

**MORGAN COUNTY COMMISSIONERS
RIECKER BUILDING**

The Board of Morgan County Commissioners met in their office Monday, April 10, 2023.
The meeting was called to order at 8:30am with the pledge of allegiance to the flag.

Adam Shriver, President
Richard Welsh, Vice-President
Cecil Mayle, Member

23-158- Motion by Mr. Welsh and seconded by Mr. Mayle to approve the minutes of April 3, 2023.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

The commissioners did the following over the past week:

- Commissioner Shriver attended a General Policy Council meeting in Marietta.
- Commissioners Shriver also attended a Power, Broadband Committee meeting.

Alan Eltringham, Pound Keeper

-Submitted report

Steve Hook, Engineer; John Felesz, Deputy Engineer

23-159- Motion by Mr. Mayle and seconded by Mr. Welsh to untable asphaltic concrete bids.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-160- Motion by Mr. Welsh and seconded by Mr. Mayle to accept all asphaltic concrete bids.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

*see attachment A

23-161- Motion by Mr. Mayle and seconded by Mr. Welsh to approve the following resolution:

Ordinance/Resolution# 23-161

PID No: 116948

County/Route/Section: MRG CR Guardrail FY 2024

Agreement No:38916

The following a resolution (23-161) enacted by the Morgan County Commissioners of Morgan County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION 1-Project Description

WHEREAS, Ohio has determined the need for the described project:

Resurfacing project using an asphalt overlay treatment on MRG CR 4 15.71-17.21, MRG CR 32 00-3.04 MRG CR 84 0.00 2-06. Work includes striping, edge line and stop bars as needed. Total length of work is approximately 10 miles in Morgan County.

NOW THEREFORE, be it ordained by the Board of county Commissioners_of Morgan_County, Ohio.

SECTION II-Consent Statement

Being in the public interest, the LPA give consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III-Cooperation Statement

The LPA shall cooperate with the Director of Transportation of development and construction of the above described project and shall enter into a LPA Federal ODOT Let Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The County does hereby propose to assume and contribute the entire cost and expense of the improvement, less the amount of Federal Aid Funds set aside by the Director of Transportation for financing this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the County agrees to bear one hundred percent (100%) of the cost of the following items:

- 1) Rights-of-Way*
- 2) All costs for added construction items generating extra work contracts under Ohio laws, unless performance is approved by the State of Ohio and Federal Highway Administration before work is authorized.*

The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed The State shall not approve a change order or extra work contract until it first gives notice, in writing to the LPA The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23CRF 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must confirm to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

SECTION IV-Authority to Sign

The LPA authorizes the County Engineer of said Morgan County to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to preliminary engineering phase of the Project.

Upon request of ODOT, the County Engineer is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the Board of County Commissioners to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION V-Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI- Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S. C, Section 116; (2) provide ample financial provisions if necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for the public highway purposes.

SECTION VII-Emergency Measure

The Resolution #23-161 is hereby declared to be emergency measure to expedite the highway project and promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Mr. Shriver yea Mr. Welsh yea Mr. Mayle yea Motion Carried

23-162- Motion by Mr. Mayle and seconded by Mr. Welsh to allow Engineer Hook to submit a pre application to OPWC for emergency funds to repair the slip on CR14 (W. Mountville Rd.).

Mr. Shriver yea Mr. Welsh yea Mr. Mayle yea Motion Carried

Missy Fisher, JFS

-Per letter received from the Ohio Department of Job and Family Services, the mandated share for State Fiscal Year 2023 is \$40,358.00

April 2023 \$3,363.17

Becky Thompson, Dog Warden

-Submitted dog report-filed

John Wilt, EMA/911

EMA/OHS Report to Commissioners, 4/10/2023

- Ohio Emergency Operations Center coordination calls Thursdays at 1300 hours
- Received approval from Ohio EMA Grants on submission for FY22 EMPG.
- Pulled old data from the Ohio Fire Chiefs Emergency Response Plan. Preparing s survey of all County fire departments to update resource availability and contacts. All are currently out of date and some have not been updated in 10 years.
- Attended parts of State Director’s Conference in Columbus Wednesday and Thursday 4/5 - 4/6.
- I will be assisting with the evaluation of Washington County’s annual exercise on Thursday, 4/13/23, so will be out of the office most of the day. The Directors in SE Ohio reciprocate in evaluating each other’s exercises on a regular basis.

9-1-1 Report to Commissioners, 4/10/2023

- I have been in discussions with Marty Ham of ComTech regarding a variety of issues. All Morgan County NG9-1-1 computers need to be replaced so they can run the most current

products. I received specs for these computers and have asked Jeff Babcock to obtain pricing.

- While in Florida I received notice that there had possibly been issues with a 9-1-1 call for service at 2:10 a.m. on March 29th. I spoke with Ch. Finley, Sheriff McGrath, pulled recordings of the calls, had WestTel provide diagnostic data for the phones, and obtained a statement from the M&M dispatcher. There is no evidence to suggest that there was any issue with the 9-1-1 system- it appears that it came down to a training issue. The Sheriff's call-taker obtained adequate information to complete the call and when the transfer to M&M was returned to the Sheriff's office, he called M&M via 10-digit line and relayed the pertinent information. I have given a preliminary report to the initial caller and will follow up with her this week. Although I was out of town I ended up working on this quite a bit due to the timely nature of the issue.
- Received an email from ComTech NSOC (Network Security Operations Center) regarding a question of an improper address in Morgan County. The resident was insisting the address had directional information (N & NW), but does not. I checked with the Engineer's office and obtained a copy of the MSAG (Master Street Address Guide). I provided the correct information to ComTech to update the information. **This request was first submitted to Dave Bailey in October, and on multiple occasions since, but went unanswered.**
- I spoke with Ken Tweedy, the GM of WestTel. We discussed the situation with our system- the age of the computers, some of the issues we have been having, etc. I will be spending a good amount of time this week with WestTel- learning about the MIS (Management Information System) for our software and going through our software and capabilities step by step. In interviewing various call-takers it has become apparent that training has been inadequate and most of it has just been handed down person to person. I am going obtaining training material and operations guides to provide more robust training for all call-takers on our system.
- I reminded Jeff Babcock that the UPS (Uninterruptable Power Supplies) need to be replaced at M&M. Power glitches and slow generator response times have caused their computers to drop off and due to age it takes a considerable amount of time for them to reboot. The units are ordered and will be here Thursday.

- Sent out bills to partner Counties in amount of \$271,189.03. Bills were itemized with explanations. Adam co-signed the cover letters with me and the letters directed questions to the Auditor who has been provided with information regarding the charges.

Becky Thompson, Dog Warden

-Submitted dog report-filed

Shannon Wells, Development Office

-Before approve the following resolution, the commissioner had a detailed discussion among themselves and Shannon Wells concerning funding sources for Broadband Power

23-163- Motion by Mr. Welsh and seconded by Mr. Mayle to approve the following:

*See attachment B

Mr. Shriver yea Mr. Welsh yea Mr. Mayle yea Motion Carried

\$2,500.00—ARC Power Grant

\$2,613,883—Spectrum

\$ 100,000—ARC State

\$5,213,883—Total project cost

-A letter of commitment from the Morgan County Commissioners for \$100,000 is requested since the ARC State grant will not be confirmed until fall 2023. This is needed to apply for the ARC Power Grant since all funds need to be committed at the time of application. They hope to get it funded at 100% by grants.

Septic Installation	10795 Dock 2 County Rd. 108 Glouster OH 45732	Total
Champion Services	-	\$0.00
D&L Drilling	-	\$0.00
Beagle Hill Services LLC	\$19,949.00	\$19,949.00
Fouss Septic Systems	-	\$0.00
Johns Excavating	-	\$0.00
Kings Future Builders	-	\$0.00
LM Excavating	-	\$0.00
Fleming’s Excavating &Utilities	-	\$0.00
Muskingum Site Services	-	\$0.00
Newberry Excavating	-	\$0.00
Zemba	-	\$0.00
Masterson Complete	-	\$0.00
Shriver Septic & Excavation	-	\$0.00
Singree Construction	-	\$0.00
Wilkins Excavating	-	\$0.00

23-164- Motion by Mr. Mayle and seconded by Mr. Welsh to approve entering into a contract with Beagle Hill Services, LLC for \$19,949.00 for the Home Sewage Treatment System Program Contract 22—2C for the replacement of one septic system. This resolution is contingent upon funding. The following addresses will be provided services:

10795 Dock 2 County Rd. 108 Glouster OH 45732 (replacement)

-Shannon Wells attended the Transit Peer Conference at Salt Fork Lodge on April 4, 2023.

-A meeting will be held April 11, 2023 at 2pm at Miba Sinter with ODOT to have a discussion on the center turn lane project details. Miba Sinter, Miba Bearings and Mahle have all been invited.

-A pre-construction meeting will be held April 12, 2023 at 1pm with Burgrass & Niple and Little Creek Construction in the Economic Development office conference room.

Steve Hook, Engineer

-Discussed an upcoming of the planning commission.

Shelby Wahl, Senior Center

-levy update - still pending with auditor's office

-hiring part-time homemaker soon

-pool table still pending pick up

-Washer fixed at office

Jeff Babcock, IT Administrator

-Reported on activities over the past week.

Transfers, Then & Nows, Supplemental Appropriations & Utility Applications

23-165- Motion by Mr. Welsh and seconded by Mr. Mayle to transfer payments

200-0200-5301-00 to housing trust fund admin 001-0602-4002-00.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-166- Motion by Mr. Mayle and seconded by Mr. Welsh to provide a supplemental appropriation in the amount of \$6.82 to the line item 048-0048-5301.00 (grant expenses) which is interest gained from grant funds from the SOS for physical Security and Cyber Security implementation to the Morgan County Board of Election. The interest is required to be returned to the SOS.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-167- Motion by Mr. Welsh and seconded by Mr. Mayle to transfer \$500.00 from 001-0207-5304.00 (equipment to 001-0207-5321.00 (other fees).

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-168- Motion by Mr. Mayle and seconded by Mr. Welsh to transfer from 03-0063-5102.00 salaries in the amount of \$5,000.00 to 063-00635309.00 and please adjust PO #23-29910.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-169- Motion by Mr. Welsh and seconded by Mr. Mayle to grant American Electric Power to span over County Road 94 located in the township of Malta, Morgan County, Ohio.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-170-Motion by Mr. Welsh and seconded by Mr. Mayle to approve payment of bills. *See attached*

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

23-171- Motion by Mr. Mayle and seconded by Mr. Welsh to adjourn the commissioners meeting on Monday, April 10, 2023 at 4:00pm.

Mr. Shriver yea, Mr. Welsh yea, Mr. Mayle yea Motion Carried

Adam Shriver, President

Richard Welsh, Vice-President

Cecil Mayle, Member

Sheila Welch, Clerk

Attachment A:

2023- Engineer's Recommendations for Asphaltic Concrete Bid

Attached are the results of the bid comparison for the "Asphaltic Concrete" submitted and opened during the Morgan County Commissioner's regular session on Monday April 3, 2023

I.) Asphaltic Concrete – Attachment - A

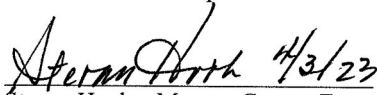
Two companies, (**Mar-Zane, Inc. and Shelly Materials Inc.**) submitted quotes for supplying Asphaltic Concrete to Morgan County and its Townships.

Shelly Materials, Inc. submitted a quote from one (1) source; **White Cottage Plant** at **\$90.00/ton, \$18.00/ton** more than last year.

Mar-Zane, Inc. submitted quotes for the following four plants: **Plant #6** located on SR #60 north of Duncan Falls at **\$ 81.50/ton** for **404** materials, **\$15.50** more than 2022. **Plant #2** located on SR 7 south of Marietta at **\$ 95.00/ton** for **404** materials, **\$20.00/ton** more than last year. **Plant #4** located on SR 33 south of Haydenville at **\$ 80.00/ton** for **404** materials, **\$14.50** more than last year. **Plant #13** located off SR #209 east of Byesville at **\$ 80.00/ton** for **404** materials, **\$15.00/ton** more than last year.

We are not planning on using any 405 materials due to the high unit costs. However, if we do; the cost is **\$140.00/ton at Plant #6**. This is **\$15.00/ton** more than last year.

Due to the high cost of fuel and transportation; **it is my recommendation that we accept all five (5) bids from Mar-Zane, Inc. and Shelly Materials, Inc.** with the understanding that the plant location utilized for a given project will be determined by the lowest total cost (asphalt + transportation) to that project. For example, it may be cheaper to pay \$6.00/ton more for material from the Marietta plant and not pay the high transportation costs from Philo or White Cottage when working in the Stockport area. Likewise the Deavertown area would be best served from the Zanesville plant.


Stevan Hook – Morgan County Engr.

2023- Asphaltic Concrete Bid Results
Cost/ton at the plant

Vendor					Shelly Mat.
Product	Marietta	Haydenville	Byesville	Zanesville	Zanesville
404					
2005	\$ 28.50	\$ 27.50	\$ 29.50	\$ 28.50	\$ 29.50
2006	\$ 32.50	No Bid	No Bid	\$ 32.50	\$ 33.50
2007	\$ 41.00	\$ 40.00	\$ 42.00	\$ 39.50	\$ 45.00
2008	\$ 46.00	\$ 45.00	\$ 48.00	\$ 45.00	\$ 47.00
2009	\$ 54.00	\$ 54.00	\$ 54.00	\$ 54.00	\$ 60.00
2010	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.75
2011	\$ 61.00	\$ 61.00	\$ 61.00	\$ 61.00	\$ 62.00
2012	\$ 63.00	\$ 63.00	\$ 63.00	\$ 63.00	\$ 65.00
2013	\$ 64.00	\$ 63.00	\$ 64.00	\$ 63.00	\$ 64.00
2014	\$ 65.00	\$ 63.00	\$ 65.00	\$ 63.00	\$ 64.00
2015	\$ 66.00	\$ 64.00	\$ 66.00	\$ 64.00	\$ 63.00
2016	\$ 65.00	\$ 61.00	\$ 61.00	\$ 61.00	\$ 68.50
2017	\$ 63.00	\$ 60.00	\$ 59.00	\$ 60.00	\$ 63.00
2018	\$ 64.50	\$ 62.00	\$ 60.00	\$ 62.00	\$ 63.00
2019	\$ 66.50	\$ 63.00	\$ 62.00	\$ 63.50	\$ 66.00
2020	\$ 66.50	\$ 63.00	\$ 62.00	\$ 63.50	\$ 66.50
2021	\$ 66.50	\$ 63.00	\$ 62.00	\$ 63.50	\$ 67.00
2022	\$ 75.00	\$ 65.50	\$ 65.00	\$ 66.00	\$ 72.00
2023	\$ 95.00	\$ 80.00	\$ 80.00	\$ 81.50	\$ 90.00
\$/ton increase	\$ 20.00	\$ 14.50	\$ 15.00	\$ 15.50	\$ 18.00
1-yr. % Incr.	21.05%	18.13%	18.75%	19.02%	20.00%
17-yr. % Incr.	233.33%	190.91%	171.19%	185.96%	205.08%
405					
2005	\$ 62.00	No Bid	No Bid	\$ 62.00	\$ 75.00
2006	\$ 66.00	No Bid	No Bid	\$ 66.00	\$ 80.00
2007	\$ 80.00	\$ 80.00	No Bid	\$ 80.00	\$ 80.00
2008	\$ 75.00	No Bid	No Bid	\$ 80.00	\$ 85.00
2009	\$ 80.00	No Bid	No Bid	\$ 85.00	\$ 120.00
2010	\$ 90.00	No Bid	No bid	\$ 95.00	\$ 110.00
2011	\$ 95.00	No Bid	No bid	\$ 100.00	\$ 110.00
2012	\$ 100.00	No bid	No bid	\$ 105.00	\$ 110.00
2013	\$ 105.00	No bid	No bid	\$ 110.00	\$ 110.00
2014	\$ 110.00	No Bid	No Bid	\$ 115.00	No Bid
2015	\$ 112.00	No Bid	No Bid	\$ 117.00	No Bid
2016	\$ 110.00	No Bid	No Bid	\$ 120.00	\$ 135.00
2017	\$ 115.00	No Bid	No Bid	\$ 120.00	No Bid
2018	\$ 115.00	No Bid	No Bid	\$ 125.00	No Bid
2019	\$ 115.00	No Bid	No Bid	\$ 125.00	No Bid
2020	\$ 115.00	No Bid	No Bid	\$ 125.00	No Bid
2021	\$ 115.00	No Bid	No Bid	\$ 125.00	No Bid
2022	\$ 125.00	No Bid	No Bid	\$ 135.00	No Bid
2023	\$ 140.00	No Bid	No Bid	No Bid	No Bid
\$/ton increase	\$ 15.00				
1-yr. % Incr.	12.00%				
17-yr. % Incr.	125.81%				

We will pick up material from the plant that will give us the lowest overall costs

We may not be using any of this material

RESOLUTION NO. 23-163

A resolution authorizing Morgan County to submit an application to participate in the Appalachia Regional Commission's 2023 POWER Initiative grant program and to execute documents as required.

WHEREAS the Appalachian Regional Commission's POWER Initiative provides financial assistance to Ohio political subdivisions within Appalachia that help communities and regions that have been affected by job losses in coal mining, coal power plant operations, and coal-related supply chain industries due to the changing economics of America's energy production; and

WHEREAS the Board of County Commissioners desires to incentivize fiberoptic broadband capital investment in un/underserved areas of the county; and

WHEREAS Morgan County stakeholders recently completed a 2021 ARC POWER Technical Assistance Grant that mapped providers, current speeds, and prioritized deployment of the identified unserved and underserved areas of the County. The TA's priorities are the basis for informing the proposed POWER Implementation grant application; and

WHEREAS Morgan County is requesting authorization to submit the grant application for an award of up to \$2,500,000; and


WHEREAS the broadband projects are considered to be a priority need for the County and are qualified projects under the Appalachian Regional Commission's 2023 POWER Initiative grant program.

BE IT RESOLVED BY THE MORGAN COUNTY COMMISSIONERS:

Section 1: The Morgan County Board of Commissioners hereby authorizes the application to the Appalachia Regional Commission's 2023 POWER INITIATIVE for potential broadband grant funds in the amount of \$2,500,000.

Section 2: The Morgan County Board of Commissioners hereby name Commissioner Adam Shriver as it's representative and contact, and as such, is authorized to sign documents and agreements as may be necessary and appropriate for obtaining this Appalachian Regional Commission financial assistance.

PASSED and APPROVED this 10th day of April, 2023.



Adam Shriver, President

Attest:  _____ Sheila Welch, Clerk

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