$4,600.00. To be paid by the Development Office.

Mr. Shriver yea Mr. Reed yea Mr. Bragg yea Motion Carried

Jeff Babcock, IT Administrator

- The phone system bid documentation was sent to multiple vendors. One vendor, Spectrum, does not provide the type of equipment required by the County, but know of several vendors in the area that does. They advised they will forward the bid documents to other phone system vendors in the area. An addendum to the phone system bid documents will be created to reflect the number of handsets needed throughout the Riecker Building, Sheriff's Office, and Courthouse.

The OSU Extension Office had some questions about the phones and whether they needed "County phones" in their offices with OSU installing VOIP phones on their computers. They were advised to discuss that issue as well as billing with the Commissioners.

On 1 May 2019, one of the T1 lines from CenturyLink was down around noon. It is unclear what caused the brief outage. A simple reset on the equipment at CenturyLink restored service.

On 6 May 2019, the IT Director met with Morgan County Board of Elections personnel and a representative from Dell to review the elections infrastructure security assessment (EISA) spreadsheet generated by the Ohio Secretary of State's office.

Becky Thompson, Dog Warden

Dog report-filed

Gary Woodward, Treava Huffman, Rick Carpenter, Post Audit

-Not public information

Becky Aber, Health Department

-Discussed an insurance issue concerning a wreck with one of her employees in a company vehicle.

Adam Triplett, Doug Altherr, Veterans Office

-Discussed beginning a Blue Star Program for veterans. See Attachment A. After an in service military family is chosen, they will get their picture in the paper with the commissioners along with their story, This program is directed to encourage people to seek veterans assistance as soon as possible. The Veterans Service Office will then guide you in the correct direction.

TRANSFERS, THEN & NOWS, SUPPLEMENTAL APPROPRIATIONS & UTILITY APPLICATIONS

19-168- Motion by Mr. Bragg and seconded by Mr. Reed request a supplemental appropriation in the amount of \$40,000 from the Gas and Motor Vehicle fund. Please place the full amount into our large equipment account (k-13) 004-0004-5304.01

Mr. Shriver yea Mr. Reed yea Mr. Bragg yea Motion Carried

19-169- Motion by Mr. Reed and seconded by Mr. Bragg to approve payment of bills. *See attached*

Mr. Shriver yea Mr. Reed yea, Mr. Bragg yea, Motion Carried

19-1170-Motion by Mr. Bragg and seconded by Mr. Reed to recess the Commissioners' meeting until Friday, at 9:30am in the Community Room..

Mr. Shriver yea Mr. Reed yea, Mr. Bragg yea, Motion Carried

Adam Shriver, President

Mike Reed, Vice-President

Tom Bragg , Member

Sheila Welch, Clerk

Attachment A:

The Blue Star Banner is an American tradition in which a family displays a Blue Star Service Banner in the window of a home when a loved one is proudly serving in the U.S. Armed Forces on active duty. The tradition started during World War I, and still stands today as a symbol of the sacrifices not only the service member is making, but the dedication and sacrifices that the family endures during the difficult and often lengthy time while their loved one is serving in uniform and protecting the freedoms that we often take for granted.

Blue Star Service Banners Fact Sheet



The Blue Star Service Banner was designed and patented in 1917 by World War I Army Capt. Robert L. Queisser of the 5th Ohio Infantry. Queisser's two sons served on the front line. His banner quickly became the unofficial symbol for parents with a child in active military service.

On Sept. 24, 1917, an Ohio congressman read the following into the Congressional Record: "The mayor of Cleveland, the Chamber of Commerce and the governor of Ohio have adopted this service flag. The world should know of those who give so much for liberty. The dearest thing in all the world to a father and mother: their children." Blue Star Mothers and Gold Star Mothers organizations were established during World War I and remain active today.

During World War II, the Department of War issued specifications on manufacture of the flag, as well as guidelines indicating when the service flag could be flown and by whom. Restrictions were also passed on who can wear the service lapel. The Department of Defense authorized the service flag and service lapel on Dec. 1, 1967, with DoD Directive 1348.1, which implemented an act of Congress (U.S. Code 179-182). The Blue Star Service Banner is an 8.5-by-14-inch white field with one or more blue stars sewn onto a red banner. The size varies but should be in proportion to the U.S. flag. Today, families display these banners when they have a loved one serving in the U.S. Armed Forces. The blue star represents one family member serving, and a banner can have up to five stars. If the individual is killed or dies, a smaller golden star is placed over it. Gold stars are placed above the blue stars or to the top right of the flag, in the event a flag represents multiple servicemembers.

