

**MORGAN COUNTY COMMISSIONERS  
RIECKER BUILDING**

The Board of Morgan County Commissioners met in their office Monday, July 24, 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

**23-333-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve the minutes of July 17, 2023.

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

The commissioners did the following over the past week:

-The commissioners had nothing to report this week.

***Randy Bebout, Concerned Citizen***

-Wanted to see if the commissioners had any updates dealing with proposed radio project.

***Heidi Burns, JFS***

- Credit Card Policy under new budget bill
- Healthy Aging Grant for Seniors.
- Meeting with county partners to get parenting classes started.
- Reminder: PRC Biennial Review Meeting Wednesday at 10:00am.
- Travel Requests:
  - Heidi Burns & Kari Schaad to SEPCSA at Athens on 7/24/23.

***Alan Eltringham, Pound Keeper***

- Submitted report
- Full report can be found online at:  
[https://www.morgancounty-oh.gov/dog\\_warden\\_reports.html](https://www.morgancounty-oh.gov/dog_warden_reports.html)

***Al Eltringham, Reicker Maintenance***

- Received quote from Westfall Building and Doors to finish repair of the overhead garage doors
- Scaffolding completed between the Sheriffs and Courthouse for removal of the east side roofing and chimneys.
- Repair work has started on Courthouse front porch, got everything taped off and signs have been placed.

-Received quote from Ables Heating and Cooling for Prosecutor's office, quote has been lowered from original quote.

-Park cleaned, trees trimmed and brush removed and dumped at land waste site.

-Delivered cabinet to the dog pound to store dog food and treats.

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***Steve Hook, Engineer; John Telesz, Deputy Engineer***

**23-334-** Motion by Mr. Shriver and second by Mr. Welsh to approve the following Primary Legislation. -See Attachment A

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

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***Cheryl Brink, Treasurer***

-Discussed rates that will be set up at First National Bank.

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***Kristi Morrow, OSU Extension***

-Brought the ballot language for their levy to the commissioners.

Upon receiving quotes for the County Courthouse for an HVAC office unit in the Prosecutor's Office, the commissioners approved the following:

**23-335-** Motion by Mr. Welsh and seconded by Mr. Shriver to award project to Ables Inc. in the amount of \$24,450.00.

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

***Becky Thompson, Dog Warden***

-Submitted report

-Full report can be found online at:

[https://www.morgancounty-oh.gov/dog\\_warden\\_reports.html](https://www.morgancounty-oh.gov/dog_warden_reports.html)

***Shannon Wells, Development Office; Jessie Powers; Outdoors Recreation Council of Appalachia***

-See Attachment B

-The commissioners plan to participate.

Commissioner Mayle and Commissioner Welsh attended a viewing for Beach Road.

***Shannon Wells, Development Office***

A pre-construction meeting was held on Friday, July 21, 2023 for the Grove Project with G&M Construction and Kelly Architectural.

G&M can repair two doors on Reicker building instead of replace them and provide a deduct to the original bid.

-Commissioner Mayle and Shannon Wells attended the Lake to Lodge dedication on July 11,2023 at Burr Oak Lodge.

Shannon Wells was contacted by the Auditor of State last week regarding the Morgan Convention & Visitor's Bureau audit.

130 4<sup>th</sup> Street has asbestos testing done on Friday, July 21, 2023.

**23-336-** Motion by Mr. Shriver and second by Mr. Welsh to untable Union Hall Project.

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

**23-337-** Motion by Mr. Welsh and seconded by Mr. Shriver to award project contingent upon approval of Trustees and Chesterhill Village Council.

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

***Jeff McInturf, Surveyor***

**23-338-** Motion by Mr. Shriver and second by Mr. Welsh to approve the following:

-See Attachment C

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

**23-339-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve the following:

See Attachment D

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

***Jeff Babcock, IT Administrator***

-Discussed county electric bills and the need to make the HVAC system more efficient.

***Transfers, Then & Nows, Supplemental Appropriations & Utility Applications***

**23-340-** Motion by Mr. Shriver and seconded by Mr. Welsh to request supplemental appropriation in the amount of \$483,980.00 from the Gas and Motor Vehicle Account. Please place the full amount of \$483,980.00 into our PID 115395 Account 004-0004-5370.00.

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

**23-341-** Motion by Mr. Welsh and seconded by Mr. Shriver to transfer \$26,000.00 from our Office Salaries Account (k2) 004-0004-5102.00 and place into our Large Equipment Account (k13) 004-0004-5304.01.

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

**23-342-** Motion by Mr. Shriver and seconded by Mr. Welsh to provide a supplemental appropriation in the amount of \$45,000.00 to line item 001-0301-5306.00 (contract expenses) which is the funding received for the August 8, 2023 Special Election.

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

**23-343-**Motion by Mr. Welsh and seconded by Mr. Shriver to approve payment of bills. \*See attached\*

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

**23-344-**Motion by Mr. Welsh and seconded by Mr. Shriver to adjourn the commissioner meeting on July 24, 2023.

**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

7/18/2023

**PRELIMINARY LEGISLATION**

(LPA-ODOT-Let Project Agreement)  
(PARTICIPATORY)

**Ordinance/Resolution # :** 23-334  
**PID No. :** 119451  
**County/Route/Section:** MRG CR Guardrail FY2024B  
**Agreement No:** 39492

The following is a/an Resolution enacted by the Board of County Commissioners of Morgan  
(Motion/Ordinance/Resolution) (Local Public Agency)  
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION I – Project Description**

WHEREAS, the (LPA/STATE) has determined the need for the described project:

*Guardrail replacement on various routes and sections in Morgan County. Work includes end treatments. Total length of work is approximately 3.54 miles in Morgan County.*

NOW THEREFORE, be it ordained by the **Board of County Commissioners** of Morgan County, Ohio.  
(LPA)

**SECTION II – Consent Statement**

Being in the public interest, the LPA gives 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 in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project 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.*

7/18/2023

PID No.: 119451

*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 23 CFR 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 conform 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 hereby authorizes Stevan Hook PE,PS – of said Morgan County Engineer to  
(Signature authority) (LPA-or its division, department or agency)  
enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the Stevan Hook PE,PS is also empowered to execute any appropriate documents to  
(Signature authority)  
affect the assignment of all rights, title, and interests of the Morgan County Engineer to ODOT arising from any  
(LPA)  
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/or 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.

7/18/2023

CERTIFICATE OF COPY  
STATE OF OHIO

Board of County Commissioners  
(LPA) of Morgan County, Ohio

I, Sheila Welch, as Clerk of the Board of County Commissioners  
(LPA)  
of Morgan County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
23-334 adopted by the legislative Authority of the said

Board of County Commissioners  
(LPA) on the 24th day of July, 2023.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this 24 day of July, 2023.

SEAL

Sheila Welch  
(Clerk)

Board of County Commissioners of Morgan County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

## Attachment B

### **Background:**

The Outdoor Recreation Council of Appalachia (ORCA), a council of governments created in 2019, and ORCA's nonprofit partner the Athens-Wayne Outdoor Asset Development Corporation (AWOADC) were created to and are developing and managing the Baileys Trail System in partnership with the Wayne National Forest. This work fulfills ORCA's mission of utilizing outdoor recreation to deliver economic, social, health, and environmental benefits to Appalachian Ohio communities.

### Baileys Trail System

When complete, the Baileys Trail System will be the longest continuous mountain bike optimized trail system in the East with 88-miles of natural surface trail, open to all forms of human powered use, in the Wayne National Forest. We have ~55 miles of the highest quality mountain bike trail are complete now. Additionally, ORCA has secured investments needed to complete the trails, construct a turn-key ~5,000 square foot commercial multipurpose visitor center at the primary trailhead, and more.

### ORCA's Work

ORCA utilizes a new model for outdoor recreation development, which has gained national recognition. ORCA's unique purpose and multidisciplinary approach, positions rural areas to sustainably and holistically leverage existing outdoor recreation assets to strategically catalyze investment and combat long-term challenges linked to limited

economic opportunities. ORCA was created to fill capacity gaps and equip the region to obtain public and private investment in natural asset-based strategic development, manage outdoor recreation across jurisdictional boundaries, and capture revenue to reinvest in operations and maintenance to assist in sustainably diversifying the regional economy. ORCA was created to support all outdoor recreation opportunities.

ORCA, a council of local governments, understands rural communities' challenges require customized solutions. ORCA's work intersects multiple disciplines and is done in coordination with existing organizations to be a value add, not duplicative. This approach fills capacity gaps as needed; thereby enabling rural communities to capitalize on their unique asset-based opportunities. ORCA realizes there's value in a coordinated regional approach to increase tourism and visitation, extend the length of and quality of visits, attract and retain talent, help Ohio compete nationally, and more.

#### ORCA's Track Record

Since I was hired in September of 2020, ORCA has secured a \$1.5 MM ARC POWER grant to diversify the economy in Southeast Ohio, \$9.1 MM in grants for Baileys Trail System Trails Trailheads and related infrastructure development, and \$200K private Impact Investment to develop Baileys related social enterprises. ORCA's POWER grant is a collaboration with the Buckeye Trail Association, Wayne National Forest, and other stakeholder partners to grow economic impacts in outdoor recreation rich Gateway Communities like Shawnee and Chauncey, and many others in Appalachian Ohio.

#### ORCA's Team

ORCA has three full time staff, myself, Sustainable Recreation Director Elle Dickerman, Communications and Philanthropy Director Delia Palmisano, and is in the process of filling our Director of Finance position. We are developing our flagship outdoor recreation project, the Baileys Trail System, which captures an asset-based opportunity for rural economic diversification. The ORCA team realize funding and construction administration, maintaining, marketing, supporting businesses, and engaging communities in shared stewardship are all essential components of sustainable outdoor recreation development, and have experience and expertise to do this work, collaborate, and share.

Please review additional information enclosed including: ORCA Overview, Baileys Trail System Overview, ORCA Sustainable Development Model Overview, and ARC ARISE Planning Application project overview. Also, please plan to attend a virtual ORCA Invitation to Partner Information Session on Friday, June 9<sup>th</sup> at 1:00PM or Wednesday, discussion at 10AM or Thursday, June 15<sup>th</sup> at 5:30PM for a more in depth overview and

#### **Invitation:**

ORCA is excited to invite communities to formally join ORCA as a Partner, which will provide the following benefits and is available to communities with the following conditions. The ORCA Board on May 17, 2023 amended ORCA's Bylaws to outline the addition of ORCA Partner Communities to ensure ORCA best supports the Appalachian Ohio region.

ORCA Partner Communities will receive:

1. Planning. Inclusion of your county in the ARC POWER, Buckeye Hills Regional Council, and Forest Service supported Multi-County Recreation Asset Assessment and Development Plan, at no cost to you. This service is managed by ORCA and led by ORCA procured consultant Scott Linnenburger of [Kay-Linn Enterprises](#). (Some communities may have previously engaged in the beginning of effort in 2022, which was paused as the Appalachian Community Grant Program began.) Partner communities will inform the plan and upon completion receive physical and digital copies of the plan highlighting outdoor recreation and destination development opportunities in each county.
2. Support. ARC POWER support to advance collaborative or regional branding/ destination development for top priorities identified by your county's Convention and Visitor's Bureau Director or leading tourism professional. A wide range of smaller scale branding marketing activities may be possible. Support totals ~\$90,000 for projects in 10-17 counties.
3. Representation. ORCA will represent and include interested counties as the service area for an ARC ARISE Planning Application submitted in partnership with the Pennsylvania WILDS to analyze integration/development of technology to support rural outdoor recreation based economic development. There is no guarantee this application will be awarded. Counties and communities interested in being represented will communicate with ORCA staff, enabling our team inform the project's analyses of feasibility to reflect Ohio communities' needs. Communities represented will receive updates throughout the process and copies of the planning grant project's conclusion, which is anticipated to be a plan for implementation of integrating technology into outdoor recreation in rural Appalachian Pennsylvania and Ohio. Grant funding will be utilized for planning, and is not able to directly support communities at this time.
4. Invitation to 2024 Ohio Outdoor Recreation Economy Conference and opportunity to participate in highlighting what Ohio has to offer.

ORCA Partnership Conditions:

1. Each county must agree to join ORCA as a Partner in order for smaller jurisdictions within the county to become ORCA Partners.
2. Counties, Townships, and Municipalities must request and complete a brief Partnership application.
3. ORCA Partner jurisdictions may appoint up to 3 ORCA Advisory Committee Members per county. The ORCA Advisory Committee includes individuals with expertise in the following 9 areas of interests: Outdoor Recreation Users, Outdoor Recreation (Land) Managers, Economic Development and Tourism,

Private Enterprise, Resource Preservation and Conservation, Infrastructure and Land Use, Health and Wellness, Education and Workforce, Community Engagement and Regional Planning. The Advisory Committee provides advice and collaborates with ORCA. The ORCA Advisory Committee has no authority over ORCA Board or ORCA staff, and meets bi-monthly to coordinate and discuss development efforts and opportunities. The Advisory Committee may make recommendations to the Board of Directors concerning any matter referred to it by the Board of Directors.

4. Partners acknowledge future full ORCA Membership may be possible if desired and agreed upon by the ORCA Board of Directors, but there is no process for that defined at this time. Additionally, Partners understand ORCA's services to its' initial Members in Athens County, which paid \$180,000 in membership dues annually for operations construction and salary, enabled ORCA to secure more than \$10.8 MM of public and private investment in 2.5 years. ORCA realizes every community may not need services as extensive as those for initial Members and the Baileys Trail System. As such, ORCA is always open to considering additional services it could provide your community and how to collaborate as ORCA Members if desired by ORCA Partners.
  5. Communities must resolve or authorizes elected officials to join ORCA as Partners and provide a copy of the related documentation.
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Attachment C

The following is the area of Point Drive in Cedar Point Subdivision (Plat Book B, Pages 168, and 169) to be vacated and located in Section No.35, Town 7, Range 13, Homer Township, Morgan County, Ohio and is bounded and described as follows:

Commencing at an iron pin set locating the Northwest corner of Lot No.10 in said Cedar point Subdivision;

thence South 07deg. 12min. 00sec. West 10.83 feet along the West line of said Lot No.10 and the East line of Point Drive to the point of beginning;

thence from this true point of beginning South 07deg. 12min. 00sec. West 162.33 feet along the West line of Lot Nos. 10, and 11 and the East line of Point Drive to an iron pin set locating the Southwest corner of Lot No.11;

thence North 35deg. 31min. 40sec. West 44.21 feet to a mag nail set locating the Southerly corner of Lot No,17;

thence along the East line of said Lot No.17 and West line of Point Drive North 07deg. 12min. 00sec. East 91.90 feet to a point;

thence North 45deg. 31min. 00sec. East 48.38 feet to the point of beginning and containing 0.088 acres, more or less.

Attachment D

The following is the area of Point Drive in Cedar Point Subdivision (Plat Book B, Pages 168, and 169) to be dedicated and located in Section No. 35, Town 7, Range 13, Homer Township, Morgan County, Ohio and is bounded and described as follows:

Commencing at a railroad spike set locating the Southwest corner of Lot No. 13 and the Northwest corner of Lot No. 17 in said Cedar Point Subdivision;

thence South 35deg. 31min. 40sec. East 15.00 feet along the West line of Lot No. 17 in Cedar Point Subdivision for the point of beginning;

thence from this true point of beginning North 45deg. 31min. 00sec. East 96.36 feet to an iron pin set in the South line of Lot No. 13 and the West line of Point Drive;

thence South 07deg. 12min. 00sec. West 48.39 feet along the East line of said Lot No. 17 and the West line of Point Drive to a point;

thence South 45deg. 31min. 00sec. West 63.12 feet to a point in the West line of said Lot No. 17;

thence North 35deg. 31min. 40sec. West 30.37 feet (passing through a mag nail set at 15.37 feet) along the West line of said Lot No. 17 to the point of beginning and containing 0.055 acres, more or less.