

Minutes

June 16, 2020

Commissioners present: Brian Robertson and Timothy Bechtol.

Also Present: Lucinda Land, Philip Johnson, Bill Bateson, Mike Pepple, Adam Witteman, Mary Ann LaRoche, Jim Maurer and Tammy Erwin.

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. Minutes from the June 11, 2020 meeting were read with Timothy Bechtol making a motion to approve, Brian Robertson seconded. Motion passed 2-0.

The Assistant Clerk presented the following resolutions:

Resolution #406-20 - Authorizing payment of the listed and/or attached purchase orders. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #407-20 – Transfer of funds within the appropriation – Veterans Services Soldier Relief. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #408-20 – Transfer of funds within the appropriation – Juvenile Court. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #409-20 – Transfer of funds within the appropriation – Buildings & Grounds Maintenance. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #410-20 – Additional appropriation within the Auditor's certification – Commissioner's to appropriate to Prosecutor. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #411-20 – Release of Permissive Tax – Village of Rawson to pay for improvements to George, Park Lane and Church Alley - \$33,200.00. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #412-20 – Additional appropriation within the Auditor's certification – Commissioners to appropriate to Flood Mitigation Capital Projects. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #413-20 – Transfer of funds within the appropriation – Contingencies. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #414-20 – Transfer of funds within the appropriation – HAVA Grant Fund. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Resolution #415-20 – Additional appropriation within the Auditor’s certification – Commissioners to appropriate to Special Improvements Bond Retirement Fund. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Brian Robertson made a motion to approve the Warrant Journal, Timothy Bechtol seconded. Motion passed 2-0. The Commissioners signed a travel request for the Sheriff’s office, payroll and a letter of support for the Maumee Watershed Conservancy District application for funding the replacement/expansion of the Norfolk Southern Railroad Bridge over the Blanchard River.

Lucinda land presented the following resolution for consideration:

Resolution to consider authorizing solicitation of bids for the construction of a Probate and Juvenile Court building. Brian Robertson requested to wait until there is a full board on Thursday to take action on this resolution.

Lucinda Land stated that last week the Commissioners signed a letter and sent it to a developer who had not finished the installation of signs in a subdivision. She has received information from Erica Kelley, the Deputy Engineer that it has now been completed by the deadline.

Philip Johnson presented the following resolution for consideration:

Resolution #416-20 - Approving a second amendment to a contract with ALL Excavating and Demolition, LLC, for the crushing of concrete material from various sites. Phillip explained the reason for the amendment is due to additional expenses for more material needing crushed than anticipated. He has received an invoice from ALL Excavating in the amount of \$12,782.00 and also a verbal \$1,000.00 estimate for additional concrete that has been discovered, for a total of \$13,900.00. Timothy Bechtol made a motion to approve, Brian Robertson seconded. Motion passed 2-0.

Steve Wilson reported that the installation of the waterline at the landfill is now complete. He also requested an executive session to discuss potential real estate acquisition.

### **Meetings/Reports**

Brian Robertson reported that he made a visit to Litter Landing last week.

Timothy Bechtol reported on the Justice Center and stated they are getting all the work finalized sometime in the next week or two. Tomorrow is the pre-bid walk-thru for the roofing project at 10:00 a.m. They are still setting up a pre-construction meeting for the plumbing and for the roof component replacement project. Yesterday, he attended the Board of Revisions and will continue that for the next several weeks. Lucida Land asked about the painting part of the

renovation. Timothy stated that will be the next thing going out for bid and will follow all the plumbing work. The plan is already done and should be going out sometime next week.

Brian Robertson asked the Assistant Clerk to touch base with the Sheriff to make sure that they are continuing temperature checks on all outside contractors and people coming in externally.

At 9:46 a.m., Brian Robertson made a motion to enter into executive session to discuss potential real estate acquisition. Timothy Bechtol seconded. Roll call resulted in: Brian Robertson, yes; Timothy Bechtol, yes. At 10:21 a.m. Brian Robertson made a motion to come out of executive session, having discussed potential real estate acquisition with no action taken. Timothy Bechtol seconded. Motion passed 2-0.

At 10:30 a.m., the Commissioners met with Steve Wilson to review the plans for MLK Jr. overpass in which the county issued a study in October 2017. Those present included Brian Robertson, Timothy Bechtol, Philip Johnson, Bill Bateson, Jim Maurer and Tammy Erwin. Steve, along with the City Engineer's office has received the Stage 3 design plans. Steve is trying to set up a meeting with the City Engineer to go over the plans with them since they will be maintaining what is completed. Steve stated that the first page of the plans shows the project area, the shaded areas are city and/or county owned properties that are adjacent to MLK Jr. parkway and could be used for the fill material that has to be put in at the intersections to raise the elevation. No soil borings have been done or any testing but just letting the contractor know that those properties are available. It will be up to the contractors to make sure the soil meets the right compaction needed. It could possibly be a retention or detention area. Steve stated that Stantec gave a letter stating that this will not impact base flood elevation so they can proceed with the project. Brian asked at 2 ft. elevation, what rainfall event do they feel that would still remain open. Steve stated that once the Eagle Creek Storage Basin is in place, it would be the 100 year. Steve stated that without that it would be about a 50 year. Brian asked what it would take to be at a 100 year event and Steve stated 3 ft. Timothy asked about the benching to continue downstream. Steve said that since the benching is downstream it doesn't have much impact right at this location so it might contribute 3/10 of a foot or 3"-4". Brian asked why we were not doing this as a 100 year event project. Steve stated that it would increase the cost significantly. Brian asked how much and Steve thought around the \$2M range, currently the construction estimate is \$1.6 M, so it would add about \$400,000. Timothy and Brian both agreed that it was absolutely worth it to do it now and get it to the 100 year plane and spend it once. Brian asked why we are stepping away from what the objective was from 2017. Steve stated that the objective was to come up with a plan that assumed all of the other project elements would be in place. Brian stated that the detention plan was not in place, it came after this. Steve agreed but said it was assumed that something was going to have to be done on Eagle Creek to get the biggest bang for the buck in downtown Findlay. To change the plans at this date, the consultant would have to re-do the plan and they would have to revise the letter from Stantec about the impact of hydraulics. To change the plans to raise it to 3 ft. instead of 2 ft. will significantly delay the project and increase the cost for the project and for the plan. Brian stated that Steve

had no choice but to do it. Steve suggested that water over the street in the 100 year may be a foot deep but would still be able to travel on two lanes and maybe 4 lanes on MLK parkway. Brian stated that he does not have the water table data to show that and Steve stated that he did not either. Timothy stated that he would hate to see us do this project and not see the results of it the next time we have a 100 year flood event. Brian stated that for 25% more cost, you get a 50% benefit and go from a 50 year flood event to a 100 year flood event. Steve is weighing in the numbers and asked if he could get more details on what we are looking at from the consultant, what it would take for his effort to change the plans and if there is an impact from the hydraulic stand point with Stantec's analysis. The current analysis with what is proposed doesn't have any impact on the base flood elevation. Steve can't say if there is an impact by raising it to 3 ft. Brian stated that is something that they need to know. Timothy asked about the former Pirate's Cove property near there. Steve stated that they could use that but there is a lot of stone so they would have to go down pretty deep to get to the dirt. After further review of the plans, Steve stated the intent was to get the intersection open so travelers can cross the road. Lights will have to be moved in LaRiche's parking lot and traffic signals would have to be raised up. He has not discussed the plans with the city yet. Brian stated that in the fourth quarter of 2012, there was a meeting regarding Martin Luther King Jr. parkway. He said that some believe within city government, that if there is too much with elevation projects and they are too successful, it will take away from desire, support and funding around any Eagle Creek projects. Commissioners started out wanting a 3 ft. elevation to get to the 100 year plane, and that is what they paid for and now there is a different result of 2 ft. which Brian believes is what the city was wanting. Steve stated that he doesn't believe that it is completely from the city. It has been a conversation among a lot of people on the best way to proceed. Steve has been talking about transportation corridors since 2009 and the whole focus on that is to keep traffic moving so there are no level 3 emergencies. Brian has asked for follow up action on two questions, what is the highest elevation point without adverse impacts using engineering data. And if it is at 3 ft., what is the specific properties of that adverse impact? So at 2.5 ft. what is the adverse impact and what is the total scope of impact at 3 ft. and then that will give the Commissioners the final direction of what it should be from their standpoint. Steve agreed. Brian is still not sure why they changed the study from the 3 ft. requested to 2 ft. and Steve stated that it was at his direction.

At 11:00 a.m., the Commissioners held the Liberty Reed Single County Ditch Hearing. Those present were: Brian Robertson, Timothy Bechtol, Jim Maurer, Doug Cade, Erica Kelley and Tammy Erwin. The sign in sheet is attached along with a presentation given by Doug Cade. The Deputy Clerk read a letter of opposition for the project from Tamara S Schroeder received on June 15, 2020. The petition was made by the Liberty Township Trustees and the estimated costs come to \$331,000 total. The entire length of the project is 2.2 miles with approximately 142 parcels ranging in size from single subdivision lots to 70 acres. Commissioner Robertson asked for public input and public oath was given. Shawn Beucler stated that he was here to represent the Township Trustees. He owns 70 acres and will be contributing to the project as well as everyone else there. He thinks it needs done and it hasn't been maintained for years. The reason

this ditch is being done first is because 2 of the 3 trustees own property on this so it is their job to maintain it as well as everyone else. In 2007, when all the flooding happened, everyone said we need to do something about the flooding, so after a lot of ideas, this is the first step. Greg Burks from Soil & Water commented that they are in charge of the maintenance programs in the county for those that follow maintenance after 1957 for the petition ditches and tiles. Maintenance is limited to what was constructed in the original project. If you do see an issue, please contact Soil & Water. Maintenance assessments are only done on an as needed basis, they are not done every year. James Susko, who lives on TR 94, stated that he has no buildings in the way but is dealing with adequacy of the basin and the culvert on 94 to receive this water and so it backs up and can flood his entire front yard. The culvert is obscured by all the water and he is dealing with erosion. He wanted to make sure that his property was included in the project, which Doug confirmed. James also noticed two types of wording as far as addressing the cost: assessed to those adjoining and he didn't know if that means those in the watershed. Mr. Cade stated that it would be for everyone in the watershed. Dean Cramner commented that he has lived along the river all of his life and the river is the problem. When the river comes up, there is no place for this water to go so it backs up. Cleaning creeks and ditches may help however, the City of Findlay has filled in the Swale Park and that was an overflow. They have done things in Findlay to cause the water not to flow. Until the river flows, the water is going to back up. Evert Barnes has two parcels of properties and he has cleaned out his parcels. The flooding does not bother him and he should not have to pay something that does not affect his property. However, if it passes, he will not fight it. He encourages everyone to clean out their parcels and clean up the trees laying there. Jackie Bartchlett lives on TR 95 and contacted the Township Trustees 10 years ago about the flooding she has had on her property. Every year, water lays on her property for about 6 weeks because the water does not drain so this is very frustrating for her to be expected to pay for this project that is so far away from her and is not going to fix her or help her. She is hoping that the Commissioners will take their comments into consideration. Jeff Hunker is a Liberty Township Trustee and lives on higher ground so the flooding doesn't affect him that much. He has cleaned his ditch behind his house, others have not and it is very obvious. He believes the bigger issue is the Blanchard River. He has witnessed more flooding in the fields over the years than he has ever seen before and continues to get worse. There is more development in spots that creates more problems farther west. His question is why did it take 60 years for anything to happen? Every ditch in the township needs cleaned. There has been no maintenance. He encourages people to clean their ditches to prevent some flooding. And he relies on engineering to handle the rest. Everett Barnes asked if the ditch is supposed to be cleaned out by the city and Doug Cade explained that in 1957 state legislature turned it all back onto the property owners for them to handle the maintenance. Brian Robertson with no amendments made a motion to grant the petition. Timothy Bechtol seconded. Roll call resulted in: Brian Robertson, yes; Timothy Bechtol, yes.

Doug Cade informed every one of the next steps since the Commissioners approved to move forward.

At 1:15 p.m., the Commissioners met with Courtney Comstock for an update on Litter Landing. Those present included Brian Robertson, Timothy Bechtol, Jim Maurer, Bill Bateson and Tammy Erwin. Courtney stated that they now have community service workers there helping out and lots of things are getting done. Courtney does keep track of community service numbers and hours. They had a lawnmower that was donated so that helps with getting the yard taken care of now. She handed out a "wish list" on some things that need taken care of. They are having issues with one of the buildings. Shingles have blown off from the last storm and one of the support beams is totally snapped and not even attached or supported. They are still using the building because they do not have a choice. The books are being stored there for cover but they should be out in less than a month, the aluminum can machine is still on the wish list but it is still in that building and she hates to put a new aluminum can machine in a building that is still leaking and take the chance of it getting damaged. Brian asked her what the purpose of a new building would be. Courtney responded that it would be used for storage and can processing. She would like to see it attached to the existing area, eliminating some green space. Then she could have additional storage and warehousing along with an education center. When tours are done at the facility, the students hang out in the break room with the community service people. Brian Robertson stated that he feels they are at the point where something needs to be done with the building. The Commissioners agreed to have a discussion with the landfill. No cost estimate was available or discussed but fees from the sanitary landfill earmarked for Litter Landing could be used to cover the expense. Courtney recorded a traffic count of 331 cars on June 11<sup>th</sup> and 337 cars on April 27<sup>th</sup>. They discussed where they could temporarily put the can crusher machine so they can get out of that building since it is unstable and until the new building could be completed. Brian asked Courtney to come back with a final recommendation so they can move forward and get the can crusher moved to a new location. Courtney also asked for the Commissioners to consider a safety structure for them since they have none. Currently, they have to go out and around the building and over to Blanchard Valley Center and hope that the doors are unlocked so they can get in. Courtney also presented some pictures regarding the pot holes that have gotten worse and lack of lines on the pavement which causes some confusion with the people who come in, and how soon that can be taken care of. Courtney requested an executive session to discuss personnel related to discipline.

Brian Robertson made a motion to approve the Warrant Journal, Timothy Bechtol seconded. Motion passed 2-0.

At 1:39 p.m., Brian Robertson made a motion to go into executive session to discuss personnel related to discipline. Timothy Bechtol seconded. Roll call resulted in: Brian Robertson, yes; Timothy Bechtol, yes. At 1:51 p.m. Brian Robertson made a motion to come out of executive session, having discussed personnel related to discipline with no action taken. Timothy Bechtol seconded. Motion passed 2-0.

Respectfully submitted,

Tammy Erwin

Tammy Erwin, Assistant Clerk

Reviewed and approved by:

Mark D. Gazarek

Mark D. Gazarek

Brian J. Robertson

Brian J. Robertson

Timothy K. Bechtol

Timothy K. Bechtol