

**MINUTES**  
**BOARD OF ALLEN COUNTY**  
**COMMISSIONERS**

204 N. Main Street

3<sup>rd</sup> Floor

Lima, Ohio 45801

Phone: 419-228-3700, Ext 8725 Fax: 419-224-0183

[commissioners@allencountyohio.com](mailto:commissioners@allencountyohio.com)

Board of Allen County Commissioners will be in session

Tuesday and Thursday and adjourn upon completion of business

DESCRIPTION	GENERAL SESSION
DATE	August 17, 2023
LOCATION	COMMISSIONER'S MEETING ROOM
	<p><b>** The Commissioner's office will be open for in-person meetings. Social distancing requirements shall still be maintained.</b></p> <p><b>Allen County residents may also join the meeting from a computer, tablet or smartphone.</b></p> <p><b><a href="https://www.gotomeet.me/AllenCountyCommissioners">https://www.gotomeet.me/AllenCountyCommissioners</a></b></p> <p><b>You can also dial in using your phone.</b>  <b>United States (Toll Free): <u>1 866 899 4679</u></b>  <b>United States: <u>+1 (571) 317-3116</u></b></p> <p><b>Access Code: 606-059-605</b></p>
TIME:	GENERAL SESSION – RECORDED
9:00 a.m.	AGENDA MEETING
	PLEDGE
	<p style="text-align: center;"><b>APPROVE AGENDA AS PRESENTED</b></p> <ul style="list-style-type: none"> <li>• <b>Under Res/Signatures Add Resolution #589-23, Resolution to self-certify \$50,000.00 micro-purchase threshold for use of federal funds.</b></li> <li>• <b>Under Res/Signatures add Resolution #590-23, adopt a Public Hearing Policy.</b></li> <li>• <b>Commissioners will have discussion with Assistant Prosecutor, Kayla Campbell, immediately after the agenda meeting re: Baughman Final Hearing</b></li> </ul>

*Commissioner Noonan moved to approve the amended agenda. Motion seconded by Commissioner Winegardner. The roll was called and the amended agenda was approved unanimously.*

**ITEMS FOR REVIEW AND APPROVAL:**

- 1. Approve the minutes of the July 24, 2023 special session.**
- 2. Approve the minutes of the July 25, 2023 general session.**
- 3. Approve the minutes of the July 26, 2023 special session.**
- 4. Approve the minutes of the July 27, 2023 general session.**
- 5. Approve the minutes of the August 1, 2023 general session.**
- 6. Approve the minutes of the August 3, 2023 general session.**

*Commissioner Winegardner moved for approval. Motion seconded by Commissioner Seibert. The roll was called and the minutes were approved unanimously.*

**7. Consent Agenda:**

- a. Resolution #576-23.** Approve travel expenses.
- b. Resolution #577-23.** Authorize a warrant of transfer from the Sanitary Engineering Department Operations Fund 5034 to the Surplus Fund 5035.
- c. Resolution #578-23.** Supplemental appropriation to the General Fund 1001.
- d. Resolution #579-23.** Authorize a warrant of transfer from the General Fund 1001 to the Administration Building Fund 4022.
- e. Resolution #580-23.** Authorize a warrant of transfer from the General Fund 1001 to the Child Support Enforcement Agency Building Fund 4023.
- f. Resolution #581-23.** Supplemental appropriation to the Administration Building Fund 4022.
- g. Resolution #582-23.** Supplemental appropriation to the CSEA Building Fund 4023.
- h. Resolution #583-23.** Supplemental appropriation to the Hutchinson Construction Fund 4347.
- i. Resolution #584-23.** Supplemental appropriation to the Community Water Fund 8814.
- j. Resolution #585-23.** Supplemental appropriation to the WORTH Center Fund 8880.
- k. Resolution #586-23.** Authorize the Allen County Auditor to create the OSU AG Runoff Treatment Project Fund.

***Commissioner Seibert moved for approval. Motion seconded by Commissioner Noonan. The roll was called and the resolutions were approved unanimously.***

**RESOLUTIONS/SIGNATURES:**

- 1. Notice to Legislative Authority, Ohio Division of Liquor Control, To DND Pizza & Wings LLC DBA Daryl & Daryls Pizza & Wings from EOC of Ohio Inc DBA Daryl and Daryls Pizza & Wings, C1, C2, D6 and Liquor Agency Contract Permits**

***Commissioner Noonan moved for approval to Do Not Request a Hearing. Motion seconded by Commissioner Winegardner. The roll was called and approved unanimously.***

- 2. Resolution #587-23. Authorize membership and payment of annual dues to Ohio Animal Welfare Federation. *Commissioner Winegardner moved for approval. Motion seconded by Commissioner Seibert. The roll was called and the resolution was approved unanimously.***
- 3. Resolution #743-22A. Amend Resolution #743-22, authorize an agreement with Cott Systems and Records Consultants, Inc. for scanning of records at the Allen County Recorder's Office. *Commissioner Seibert moved for approval. Motion seconded by Commissioner Noonan. The roll was called and the resolution was approved unanimously.***
- 4. Resolution #387-22A. Amend Resolution #387-22, authorize the reimbursement of the cost of covid related medical testing expenses through American Rescue Plan Act Fund. *Commissioner Noonan moved for approval. Motion seconded by Commissioner Winegardner. The roll was called and the resolution was approved unanimously.***
- 5. Resolution #112-22A. Amend Resolution #112-22, resolution authorizing an agreement with Bricker Graydon, LLP (FNA Bricker & Eckler, LLP) for American Rescue Plan related legal counsel services. *Commissioner Winegardner moved for approval. Motion seconded by Commissioner Seibert. The roll was called and the resolution was approved unanimously.***

	<p><b>6. Resolution #589-23.</b> Resolution to self-certify \$50,000.00 micro-purchase threshold for use of federal funds. <b><i>Commissioner Noonan moved for approval. Motion seconded by Commissioner Winegardner. The roll was called and the resolution was approved unanimously.</i></b></p> <p><b>7. Resolution #590-23.</b> Adopt a Public Hearing Policy. <b><i>Commissioner Winegardner moved for approval. Motion seconded by Commissioner Seibert. The roll was called and the resolution was approved unanimously.</i></b></p>
	<p><b>DISCUSSION:</b></p> <p><b>A. <u>County Engineer</u></b></p> <p><b>1. Resolution #588-23.</b> Approve Change Orders #1- #8 with R.G. Zachrich for the construction of the State Road Bridge. <b><i>Commissioner Seibert moved for approval. Motion seconded by Commissioner Noonan. The Change Orders include three (3) time extensions and five (5) quantity adjustments, for a total of \$3,823.95 with the County Engineer responsible for 5%. The roll was called and the resolution was approved unanimously.</i></b></p>
	<b>ANNOUNCEMENTS</b>
	<p><b>PUBLIC COMMENT</b></p> <p>Please refer to Public Comment Policy and Application at <a href="https://commissioners.allencountyohio.com/public-comment-policy-request-application/">https://commissioners.allencountyohio.com/public-comment-policy-request-application/</a></p>
<b>9:10 a.m.</b>	<b>RECESS</b>
<b>9:10 a.m.</b>	<p><b>Baughman Final Hearing Discussion – Kayla Campbell</b></p> <ul style="list-style-type: none"> <li>• <b>Kayla Campbell provided an overview of County Engineer discussion with Land Owner and miscalculated assessment</b></li> <li>• <b>Discussion on preparations for Final Hearing</b></li> <li>• <b>Discussion on rectifying errors in the County Engineer’s Final Report</b> -will maintain due process</li> </ul>
<b>9:19 a.m.</b>	<b>RECESS</b>

9:31 a.m.

**Update—Jason Patchet – Building and Grounds**

- **Discussion on window damage at the Civic Center**
  - quote for replacement of window –\$1,293.43
  - Commissioners agree to pay for replacement through Capital funds
- **Enterprise has delivered ProMaster van to Building and Grounds**
  - review of quote from AmeriVan for installing shelving into the van -\$3,865.08
  - Becky Moorman has obtained a P.O. from the Services Account and has been ordered
- **Discussion on plow and snow spreader installation for trucks ordered through Enterprise**
  - Commissioners would like to have blades and salt spreader installed on the Enterprise trucks by Enterprise rather than installation after receiving the vehicles by Snappys
  - Kelli Singhaus will work with Enterprise to get updated quotes
- **Kelli Singhaus discussed the requested Juvenile Court vehicle from Enterprise**
  - the van base model is no longer available, Kelli Singhaus will further discuss options with Berlin Carroll
- **Discussion on postage machine lease with Quadient**
  - lease is expiring in November and needs to be renewed
  - \$1,260.00 per month is current lease amount and price is not increasing
  - Jason Patchet does have funds set aside to continue leasing
  - Commissioners are comfortable with moving forward with a renewal for an additional 60 months and Brittany Woods will place on agenda for approval
- **Discussion on damages to the Museum retaining wall**
  - have received quote from Turf Concept
  - \$27,264.75 with current block style
  - \$31,713.00 with using Redi-Rock
  - still waiting on quote from R.B. Jergens
- **Court of Appeals parking lot gate has been fixed**
- **Discussion on RFQ language provided by Technicon Design Group for the Veterans Garage project**
  - Kayla Campbell is currently reviewing

10:20 a.m.	<b>RECESS</b>
11:02 a.m.	<p><b>CourtView Project Discussion – Berlin Carroll and Jason Sadler</b></p> <ul style="list-style-type: none"> <li>• <b>General discussion on the cost of the CourtView project</b></li> <li>• <b>Review of needs and wants for the CourtView project</b></li> <li>• <b>Discussion on status of project</b> <ul style="list-style-type: none"> <li>-E-Citation portion is moving forward—meeting with Equivant later today to kickstart</li> <li>-will need to move forward with the E-portal portion as soon as possible, as it is part of the Supreme Court grant -\$42,673.50 and \$6,012.60 yearly maintenance</li> </ul> </li> <li>• <b>Discussion on total spent so far on the project</b> <ul style="list-style-type: none"> <li>-Berlin Carroll will look into this and will follow up with the Commissioners</li> </ul> </li> <li>• <b>Discussion on control room upgrade needs</b> <ul style="list-style-type: none"> <li>-computer replacement is needed for 2 to 4 computers – one of the computers is completely out of commission at this time</li> <li>-discussion on the option of installing a new camera system that could utilize regular computers/tablets for viewing and footage storage</li> <li>-Berlin Carroll will provide a quote for the Commissioners to review</li> </ul> </li> <li>• <b>Provided an update on youth being housed in other counties</b> <ul style="list-style-type: none"> <li>-currently one being housed in Miami County due to co-defendants being housed in Allen County</li> <li>-there is an additional being housed out of county, but only for a 10-day period due to conflict of interest, with an employee of Juvenile Detention Center being related to the youth</li> </ul> </li> <li>• <b>Discussion on requested Enterprise vehicle</b> <ul style="list-style-type: none"> <li>-Berlin Carroll will follow-up with the Commissioners on if a van is needed or if they could use something smaller</li> </ul> </li> </ul>
11:58 a.m.	<b>RECESS</b>
1:02 p.m.	<p><b>Update— Child Support Enforcement Agency – Vicki Tarr and Chris Widener</b></p> <p><b>**Commissioner Noonan is absent due to another meeting**</b></p>

- Vicki Tarr provided an update on their scanning project
  - approximately 6,000 cases left to scan
- Discussion on Caretaker Bill
  - Judges will be meeting to discuss how Child Support Enforcement Agency should proceed
- Provided an update on productivity
- Discussion on reimbursement of new CSEA building
  - has discussed with the State and reimbursement is possible and will continue to work with the State and County Auditor on how to proceed
- Discussion on furnishings for the new CSEA building
  - discussion on funding costs of furnishings
  - Commissioners could give an in-kind contribution toward the furnishings and then there would be an opportunity for 66% reimbursement
- Discussion on air flow/circulation with work stations
  - adjusted panel heights to allow for air flow/circulation
- General discussion on office space needs
  - Vicki Tarr would like to maintain a three-floor floorplan to spread out employees, especially for the call-center area
  - Vicki Tarr would like the minimum office size no less than 9x10
- Review of floorplan options

At 2:26 p.m., Commissioner Winegardner left the meeting

- Vicki Tarr provided her vacation form to Commissioner Seibert for next week

2:31 p.m.	RECESS
5:00 p.m.	<p>Baughman Petitioned Ditch #1198 Final Hearing – Fraternal Order of Police Lodge, 750 W. Robb Ave., Lima, Ohio 45801</p> <ul style="list-style-type: none"> <li>• Commissioner Noonan opened the meeting</li> <li>• Nathan Davis provided introductions           <ul style="list-style-type: none"> <li>-provided overview of ORC 6131</li> <li>-provided overview of ORC 6137</li> </ul> </li> <li>• Nathan Davis provided general background of project</li> </ul>

- provided information on grant funding received for wetlands project—GLFRI and H2Ohio
- Nathan Davis reviewed the watershed map and scope of project
  - discussion on how grant funds will be used for the Baughman Petitioned Ditch project and the Baughman Wetlands Project
- Nathan Davis provided a review of the Report of the County Engineer
  - total project cost-\$2,110,290.06
  - discussion on wetlands project being added to the Baughman Petitioned Project for maintenance purposes
- Nathan Davis provided an overview of assessment calculations
  - discussion on process moving forward with the project
  - discussion on final assessments and payment options
  - provided an overview of appeals process
- Commissioner Noonan read correspondences received from the following:
  - Kenneth Custer—opposed to the project due to no longer living in the watershed
  - Nate Patrick—expressed concerns of the project due to accepting 60,000 cu. Yds. Of dirt on his property from the wetlands projects, as well as concern of placement of drainage tile near house and does not believe he should be assessed, believes he should be compensated
  - Steve Maxwell—expressed concern of being in two-watersheds with his water running in two different directions and is opposed to assessment and maintenance fees, not the project. Worried that he will help pay for his neighbor's storm sewer but won't get help for his if needed later
- Commissioner Noonan provided oath to anyone planning to provide testimony
- Testimony was heard by the following:
  - Rose Phillips—has completed over \$50,000.00 of repairs to her home over the years due to flooding and expressed that she is in favor of the project
  - Darrel Kennedy—expressed that he is in favor of the project but does have fear of increased fees for maintenance
  - David Smith—first received his assessment with miscalculation, which the County Engineer has corrected and asked about tiles and how they will be connected, in which Nathan Davis responded. Does have concerns that the provided \$50,000.00



for contingencies may not be enough for the project

-Terry Dunn—expressed that the Moose Lodge is in favor of the project, as they even sold property for the wetlands project, but does have concerns with assessment and maintenance fee amounts. Discussion on received dirt and when dirt can be sold.

-Robin Lamb—expressed concerns on dyke wall being close to property of new homes, which Nathan Davis assured him that current storm water sewer would be replaced/catch basin installed. Mr. Lamb is not opposed to the project.

-Roger Brown—expressed appreciation of the grant and county funds put toward the project and questioned tile work to be completed. Nathan Davis stated that within the watershed, tile work would be covered under maintenance.

-Lisa Maxwell—expressed no issue with paying construction costs but was curious on calculation of maintenance assessments

-Terry Tschuor—in favor of project, just had questions on tile work being installed

-Nate Patrick— expressed his plan to appeal his assessment due to he feels he has already contributed to the project by dirt being placed on his property from the wetland project (deal was completed with Mr. Patrick and the contractor) and does not feel assessment is fair

- Commissioner Noonan concluded the public testimony portion of the hearing
- Commissioner Noonan discussed correspondence in regards to ORC 6131.19 from Jamie Lattimer for damages/compensation
  - the Lattimer's were not present
  - Commissioner Noonan read the correspondences into record regarding sick and loss of life of water fowl
  - Due to the Lattimer's not being present, Commissioner Noonan concluded the hearing on compensation/damages due to not being present
- Commissioner's had discussion on the importance of the project as well as the affordability to property owners

**Commissioner Noonan made a motion to proceed with the project with the county covering an additional \$1,972.99 for land use change of one of the properties in the watershed. Motion seconded by Commissioner Seibert. The roll was called and approved unanimously.**

- **Commissioner Noonan clarified assessment amounts and stated that landowners must modify the Clerk of Board if they wish to pay their assessment in full within 21 days and amount must be paid within 30 days**

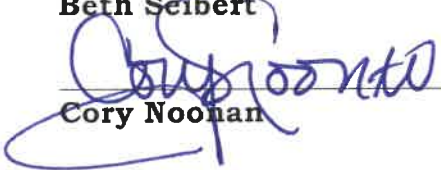
**Commissioner Noonan amended his previous motion to include that there will be a five (5) year loan with a four (4) year payback. Amended motion was seconded by Commissioner Winegardner. The roll was called and approved unanimously.**

**6:34 p.m.**

**ADJOURN**

**Submitted by:**   
**Brittany N. Woods, Clerk**

**Approved by: Board of Allen County Commissioners**  
  
**Brian Winegardner**

**Beth Seibert**  
  
**Cory Noonan**