

Minutes

July 23, 2020

Commissioners present: Brian Robertson and Timothy Bechtol.

Also Present: Tammy Erwin, Lucinda Land, Philip Johnson, J. Steve Wilson, Steve Welton, Bill Bateson, Mike Pepple, Adam Witteman, Charity Rauschenberg, Jim Maurer and Mary Ann LaRoche.

Brian Robertson opened the meeting at 9:30 a.m. in the Commissioner's 1<sup>st</sup> floor conference room. The Pledge of Allegiance was recited. Brian Robertson made a motion to approve the minutes from June 25, 2020. Timothy Bechtol seconded. Motion passed 2-0.

The Assistant Clerk presented the following resolutions:

Resolution #515-20 - Authorizing payment of the listed and/or attached purchase orders. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #516-20 – Transfer of funds within the appropriation – Capital Projects - Sheriff. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #517-20 – Advance of funds from the General Fund to Water Pollution Control. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #518-20 – Advance of funds from the General Fund to Water Pollution Control. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #519-20 – Advance of funds from the General Fund to Water Pollution Control. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #520-20 – Transfer of funds within the appropriation – Children's Services. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #521-20 – Transfer of funds within the appropriation – Probate Court Computer. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #522-20 – Transfer of funds within the appropriation – E911. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #523-20 – Additional appropriation within the Auditor's certification – Commissioners to appropriate to Family First. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #524-20 – Transfer of funds within the appropriation – Juvenile Court. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #525-20 – Transfer of funds within the appropriation – Real Estate. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #526-20 – Transfer of funds within the appropriation – Dog & Kennel. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #527-20 – Transfer of funds within the appropriation – General Fund. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Brian Robertson made a motion to approve the Warrant Journal, Timothy Bechtol seconded. Motion passed 2-0. Timothy Bechtol made a motion for the Vice Chair to sign the Certification of Categorical Exclusion Project. Brian Robertson seconded. Motion passed 2-0. The Commissioners also initialed paperwork for HRPC to process the Revolving Loan Fund request.

Lucinda Land presented the following resolutions for consideration:

Resolution #528-20 – Authorizing Change Order #1 to the contract with Robin Kershner, D/B/A Kershner Excavating for the design and installation of a new home sewage treatment system as part of the Hancock County WPCLF Grant WPCLF Project #HS390032-003-2020-03. Cindy stated that this change order is for extending completion time from July 31<sup>st</sup> to August 31<sup>st</sup> due to some hold ups with getting permits back from the state. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #529-20 – Authorizing a contract with Robin Kershner, D/B/A Kershner Excavating for the design and installation of a new home sewage treatment system as part of the Hancock County WPCLF Grant WPCLF Project #HS390032-003-2020-10. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #530-20 – Amending and clarifying Resolution #58-20 establishing a court appointed counsel indigent defense fees for counsel appointed by the courts of Findlay and Hancock County for cases appointed on or after January 1, 2020. Cindy stated that clarification was requested from the state as the previous resolution was a little confusing. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Philip Johnson presented the following resolution for consideration:

Resolution #531-20 – Resolution authorizing entry into a contract with A1 Land Development LLC, for demolition of buildings located at 321 Clinton Ct., Findlay. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #532-20 – Authorizing entry in a Memorandum of Understanding with the City of Findlay regarding improvements to a parking lot south of the Hancock County Public Library. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #533-20 – Authorizing amendments to an Independent Contractor Agreement with Great Lakes Community Action Partnership, fka WSOS Community Action Commission, Inc. related to CHIP Professional Services. Brian Robertson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Lucinda Land requested an executive session to discuss pending litigation. Phil Johnson also requested an executive session to discuss pending litigation.

Charity reminded the Commissioners of the Exit Conference meeting today at 11:00 a.m. Charity stated that it was not on the agenda, however it is not a Commissioners meeting but a state auditor meeting not open to the public. Charity also talked about an article that was posted in the Courier today regarding the sales tax, and showed an 18% decrease. The Department of Taxation is continuing to give information as fast as they can. The numbers for car sales is way up and the numbers reflect consumer spending. Charity stated that once stimulus money goes away, those numbers may decline.

J. Steve Welton stated that his office is still counting the money for the real estate taxes and hope to have that total by next week.

Steve Wilson thanked the Commissioners for the resolution awarding the contract for the demolition of Clinton Ct. They will be on-site next week to start putting up a security fence. They cannot start demolition until the 2<sup>nd</sup> week of August due to the asbestos in the building. There is a 10 day notice that has to go to the EPA before they can start demolition. All buildings should be down by August 31<sup>st</sup>.

### **Meetings/Reports**

Timothy Bechtol met in the afternoon with the Board of Revisions yesterday. On Tuesday, he sat in on a zoom meeting with the insurance consortium. Unfortunately, Tim stated that the health and property insurance will be increasing, so there is a need to prepare for that. He is encouraged by the numbers with the sales tax.

Brian Robertson met last Thursday for a Catalyst meeting, the first one held in Hancock County. They had their first \$10,000 local Catalyst stimulus for a small local business and asked Tim for his initials on that. Also on Thursday he attended a Data Board meeting. On Saturday, he had the opportunity to visit with Justice French while she was in the community. Brian also wanted to address that he received a lot of calls and texts regarding the Commissioners being sued and he did not comment or respond to any of those. Brian issued an “open records request” to 9 elected officials and employees of the county, including himself, for text messages sent and

received to taxpayer-funded mobile devices, email, documents or calendar appointments covering the time period of February 1<sup>st</sup> to July 22<sup>nd</sup> of this year. Those included in the open records request included: county Probate and Juvenile courts Judge Kristen Johnson, Shawn Carpenter, administrator for Probate and Juvenile court, county Common Pleas court Judge Reginald Routson, Sheriff Michael Heldman, the three county commissioners, county Clerk of Courts Cathy Wilcox and Findlay Mayor Christina Muryn. Brian provided the records request to the assistant clerk to be distributed to the officials. Brian stated that his reason for the open records request is because he would like more information on how the decision was made to move the location of the new \$9 million court building. Brian state he is willing to sit down and work publicly through this situation together instead of suing each other and wasting tax payer's money. The Ohio Open Records Request is attached.

Bill Bateson wanted to express his disappointment that the Hancock County Fair has been cancelled due to COVID.

At 10:02 a.m., Brian Robertson made a motion to enter into executive session to discuss pending litigation. Timothy Bechtol seconded. Roll call resulted in: Brian Robertson, yes; Timothy Bechtol, yes. At 10:38 a.m. Brian Robertson made a motion to come out of executive session, having discussed pending litigation with no action taken. Timothy Bechtol seconded. Motion passed 2-0.

At 10:38 a.m. the Commissioners met with Randy Galbraith for a JFS update. Others present included Tammy Erwin, Bill Bateson, Jim Maurer, Charity Rauschenberg and Adam Witteman. Randy gave an update regarding the JFS budget focusing on the Multi System Youth, Foster Parent Recruitment and Best Practices Funding. A week ago they found out that the Multi System Youth and Foster Parent Recruitment will be fully funded but unfortunately the Best Practices Funding has had a cut. Randy is not too worried about the Best Practices cut because the CPSU is up to modern standards now. Collaboration with economic development is going well. They are working on a program for those who are unemployed to connect them with an employer involved with economic development. The deadline is approaching for the stimulus money going away and Randy is prepared for people to show up looking for jobs. Brian asked Randy to let the Commissioners know if there is an influx Monday through Friday of next week in terms of people looking to re-engage into the work force and Randy agreed to do that. Randy stated that he was approached by Lutheran Social Services for space for their counseling services. They needed three rooms, and Randy stated they do have three rooms available in the OMJ; however Randy cannot do an MOU with them because they do not provide direct services for their clients. He has directed Terry from Lutheran Services to the Board of Commissioners to discuss whether or not they could rent the space from the board. Brian stated there needs to be caution because of COVID standpoints and they would need to comply. Charity asked if that would impact their reimbursements that were allowable in certain percentages. Randy did not know the answer to that. Brian stated they would have to look into that. The assistant clerk presented a Memorandum of Understanding involving JFS and Allen County. Brian discussed

the MOU to help monitor and support the kids out of Allen County. He asked Randy if he wanted it taken care of today or if it can be done at the meeting next week. Randy stated that he has looked at it and has discussed it with Cindy Land. He would like that resolution presented at the Commissioners meeting next week.

Brian Robertson noted for the record that the Commissioners went into executive session per the state auditor's guidelines for a preliminary overview of this year's audit results with the county auditor and J. Steve Welton. Brian Robertson made a motion to go into executive session at 11:10 a.m., seconded by Timothy Bechtol. Roll Call resulted as follows: Brian Robertson, yes; Timothy Bechtol, yes. At 11:45 a.m., Brian Robertson made a motion to come out of executive session with no action taken. Timothy Bechtol seconded. Motion passed 2-0. At 11:50 a.m. the Commissioners met with Steve Wilson at his request regarding the MLK Jr. Project. Steve wanted to briefly discuss the MLK Jr. Parkway and showed drawings of the existing elevations of the Parkway and E. Main Cross which is 773.43. The initial design was to raise that up 2 ft. which would have been in the 50 year flood plain. Subsequent discussion was to raise it up 3 ft. He has shown elevations at existing intersections just to the south at East Crawford St. and East St. which is just below 776 and then to the west on East Main Cross at the intersection of Beech St. the elevation is at 776.14. So the question is if we still want to raise the intersection at MLK Jr. Parkway and East Main Cross to 776.5 which would be a 3 ft. increase keeping in mind that those other intersections would be .5 ft. below that intersection or should we try to keep it at 776 to keep it in line with the existing intersections in that area. Timothy Bechtol's concern in making the adjustment up higher was to make sure there was a positive water flow away from the MLK Jr. Parkway Bridge so there is no puddling at the bottom of that intersection. Timothy would be in favor of anything above those two intersections, being corner of Beech/Main Cross and Crawford and East so there would be positive flow. Brian asked Steve to take just the benching into account to see where that would put us for the flood plain. Steve stated that with just the benching in place, the 100 year flood plain would put us at an elevation of 777.2. Brian asked what the 75 year would be and Steve stated it would be an elevation of 777; the 50 year would be 776.8. The point Steve is trying to make is that the existing pavements going west and south of the intersection, would still be under water so they would not be open even though MLK Jr. Parkway intersection would be higher. Steve stated that you would have to raise them a foot at least to keep them above water. Brian asked Steve what height he preferred to build it at and Steve stated between 776 -776.5. He doesn't think they need to go to all the way to 776.5. Brian asked Steve if he didn't see the benefit of getting it elevated, and he doesn't understand why he wouldn't want it elevated to 777 to at least get it to the 75 year flood plain, because some of these projects may not come through down the road. Steve stated that if needed, it would not be hard to upgrade those streets to make the traffic work. Brian asked Steve what he needed from the board. Steve stated that he needed to give direction to DGL on what elevation they should be doing. The Railroad Bridge and additional benching east of Main St. would get us to the 100 year flood plain at 776.5. Brian and Tim both agreed with that according to Stantec's hydrology analysis. Steve concurred. Brian asked Steve until those two projects are done, would the 776.5

elevation gets us to the 50 year flood plain? Steve said yes. The previous height they were going to build was at 775.5 so there still would have been an increase from what they are at now but there would be a slight depression at that intersection. Consensus was 776.5. Steve stated that this should go out to bid late fall and it will take them 6 weeks to two months to update the plans. He already spoke with the city and they are also on board with it. Steve stated that he also has the contract documents for the demolition of the building on Clinton Court.

Respectfully submitted,

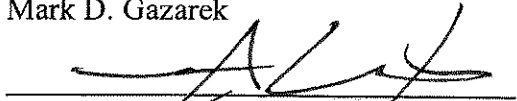


Tammy Erwin, Assistant Clerk

Reviewed and approved by:



Mark D. Gazarek



Brian J. Robertson



Timothy K. Bechtol

July 23, 2020

This is an official request permitted by Ohio Open Records Law, §149.43 et seq., I am requesting an opportunity to inspect or obtain copies of public records related to the following by electronic format: Correspondence or documentation between any variation or combination of the below individuals from February 1<sup>st</sup> to July 22<sup>nd</sup>, 2020, which include but are not limited to: text messages sent and received to taxpayer funded mobile devices, email, documents, or calendar appointments.

Judge Johnson

Shawn Carpenter

Judge Routson

Sheriff Heldman

Commissioner Gazarek

Commissioner Bechtol

Commissioner Robertson

Clerk Wilcox

Mayor Muryn

Please provide an estimated time of delivery as your confirmation of your receipt.

Respectfully,

A handwritten signature in black ink, appearing to read 'Brian J. Robertson', written over a horizontal line.

Brian J. Robertson

July 23, 2020

Ohio Open Records request 149.43...when and how did this building get moved outside of our strategic planning? A group of Hancock County Elected Officials didn't haphazardly show up at a standard construction update meeting and have a vote to move the building without any prior strategic planning discussion and/or public meetings...we do not want to be what Columbus has shown us the last 48-hours in terms of transparency on a 9-million dollar decision.

Some might lead you to believe this Open Records request is a waste of taxpayer dollars but the real waste of tax payer dollars was not connecting this building as discussed in strategic planning over the past three years...which was moved by the judge who is now suing us. To make this even more of waste of taxpayer money, Judge Johnson is seeking to court order the commissioners to take a \$100K dollars out of our communities general fund for her to spend with a law-firm out of Columbus for a building that she stalled by her own vote to move it.

I am providing a copy to the press and the clerks of the Commissioners Office to be distributed to listed elected officials including myself. No official, not even a judge is going to threaten me into wasting taxpayer money.

A handwritten signature in black ink, appearing to be the initials 'MJ' followed by a stylized flourish.