



OFFICE OF THE BOARD OF KNOX COUNTY COMMISSIONERS

MOUNT VERNON, OH

THURSDAY, NOVEMBER 2, 2023

MORNING SESSION

10:00 AM Call to Order

Present: Commissioner Teresa Bemiller
Commissioner, President Thom Collier
Commissioner Bill Pursel

Additional Staff

Jason Booth, County Administrator

Penny Doyle, Clerk/Executive Assistant

Public Attendance

Scott Zimmerman

10:00 AM Departmental Update - Knox County Sheriff

Commissioners met with Sheriff David Shaffer in a regular departmental update. He answered questions from the Commissioners and discussed the following items:

*Sheriff Shaffer reported the current jail census includes 19 females and 58 males for a total of 77 inmates - 3 inmates will be returning from Morrow County

*New configuration of cells are working well - no major issues or complaints from jail staff

*New menu was reviewed and approved - will allow for more alternatives for lowering food costs

*State Inspection is November 21st - Local Fire Inspection was completed on November 1st - report was good with a recommendation to install kitchen hoods if deep fryers were used - currently the kitchen does not use deep fryers

*Contracted Medical Facility started on November 1st - already discovering areas for improvements for cost savings and ability to lessen liability issues - Dr. Elder will be reviewing final paperwork on his last day November 3rd - a meeting is scheduled with the new contracted medical facility and Kay Spergel of Mental Health and Recovery for Knox and Licking Counties to explore Mental Health options for inmates

*Discussion regarding Body Searches and Body Cavity Searches (warrant needed) and the resistance from Knox Community Hospital - will follow up with other counties policies and procedures for how and where they handle body cavity searches

*Cruiser purchases have been put on hold due to UAW Strike - funds set aside for this year can be carried over to next year - will be meeting next week to review and finalize budget for 2024

*Shipping delay on the portable morgue to late December

*Informed staff of Democracy Day opportunity to assist Board of Elections poll worker shortage
*New Patrol Deputy to start on November 13th - one deputy in training and will be released in the next two weeks - have two interviews scheduled - four patrol positions vacant with the possibility of three individuals retiring in 2024

Resolutions to be Presented

RESOLUTION 2023-870--AUTHORIZE THE ACCEPTANCE OF PAYMENTS BY FINANCIAL TRANSACTION DEVICES FOR COUNTY EXPENSES.

WHEREAS, the Board of Commissioners of Knox County ("Board") believes it to be in the best interest of the County and those paying County Expenses to authorize County Elected Officials to accept payments of County Expenses by Financial Transaction Devices; and,

WHEREAS, Ohio Revised Code Section 301.28 provides authority to county boards of commissioners to authorize the acceptance of payments of County Expenses by Financial Transaction Devices,

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Knox County:

SECTION 1: DEFINITIONS

As used in this Resolution, the following terms have the following meanings:

(1) "Financial Transaction Device" has the same meaning as in R.C. 301.28(A), and includes a credit card, debit card, charge card, prepaid or stored value card, automated clearinghouse network credit, debit or e-check entry that includes, but is not limited to accounts receivable and internet-initiated, point of purchase and telephone-initiated applications or any other device or method for making an electronic payment or transfer of funds.

(2) "County Expenses" includes fees, costs, taxes, assessments, fines, penalties, payments, or any other expense a person owes to a county office under the authority of a County Elected Official other than dog registration and kennel fees required to be paid under Chapter 955 of the Ohio Revised Code. "County Expenses" also includes all other enumerated expenses in R.C. 301.28(A)(3), including, but not limited to expenses owed to the board of health, fees for services and the receipt of gifts to the county law library, and fees, costs, assessments, fines, penalties, payments or any other expense issued by the court of common pleas, including probation fees.

(3) "County Official" includes the county auditor, county treasurer, county engineer, county recorder, county prosecuting attorney, county sheriff, county coroner, county park district and board of county commissioners, the clerk of the probate court, and the clerk of the court of common pleas.

SECTION 2: AUTHORIZATION TO ACCEPT PAYMENTS

The Board, pursuant to authority provided under Ohio Revised Code Section 301.28, hereby authorizes, in accordance with the terms and provisions of this Resolution, the acceptance of payments for County Expenses by Financial Transaction Devices.

SECTION 3: TRANSACTION DEVICE POLICIES

A) The County Officials hereby authorized to accept payments by Financial Transaction Devices are those listed in Section 1 of this Resolution.

B) Those County Expenses that may be paid for through the use of a Financial Transaction Device are those listed in Section 1 of this Resolution.

C) The types of Financial Transaction Devices that are an acceptable means of payment for County Expenses are those listed in Section 1 of this Resolution. Uniform acceptance of Financial Transaction Devices among different types of County Expenses is not required.

D) A surcharge or convenience fee may be charged to persons making a payment with a Financial Transaction Device.

1. The surcharge or convenience fee shall not be imposed unless authorized or otherwise permitted by the rules prescribed by an agreement governing the use and acceptance of the Financial Transaction Device.

2. Such surcharge or convenience fee shall not exceed 4% of the amount of the transaction or twenty dollars (\$20.00) if a flat fee is charged.

3. Uniform application of surcharges or convenience fees among different types of county expenses is not required.

4. If a person elects to make a payment to the county by a financial transaction device and a surcharge or convenience fee is imposed, the payment of the surcharge or fee shall be considered voluntary and the surcharge or fee is not refundable.

E) Every county office accepting payment by a Financial Transaction Device, regardless of whether that office is subject to this Resolution, shall clearly post a notice in that office and shall notify each person making a payment by such a device about the surcharge or fee.

1. Notice to each person making a payment shall be provided regardless of the medium used to make the payment and in a manner appropriate to that medium.

2. Each notice shall include all of the following:

- a. A statement that there is a surcharge or convenience fee for using a Financial Transaction Device;
- b. The total amount of the charge or fee expressed in dollars and cents for each transaction, or the rate of the charge or fee expressed as a percentage of the total amount of the transaction, whichever is applicable;
- c. A clear statement that the surcharge or convenience fee is nonrefundable.

F) If a person makes payment by Financial Transaction Device and the payment is returned or dishonored for any reason, the person is liable to the County for payment of a penalty over and above the amount of the expense due. The amount of the penalty, shall be either a fee not to exceed twenty dollars (\$20.00) or payment of the amount necessary to reimburse the county for banking charges, legal fees, or other expenses incurred by the county in collecting the returned or dishonored payment, whichever is more. The remedies and procedures provided in this section are in addition to any other available civil or criminal remedies provided by law.

G) No person making any payment by financial transaction device to a county office shall be relieved from liability for the underlying obligation except to the extent that the county realizes final payment of the underlying obligation in cash or its equivalent. If final payment is not made by the Financial Transaction Device issuer or other guarantor of payment in the transaction, the underlying obligation shall survive and the county shall retain all remedies for enforcement that would have applied if the transaction had not occurred.

H) A County Elected Official or employee who accepts a financial transaction device payment in accordance with this section and any applicable state or local policies or rules is immune from personal liability for the final collection of such payments.

SECTION 4: APPOINTMENT OF ADMINISTRATIVE AGENT

A) The Knox County Treasurer ("Treasurer") is hereby designated as the administrative agent to solicit, within the guidelines established in this Resolution and in compliance with the procedures provided in Ohio Revised Code Section 301.28(C), proposals from financial institutions, issuers of financial transaction devices, and processors of financial transaction devices, to make recommendations about those proposals to the Board, and to assist county offices in implementing the county's financial transaction devices program.

B) The Treasurer may decline this responsibility within thirty (30) days of receiving a copy of this Resolution by notifying the Board in writing within that period. If the Treasurer so notifies the Board, the County Administrator shall perform the duties of the administrative agent.

C) If the Treasurer is the administrative agent and fails to administer the county Financial Transaction Devices program in accordance with the guidelines in this Resolution, the Board shall notify the Treasurer in writing of the Board's findings, explain the failures, and give the Treasurer six (6) months to correct the failures. If the Treasurer fails to make the appropriate corrections within that six-month period, the Board may pass a resolution declaring the County Administrator to be the administrative agent. The Board may later rescind that resolution at its discretion.

SECTION 5: CONTRACTS FOR USE OF TRANSACTION DEVICES

The following procedures and those provided in Ohio Revised Code Section 301.28(C) shall be followed whenever the County plans to contract with financial institutions, issuers of financial transaction devices, or processors of financial transaction devices for the purposes of implementing this Resolution and accepting Financial Transaction Devices for County Expenses.

A) The administrative agent shall request proposals from at least three (3) financial institutions, issuers of financial transaction devices, or processors of financial transaction devices.

B) Prior to sending any financial institution, issuer, or processor a copy of any such request, the county shall advertise its intent to request proposals in a newspaper of general circulation in the County once a week for two consecutive weeks. The notice shall state:

1. that the county intends to request proposals; and,
2. specify the purpose of the request; and,
3. indicate the date, which shall be at least ten days after the second publication, on which the request for proposals will be mailed to financial institutions, issuers, or processors; and,
4. require that any financial institution, issuer, or processor, whichever is appropriate, interested in receiving the request for proposals submit written notice of this interest to the county not later than noon of the day on which the request for proposals will be mailed.

C) Upon receiving the proposals, the administrative agent shall review them and make a recommendation to the Board on which proposals to accept.

D) The Board shall consider the agent's recommendation and review all proposals submitted, and may choose to contract with any or all of the entities submitting proposals, as appropriate.

E) The Board shall provide any financial institution, issuer, or processor that submitted a proposal, but with which the Board does not enter into a contract, notice that its proposal is rejected. The notice shall state the reasons for the rejection, indicate whose proposals were accepted, and provide a copy of the terms and conditions of the successful bids.

SECTION 6: DISTRIBUTION OF RESOLUTION

A copy of this Resolution shall be sent to each County Official who is authorized by this Resolution to accept payments by Financial Transaction Devices. After receiving this Resolution and before accepting payments by Financial Transaction Devices, the County Official shall provide written notification to the Board of the official's intent to implement this Resolution within the official's office. Each county office subject to this Resolution may use only the financial institutions, issuers of Financial Transaction Devices, and processors of Financial Transaction Devices with which the Board contracts, and each such office is subject to the terms of those contracts.

SECTION 7: OFFICIALS MAY DECLINE TO PARTICIPATE

If a county office under the authority of a County Official is directly responsible for collecting one or more County Expenses and the County Official determines not to accept payments by Financial Transaction Devices for one or more of those expenses, the office shall not be required to accept payments by Financial Transaction Devices, notwithstanding the adoption of this Resolution.

SECTION 8: EFFECTIVE DATE

This Resolution shall take effect immediately upon passage.

A copy of the resolution is attached to Journal No. 2023.

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| RESULT: | APPROVED |
| MOVER: | Bill Pursel |
| SECONDER: | Teresa Bemiller |
| AYES: | Bemiller Collier Pursel |

RESOLUTION 2023-871--APPROVE AMENDMENT TO LPA STATE LOCAL-LET PROJECT AGREEMENT FOR BECKLEY ROAD BRIDGE (KNO TR 401 01.35).

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Amendment to LPA State Local-Let Project Agreement for Beckley Road Bridge (KNO TR 401 01.35). The total cost of the project is estimated to be \$2,227,047.60 - ODOT shall provide to the LPA 95% of the eligible costs, up to a maximum of \$1,903,373.00 in State funds.

A copy of the amendment is attached to Journal No. 2023.

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| RESULT: | APPROVED |
| MOVER: | Teresa Bemiller |
| SECONDER: | Bill Pursel |
| AYES: | Bemiller Collier Pursel |

RESOLUTION 2023-872--APPROVE THE SECURITY CAMERA REPLACEMENT GRANT AGREEMENT BETWEEN THE SECRETARY OF STATE (SOS) AND THE KNOX COUNTY BOARD OF ELECTIONS (DOCUMENT IS NOT SUBJECT TO DISCLOSURE AS A PUBLIC RECORD PURSUANT TO R.C. 149.433).

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Security Camera Replacement Grant Agreement between the Secretary of State (SOS) and the Knox County Board of Elections (Document is not subject to disclosure as a public record pursuant to R.C. 149.433, therefore, is not included in the minutes journal.

RESULT: **APPROVED**
MOVER: Bill Pursel
SECONDER: Teresa Bemiller
AYES: Bemiller Collier Pursel

RESOLUTION 2023-873--APPROVE THE KNOX COUNTY TREASURER DEPOSITORY AND INVESTMENT INCOME REPORT FOR OCTOBER 2023, IN THE AMOUNT OF \$114,637.87.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Knox County Treasurer Depository and Investment Income Report for October 2023, in the amount of \$114,637.87.

A copy of the report is attached to Journal No. 2023.

RESULT: **APPROVED**
MOVER: Teresa Bemiller
SECONDER: Bill Pursel
AYES: Bemiller Collier Pursel

RESOLUTION 2023-874--APPROVE REQUEST FOR FUNDS (ATTACHMENT D) AND THE NOTICE OF AWARD FOR THE HEALTHY AGING GRANT WITH THE OHIO DEPARTMENT OF AGING.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Request for Funds (Attachment D) and the notice of award for the Healthy Aging Grant with the Ohio Department of Aging in the amount of \$238,154.00.

A copy of the request and notice of award are attached to Journal No. 2023.

RESULT: **APPROVED**
MOVER: Bill Pursel
SECONDER: Teresa Bemiller
AYES: Bemiller Collier Pursel

Approval of Transfer of Funds, Supplemental Appropriations and Bills

RESOLUTION 2023-875--APPROVE APPROPRIATION ADJUSTMENT.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Appropriation Adjustment and that the following transfers be made:

AMOUNT: \$11,421.57

From Appropriation Account: 601.1561.50302 - Contract Service - Sewer District

To Appropriation Account: 601.1561.50601 - Transfers Out - Sewer District

AMOUNT: \$416,865.93

From Appropriation Account: 601.1561.50332 - Debt Retirement Payment - Sewer District

To Appropriation Account: 601.1561.50601 - Transfers Out - Sewer District

A copy of the Appropriation Adjustment is attached to Journal No. 2023.

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| RESULT: | APPROVED |
| MOVER: | Teresa Bemiller |
| SECONDER: | Thom Collier |
| AYES: | Bemiller Collier Pursel |

RESOLUTION 2023-876--APPROVE APPROPRIATION OF FUNDS/SUPPLEMENTAL APPROPRIATION.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Appropriation of Funds/Supplemental Appropriation and that the following amounts be appropriated into the respective line accounts as money has been certified but not yet appropriated as follows:

AMOUNT: \$109,950.00

ACCOUNT: 101.1280.50101 - Salaries - Employees - Board of Elections

AMOUNT: \$11,850.00

ACCOUNT: 101.1280.50103 - PERS - Board of Elections

AMOUNT: \$1,650.00

ACCOUNT: 101.1280.50105 - Medicare/Unemployment - Board of Elections

A copy of the Appropriation of Funds/Supplemental Appropriation is attached to Journal No. 2023.

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| RESULT: | APPROVED |
| MOVER: | Teresa Bemiller |
| SECONDER: | Thom Collier |
| AYES: | Bemiller Collier Pursel |

RESOLUTION 2023-877--APPROVE FUND TRANSFER.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Fund Transfer and that the following fund transfer be made:

AMOUNT: \$428,287.50
FROM: 601.1561.50601 - Transfers Out
TO: 301.1140.41100 - Transfers In

A copy of the Fund Transfer is attached to Journal No. 2023.

RESULT: APPROVED
MOVER: Teresa Bemiller
SECONDER: Thom Collier
AYES: Bemiller Collier Pursel

RESOLUTION 2023-878--APPROVE BILL LIST.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Bill List dated November 2, 2023.

A copy of the Bill List is attached to Journal No. 2023.

RESULT: APPROVED
MOVER: Teresa Bemiller
SECONDER: Thom Collier
AYES: Bemiller Collier Pursel

RESOLUTION 2023-879--APPROVE BILL LIST - THEN AND NOW.

BE IT RESOLVED, that the Board of Knox County Commissioners approve the Then and Now Bill List dated November 2, 2023.

A copy of the Then and Now Bill list is attached to Journal No. 2023.

RESULT: APPROVED
MOVER: Teresa Bemiller
SECONDER: Thom Collier
AYES: Bemiller Collier Pursel

Adjourn the Meeting

NO AFTERNOON SESSION

Upcoming Committee/Board/Community Meetings:

CORSA Board Meeting - 11/03/2023 - 10:00 AM - Bemiller
Land Bank Committee Meeting - 11/06/2023 - 2:30 PM - Bemiller and Pursel
Experience Mount Vernon Committee Meeting - 11/07/2023 - 3:30 PM - Pursel
CORSA Training - 11/14/2023 - 9:00 AM - All Commissioners
DKMM Budget Committee Meeting - 11/14/2023 - 1:30 PM - Bemiller
OPWC Committee Meeting - 11/15/2023 - 10:00 AM - Pursel
CCAO General Government Committee Meeting - 11/16/2023 - 1:00 PM - Pursel
Heart of Ohio Trail Board Annual Meeting - 11/16/2023 - 6:00 PM - All Commissioners
Regional Planning Commission Meeting - 11/16/2023 - 7:30 PM - Collier
CVB Committee Meeting - 11/22/2023 - 4:00 PM - Pursel
Scenic River Committee Meeting - 11/29/2023 - 10:00 AM - Bemiller

Commissioner, President

Commissioner

Commissioner

ATTEST:

Penny R. Doyle
Clerk/Executive Assistant