

Minutes

December 13, 2022

Commissioners Present: Michael Pepple, William Bateson and Timothy Bechtol.

Also Present: Lynn Taylor, Phil Johnson, Auditor Charity Rauschenberg, Adam Witteman and Lou Wilin.

Commissioner Pepple opened the meeting at 9:30 a.m. in the Commissioners' 1st floor conference room. The Pledge of Allegiance was recited. Minutes from the December 8, 2022 meeting was read with Timothy Bechtol making the motion to approve, Michael Pepple seconded. Motion passed 3-0.

The Clerk presented the following resolutions for consideration:

Resolution #870-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #871-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #872-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #873-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #874-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #875-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #876-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #877-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #878-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #879-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #880-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #881-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #882-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #883-22 – Repayment of advance from Water Pollution Control to the General Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #884-22 – Transfer of funds within the appropriation – General Fund- Sheriff. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #885-22 – Transfer of funds within the appropriation – Sheriff Conceal Fund. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #886-22 – Transfer of funds within the appropriation – Development Disability. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #887-22 – Transfer of funds within the appropriation – ADAMHS. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #888-22 – Transfer of funds within the appropriation – Litter Landing. Bill Bateson stated that he spoke with Courtney Comstock and she is having difficulty with the Community Service workers showing up. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #889-22 – Transfer of funds within the appropriation – Tier Fee. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #890-22 – Transfer of funds within the appropriation – General Fund – Juvenile Court. William Bateson made the motion to approve, Michael Pepple seconded. Motion passed 2-1, with Tim Bechtol voting no. Adam Witteman questioned that this is a transfer within the appropriation and not between funds. The Clerk did confirm that the title of the resolution should be a transfer within and not between funds.

Resolution #891-22 – Transfer of funds between funds – General Fund. A discussion was held as this is a transfer request to CASA from Resolution #890-22. Auditor Rauschenberg explained that this is a transfer between funds to be used later. Tim stated that he is not in agreement because in the past when Leah Cole and CASA asked for additional funds, no additional funds were given. Michael Pepple stated that CASA is under new leadership and he did not agree with the previous administration. Furthermore, this is not new money that is being requested. Bill stated that this will increase the 2023 budget. Adam stated that they have received \$75,000 from ARPA. Auditor Rauschenberg stated that the Board could ask for updates throughout if necessary. William Bateson made the motion to table and Michael Pepple seconded. Motion passed 3-0.

Resolution #892-22 – Transfer of funds within the appropriation – General Fund – Prosecutors. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #893-22 – Transfer of funds within the appropriation – General Fund- Auditors. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #894-22 – Transfer of funds within the appropriation – Prosecutors DEL. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #895-22 – Authorizing the payment of the listed and/or attached Purchase Orders. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #896-22 – Transfer of funds within the appropriation – Engineer – Mapping. Timothy Bechtol made the motion to approve, William Bateson seconded. Motion passed 3-0.

The MWCD September and October reimbursement invoices for \$170,887.49 were approved. Two updated Job Descriptions for JFS were approved. In addition, two part time student fellowship positions were created for JFS and the job descriptions were signed. The Commissioners initialed the change of dates on the Indigent Contract with the City of Findlay on page 2.

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

Auditor Rauschenberg stated that the November monthly reports should be in the boxes today for their review. After reviewing the minutes from the December 8th meeting, only 2 Commissioners were present when the Resolution was passed for the 2023 appropriations. Commissioner Bechtol was present later. Tim Bechtol stated that he was late and it was not intentional. He does agree with the 2023 budget. Auditor Rauschenberg stated that Cindy Land advised her to strike out Tim's name and initial. The Clerk also initialed the strike out acknowledging the Auditor's initials. Tim apologized for not being present. In addition, Auditor Rauschenberg stated that in the minutes Commissioner Pepple met with representatives from Eastman and Smith on a discussion of land acquisition. She inquired if this will be a yearend Board action. Bill reported that this relates to Flood Mitigation. Phil Johnson stated that he is also in the negotiations for the Board. Auditor Rauschenberg wanted to make sure that the Board understood their actions on Resolution #'s 890 and 891. Money was transferred out of an Elected Official's budget into the General Fund transfer. This will sit there. Bill acknowledged and said he understood. Charity said she was at the Ag Council meeting and re-valuations are prompting several questions. They are also in the middle of dog tag season.

Adam Witteman had nothing to report.

Lou Wilin requested that he get a copy of Resolutions 890,891 and 862.

Meetings and Reports

Tim Bechtol stated that the JFS Roof project is underway.

Bill Bateson said that in speaking with Courtney Comstock, she is having a hard time with the Community Service workers not showing up for their service hours. Mike suggested that someone reach out to the Judges and make them aware. Bill offered to contact them. Mike also attended the Ag Council meeting.

Mike Pepple stated that he attended the Innovator Teams meeting and the Alliance Board meeting. He also attended the Opioid Task Force meeting in addition to the Blanchard Valley Health System facilities meeting. Mike also stated that he received notification that there were 2 more overdose deaths today making 4 in the last 7 days. This is a serious issue and we need to find ways to improve this situation.

At 10:19 a.m., Mike Pepple made the motion to enter into executive session in regards to pending litigation and potential real estate lease. Bill Bateson seconded. A roll call vote resulted as follows: Mike Pepple, yes; Bill Bateson, yes; Timothy Bechtol, yes. At 11:48 a.m., Mike Pepple made the motion to exit executive session after discussing pending litigation and potential real estate lease. Bill Bateson seconded. Motion passed 3-0.

At 1:30 p.m., the Commissioners met with Mike Thompson. Lynn Taylor, Cindy Land and Phil Johnson were also in attendance. Mike Thompson stated that sanitary drains at the Courthouse need to be worked on. Work will be completed on a Saturday at a quote of \$5,400.00 with Dimech Services. The Commissioners initialed the quote and Cindy Land will prepare a contract. The Clerk will determine if funds need to be budgeted prior to the contract being prepared. Mike Thompson also stated that a boiler line at the Juvenile Court needs to be repaired. Dimech Services also provided a quote for \$2,200.00. Work will be completed during the work week. The Commissioners initialed the quote as acceptance. Furthermore, the old County Home needs some work done on the water line at that facility. Dimech has provided a quote of \$2,940.00. The Commissioners agreed. Cindy stated that she will prepare one resolution for all 3 projects as they are with the same contractor and under the threshold. Mike Thompson stated that he spoke to Mark Price and the equipment will be removed shortly off of the tower. We can proceed with that project. Mike Thompson provided Phil with a recommendation for the snow removal project and Troxels. At 1:46 p.m., Michael Pepple made the motion to enter into executive session to discuss potential real estate lease. Bill Bateson seconded. A roll call vote resulted as follows: Mike Pepple, yes; Bill Bateson, yes; and Tim Bechtol, yes. At 1:15 p.m., Mike Pepple made the motion to exit executive session after discussing potential real estate lease, Bill Bateson seconded. Motion passed 3-0. Bill Bateson made the motion to remove Resolution #891-22 (Transfer of funds between funds- General Fund) off of the table, Michael Pepple seconded. Motion passed 3-0.

The Clerk presented the following resolution for consideration:

Resolution #891-22 – Transfer of funds between funds – General Fund. William Bateson made the motion to approve, Michael Pepple seconded. Motion passed 2-1, Timothy Bechtol voted no.

At 6:00 p.m. the Commissioner's meeting was reconvened in the McComb School Cafeteria to hold the 1st hearing on the Pleasant-Rader Single County Ditch Petition. Alec Helms, Lynn Taylor, Phil Johnson, Engineer Doug Cade and Kyler Parker were also present. See attached attendance sheet for members of the public in attendance.

Commissioner Pepple opened the meeting by welcoming everyone and stating the purpose of the hearing based on ORC Section 6131. Alec Helms read the history of the petition and presented written testimony to the Commissioners. Commissioner Pepple stated the rules for the hearing. Randall Ewing provided testimony on why the ditch was petitioned, the areas he feels need to be fixed and the ideas the petitioners had for how to fix the ditch. There were discussions among the

members of the public on where they feel the problems are and questions on Randall's testimony. Engineer Doug Cade explained the watershed area and provided pictures of the problems seen along the ditch. Engineer Cade presented his Preliminary Engineering Report with an estimated cost of \$1,072,763.71. Furthermore, it was estimated there will be a cost of \$1,424.65 per parcel for the 753 parcels in the watershed. Engineer Cade stated that based on his analysis this petition only meets 1 of the 3 required criteria to proceed and the cost of the project will not exceed the benefits. Therefore he does not recommend this petition proceed.

Charles Rader, Jack Myers and Mike Fasig provided public testimony in regards to their feelings on the project and the problems they have in the area in regards to drainage.

Commissioner Bechtol inquired about the possibility of this becoming a community project if the Commissioners made the decision to dismiss the petition. Tony Fenstermaker, McComb School Superintendent, stated there have been discussions on the possibility of doing this work themselves. There has been no formal meeting but if this is dismissed the school would be interested in seeing who would like to participate in something like that and what could be done. Tony stated that he feels if they can come together there could defiantly be a practical solution to this.


Timothy Bechtol made a motion to approve Resolution #897-22 – Resolution – Commissioners' finding against the proposed improvement. William Bateson Seconded. Motion Passed 3-0.

Commissioner Pepple stated that per ORC second 6131.25 the provided bond shall cover the \$3,672.00 of to-date cost incurred for the ditch petition. The remaining amount of the bond after to-date cost are paid will be returned to the petitioner.



Lynn Taylor, Clerk

Reviewed and approved by:


Michael W. Pepple
William L. Bateson
Timothy K. Bechtol

**PLEASANT-RADER SINGLE COUNTY DITCH 1ST
HEARING SIGN IN - 12/13/2022**

NAME (PLEASE PRINT)	DEPARTMENT/ADDRESS
JACK MYERS	
ROSIE MYERS	
GARY TUTTLE	
Charles Rucker	
Cadeet Mary	
B.H. GLISTER	
Tony Fenstermaker	Melomb Schwl
Mike Fasig	
Jim Schrott	
Randy Ewing	
Larry Sustlow	
Jim Moll	
Don D. Ewing	
Jacob Newton	
Jose Zamora	
Willi Brulins	
Karen Borgelt	
Ayo Ho	
Fred Folles	
Russ Conrad	
Larry D. Aneloni	
Hamp Bihler	

**PLEASANT-RADER SINGLE COUNTY DITCH 1ST
HEARING SIGN IN - 12/13/2022**

NAME (PLEASE PRINT)	DEPARTMENT/ADDRESS
David Steen	5164 SR 413
DANA Shoemaker Spitnale	8231 SR 235 McComb OH
Beth Fenstermaker	240 E. Main St. McComb, OH
Jim Bryan	2531 SR 235 McComb Ok
Aaron Schroll	5616 SR 235 McComb
Angie Lane	109 Renee' Ct

PLEASANT-RADER SINGLE COUNTY DITCH 1ST HEARING TESTIMONY SIGN UP SHEET

NAME (PLEASE PRINT)	DEPARTMENT/ADDRESS
JACK MYERS	
MR. FASIG	

PLEASANT-RADER SINGLE COUNTY DITCH 1ST HEARING TESTIMONY SIGN UP SHEET

NAME (PLEASE PRINT)	DEPARTMENT/ADDRESS
<i>Charles Rader</i>	
<i>Jose Zamora</i>	