

## Minutes

August 24, 2023

Commissioners present: Timothy Bechtol and Michael Pepple. William Bateson absent.

Also Present: Christine Carrigan, Cindy Land, Phil Johnson, Auditor Charity Rauschenberg, Adam Witteman, Engineer Doug Cade and Steve Wilson.

Commissioner Bechtol opened the meeting at 9:30 a.m. in the Commissioners' 1<sup>st</sup> floor conference room. The Pledge of Allegiance was recited. Minutes from the August 17, 2023, meetings was read with Michael Pepple making a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Michael Pepple made the motion to approve two Warrant Journals. Timothy Bechtol seconded. Motion passed 2-0. The Commissioners approved payroll for their staff and Job & Family Services. In addition, the Commissioners approved two amended travel requests for the Public Defender's office, a travel request for the Sheriff's office and the Hancock County Revolving Loan Fund, HRPC administrative fees in the amount of \$3,578.69. The Commissioners authorized the Board of Elections to pay a finance charge in the amount of \$9.08 for their Fifth Third credit card. A proclamation was signed by the Commissioners recognizing Mary Beth Hammond as the Honorary Chair of the 56<sup>th</sup> Annual Chamber Golf Tournament that will be held on August 28, 2023.

The Assistant Clerk presented the following resolutions for consideration:

Resolution #560-23 – Authorizing the payment of the listed and/or attached Purchase Orders. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #561-23 – Transfer of Funds from Tier Fee #5109 to Litter Landing #5069. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #562-23 – Transfer of funds from Indigent Defense #8180 to General Fund #1001 (July 2023 \$1,212,91). Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #563-23 – Transfer of funds from the General Fund 1001 to the Severance Fund 2136. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #564-23 – Additional appropriation - within the Auditor's certification - Commissioners to appropriate to Special Improvement Fund 4005. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #565-23 – Additional Appropriation- within the Auditor's certification- Commissioners to appropriate to Ditch Maintenance #2004. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #566-23 – Additional appropriation within the Auditor's certification- commissioners to appropriate to the Job & Family Services #2015. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #567-23 – Additional appropriation- within the Auditor's certification- Commissioners to appropriate to Severance # 2136 (Sheriff). Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #568-23 – Transfer of funds within the appropriation- Community Corrections Fund #2089 - Common Pleas Court. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #569-23 – Additional appropriation within the Auditor's certification - Commissioners to appropriate to Water Maintenance Fund #2088. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #570-23 – Additional appropriation within the Auditor's certification- Commissioners to appropriate to Job & Family Services #2015. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #571-23 – Additional appropriation within the Auditor's certification - Commissioners to appropriate to Workforce Development #2105. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #572-23 – Additional appropriation within the Auditor's certification - Commissioners to appropriate to Blanchard River Maintenance Fund #8133. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #573-23 – Additional appropriation within the Auditor's certification - Commissioners to appropriate to Juvenile Probate Bond Retirement Fund #3237. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Discussion took place regarding the financing and assessment process for the Blanchard River Stream Enhancement Project with Cindy and Charity.

Cindy Land presented the following resolutions for consideration:

Resolution #574-23 – Resolution authorizing the Hancock County Commissioners to enter into the second amendment to the contract with T & H Lift, LLC, to provide necessary transportation services. Cindy stated this is for non-emergency transportation services through JFS. This is a request to add an additional \$100,000.00 to bring the contract total to \$225,635.95. This is not county money. It is all pass-through money they get through state and federal grants. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #575-23 – Resolution authorizing agreements with CourtView Justice Solutions Inc. necessary for the implementation of CourtView software system in the Common Pleas Court. Cindy stated this is an amendment of the Juvenile Courts agreement with CourtView to include Common Pleas Court and Clerk of Courts. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Phil Johnson presented the following resolutions for consideration:

Resolution #576-23 – Authorizing entry into a contract with Rocky Edge Excavating LLC., for demolition of buildings located at 0, 922, and 926 (or 927) Fox Street in Findlay. Phil stated this is for demolition of two small houses and one small block building. The winning bid and the lowest bid of \$7,250.00 was submitted by Rocky Edge Excavating LLC. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #577-23 – Authorizing the entry into an agreement with Ohio Machinery Co., d/b/a Ohio CAT for purchase of an existing Caterpillar Model 308 07 mini hydraulic excavator with twenty-four month/2000-hour warranty for use by the Hancock County Engineer. Phil stated this is for purchase of a mini hydraulic excavator from OHIO CAT. The purchase price is \$161,073.00. A trade-in of an old mini excavator will knock off \$40,000.00, leaving the net purchase price of \$121,073.00. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #578-23 – The Board's agreement to cooperate with the Ohio Department of Transportation for the HAN/IR75 CR 99 Interchange Rehab Project in Hancock County, Ohio; PID 102375, and to execute necessary documents related thereto. Phil stated this relates to the interchange rehabilitation in process for the County Rd. 99/I-75 Interchange. This will authorize execution of a couple of documents and authorize Engineer Doug Cade to execute further documents for this project. It also authorizes cooperation with the Director of Transportation. There is a map attached for the Commissioners to sign and accept how it is going to be laid out. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #579-23 – Authorizing entry into a contract with All-Temp Refrigeration, Inc., for services in the nature of execution of the courthouse cooling tower and 514 South Main Street HVAC project in Findlay, Hancock County, Ohio. Phil stated this is a portion of the HVAC project. This specifically relates to the cooling tower at the courthouse and 514 South Main St. All-Temp Refrigeration, Inc., submitted the lowest bid of \$546,800.00. Greg Wright, the engineering consultant for the project recommended entry into contract with All-Temp Refrigeration, Inc., for completion of the project. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #580-23 – Authorizing rescinding contract for the purchase of a 1998 1200 AVGAS Refueler from Global Aviation Services, LLC., d/b/a PROFLO of Sugar Land, Texas for use at the Hancock County Landfill. Phil stated when the personnel from the Landfill picked up the unit they determined that it was not suitable for being ready for use. This resolution rescinds the contract for purchase of the refueler. Steve Wilson stated the company promised to make some revisions and upgrades to the vehicle, but they did not complete them. They are looking at purchasing a cabin chassis to put their existing fuel tank on. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #581-23 – Authorizing entry into and execution of an agreement with Dominic Pizzuti d/b/a Pizzuti Cleaning & Restoration for services cleaning several carpeted areas at county property located at 7868 County Road 140, now housing Agricultural Services Office. Phil stated the quote received in the amount of \$1,850.00 from Pizzuti Cleaning & Restoration is for cleaning carpets in five different areas at the Ag Center. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #582-23 – Authorizing entry into a contract with Tooman Roofing & Painting, LLC., for performance of repair work on a county-owned structure at the site of the old Hancock County home. Phil

stated this is for work that needs to be completed on the roof at the old county home. The total amount is not to exceed \$2,500.00. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #583-23 – Authorizing the acquisition of twelve (12) parking spaces in a lot located near 514 S. Main Street and authorizing the payment for those spaces. Phil stated this is a sixteen-month rental of a lot that is south of Hardin St. This property is owned by Walter Wittlinger. This agreement is for twelve parking spaces at a total cost of \$180.00 per month. The cost for the period of the lease that starts September 1, 2023, is \$2,880.00. The maintenance staff will be responsible for the snow plowing of the lot. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #584-23 – Authorizing the approval of, entry into, and Execution of Change Order #2 to the early, preconstruction agreement with ACI Construction in relation to the Hancock County Judicial Center Project. Phil stated Change Order No. 2 will add \$2,579.76 as a percentage fee that results from the other additions included in Change Order No.2. A design service fee of \$75,000.00, increased personnel fee of \$33,123.75 and a decrease of \$22,131.65 due to unused funds is also included in Change Order No. 2. The net increase of the contract amount is \$88,571.86. The new total preconstruction contract amount is \$1,067,122.81. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0. Discussion took place regarding the negotiated percentage changes. Charity would like to schedule a meeting to make sure the audit records are reflecting the payments that are being asked for.

Phil Johnson requested an executive session in regards to potential real estate lease, potential real estate sale and pending litigation.

Auditor Charity Rauschenberg stated her office will be working on communicating with departments and elected officials regarding the Amazon account. She stated Hancock County employee emails should not be being used for personal Amazon accounts. Charity expressed her concern with the credit card late fees and finance charges. She thinks the Commissioners should look at some sort of policy for the repeat offenders. She stated after a certain amount of late fees it becomes a personal liability.

Steve Wilson stated King Environmental has finished their preliminary work at the Ranik property and will start hauling the chromium dirt away next week.

At 10:15 a.m., the Commissioners met with Paula Deter, Natalie Click and Paul Maekask from the Public Defender's office. Christine Carrigan and Cindy Land were also present. Paul stated that there is office space available that adjoins their current office space. He provided a document listing the reasons why they feel more office space is essential. The most important reason for requesting more office space is for privacy. He stated there is attorney client privilege apparent at all dealings with their clients. The second reason is for employee continuity. Paul stated employee turnover has been a regular issue around the state. Current office staff members do not have a dedicated, private office space. He feels the close proximity of staff will eventually cause conflict. Commissioner Bechtol inquired if they could use the new space for all privacy related information intake. Paul stated that would definitely be ideal. Discussion took place regarding the current square footage, rent currently paid, requested additional square footage and rent for the additional square footage. Commissioner Pepple inquired what equipment and wiring would be needed for the new space. Paul stated it is currently already set up for computers.

At 10:25 a.m., Timothy Bechtol made a motion to enter into executive session in regards to potential real estate lease. Michael Pepple seconded. A roll call vote resulted as follows: Timothy Bechtol, yes; Michael Pepple, yes. At 10:59 a.m., Timothy Bechtol made a motion to come out of executive session, in regards to potential real estate lease with no action taken. Michael Pepple seconded. Motion passed 2-0.

At 11:00 a.m., the Commissioners held the first Access Management Hearing. Christine Carrigan, Cindy Land, Engineer Doug Cade, Kyle Parker and Robert Doxsey, Marion Township Trustee, were also present. Commissioner Bechtol stated this is a hearing to discuss and review the revisions to the Access Management Regulations. The recommendation of the committee is to adopt the changes included in the draft regulations. Engineer Doug Cade stated the committee made a recommendation to recommend the revisions to the regulations and the road classification map. Engineer Cade shared the current road classification map and a draft of the proposed road classification map that reflects the changes. He explained in detail what changes were being recommended and why. In addition, Engineer Cade explained the recommended changes to the Access Management Regulations. He stated the major change to the regulations is that the variances will now be heard by the Commissioners and not the Regional Planning Transportation Committee. This will speed up the hearing time. Variance decisions will be made more quickly. Engineer Cade stated they combined a lot of redundant terminology and definitions in the regulations. They tried to make the regulations a lot simpler and easier to read. Commissioner Bechtol inquired if the updated regulations would create any noncompliant driveways. Engineer Cade stated they would be exempt unless they upgraded their driveway. Commissioner Pepple thanked Engineer Cade for his work on updating the regulations. Commissioner Bechtol inquired if there are any comments from the public. Robert Doxsey, Marion Township Trustee, expressed his concern with the County Rd 212/236 intersection. In addition, he expressed his appreciation to the Commissioners for their continued support. Cindy stated the Commissioners can have an advisory committee to hear the appeals. Discussion took place about who should be on the committee. Engineer Cade stated he envisioned the Township Trustees be at the meetings where a variance is being heard that is located in their township. Commissioner Bechtol made a motion to adjourn the first Access Management hearing. Commissioner Pepple seconded. Motion passed 2-0.

At 11:32 a.m., Timothy Bechtol made a motion to enter into executive session in regards to potential real estate sale and pending litigation. Michael Pepple seconded. A roll call vote resulted as follows: Timothy Bechtol, yes; Michael Pepple, yes. At 11:45 a.m., Timothy Bechtol made a motion to come out of executive session, in regards to potential real estate sale and pending litigation with no action taken. Michael Pepple seconded. Motion passed 2-0.

At 11:45 a.m., the Commissioners reconvened. Christine Carrigan, Engineer Doug Cade and Phil Johnson were also present. Phil presented to the Commissioners the latest version of the MOA regarding parking lot I. Phil stated the previous resolution authorized signing the MOA attached to the resolution or a document that was in substantial conformity to the previous MOA. The City of Findlay has approved the language of the revised MOA. Commissioner Pepple made a motion that the MOA is in substantial conformance with the previous MOA and he agrees to sign the document. Commissioner Bechtol seconded. Motion passed 2-0. Commissioner Bechtol thanked the city for their benevolent offer. Phil requested Engineer Cade put gravel on the parking lot leased from Walter Wittlinger. Phil stated that Vulcan overlooked making a report regarding the alternate in his bid information for the fire suppression system. The alternate has to do with the thickness of the piping to be used for the project. Phil spoke with

the bidder and he explained the sizes of pipes he would use throughout the project. Phil suggested the Commissioners speak with Mike Thompson before deciding how to proceed with this project.

At 1:00 p.m. the Commissioners' meeting was reconvened their meeting to hold the continuation of the Liberty-Reed Single County Ditch Petition final hearing. Also present was Alec Helms, Christine Carrigan, Lynn Taylor, Phil Johnson, Engineer Doug Cade and Kyle Parker. See attached attendance sheet for members of the public in attendance.

Commissioner Bechtol opened the meeting with introductions. Alec Helms read the history of the petition and stated we will only hear public testimony today on if the residents are for or against the project. If the Commissioners choose to move forward with the project all claims for compensation will be heard at a later date. Phil Johnson provided more detail on how the hearing will run. Doug Cade stated he had nothing to add.

Members of the public provided testimony in opposition to the project and current proposed design for the ditch.

Phil Johnson explained how the vote will be conducted and what factors the Commissioners must use to make their decision.

Resolution #585-23 – Resolution – Commissioners' finding setting aside former order and dismissing the petition. Michael Pepple made a motion to approve, Timothy Bechtol seconded. A roll call vote resulted as follows: Timothy Bechtol, yes; Michael Pepple, yes.

Commissioners Bechtol and Pepple both agreed that they did not feel this would meet any of the following 3 decision making factors:

- 1) The proposed cost of the improvement is not equal to or greater than the benefits that would be derived from the improvement if constructed.
- 2) The proposed improvement is not necessary.
- 3) The proposed improvement will not be conducive to the public welfare.

Phil Johnson stated the Commissioners must now decide on how the to-date costs of \$57,533.20 for the project will be paid. He explained the options for paying these costs. Michael Pepple made a motion to pay the costs using county funds. Timothy Bechtol seconded. A roll call vote resulted as follows: Timothy Bechtol, yes; Michael Pepple, yes.

At 3:05 p.m., the Commissioners reconvened. Christine Carrigan was also present.

### **Meetings/Reports**


William Bateson was absent.

Michael Pepple had nothing to report.

Timothy Bechtol attended the Chamber of Commerce Advisory Board meeting, the HHWP Community Action Committee meeting and the job progress meeting with Alvada for the new Judicial Center. Alvada inquired if the construction crew is able to park at the MCPA lot. Commissioner Bechtol stated they will need to find someplace else to park since they are not governmental employees. He will contact the project manager to notify them.

At 5:30 p.m., the Commissioners met with homeowners of the Eastgate subdivision. Christine Carrigan, Lynn Taylor and Cindy Land were also present. See the attached attendance sheet for the homeowners in attendance. Commissioner Bechtol stated the Commissioners are open for questions, comments and feedback regarding the letter they received from the Commissioner's office regarding their grinder pump sewage treatment system. Commissioner Bechtol read the paragraph from the letter sent to homeowners in 1992 that states when the maintenance fund is depleted, homeowners will be assessed to restore the maintenance fund back to the allowable level. Commissioner Bechtol outlined the guidelines on why \$2,000.00 was selected for the assessment amount. Discussion took place regarding the past assessment amount and why the maintenance assessment stopped. Cindy shared information on why this type of sewage treatment system was chosen for their subdivision. Christine explained the process that was taken to select Bluffton Aeration as the preferred contractor. The maintenance expense for the last ten years was shared with the homeowners. The homeowners shared their concerns with the last contractor, and inquired how the Commissioners staff will be able to make sure that the new contractor will not be overcharging for their service. It was explained to the homeowners that they have the option of requesting the invoices. Commissioner Bechtol changed the assessment amount to \$1000.000 for the first-year assessment. Discussion took place on what they have to do to turn their private roads into public roads. The information was shared on the process to take when their pumps need service. More discussion took place regarding how to keep the new contractor accountable. A decision was made that the Bluffton Aeration invoices will be forwarded to the homeowner when paid by the Commissioner's office.

Respectfully submitted,

  
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Christine Carrigan, Assistant Clerk

Reviewed and approved by:

  
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William L. Bateson

  
\_\_\_\_\_  
Timothy K. Bechtol

  
\_\_\_\_\_  
Michael W. Pepple

## Memo: Regarding Public Defender's Request for More Office Space

The Public Defender's office would ask the Commissioners to extend their office space.

There are two important reasons why the Public Defender's office needs this space. The first one is Privacy.

Privacy for our clients at all times is not only expected, but necessary. Currently our office does its best to facilitate that privacy, however our lack of extra space can occasionally interfere. Thin walls, close proximity, and irregular office configurations, all factors beyond our control, mean that sometimes that privacy is compromised. The new space would ensure more distance, private offices, and a more comfortable setting for our clients to speak of sensitive topics and information.

The second reason is Continuity.

The Public Defender office has enjoyed no staff turnover for the past two years, during a time period where office turnover in general is at an all-time high. The office has successfully retained competent and dedicated attorneys and staff and wish to continue on this trajectory. In order to accomplish this, the extra space is essential. The office currently has four staff members without a dedicated, private office space who have direct contact with clients, two of which perform intake interviews. The close proximity of staff will eventually cause conflict, something we wish to avoid in order to retain every member of our staff.

Based on the above two reasons, The Public Defender's office would ask that the Commissioners grant the request for additional office space.



