

**MORGAN COUNTY COMMISSIONERS  
RIECKER BUILDING**

The Board of Morgan County Commissioners met in their office Monday, December 18, 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

**23-580-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve the minutes of December 11, 2023

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

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***Al Eltringham, Reicker Maintenance***

Window replacement nearing end, need to do a walk through with G&M

2. Toyota van has been repaired. Replaced both front struts, left front strut broke off causing it to break left side wiper return arm, plus 4 new tires. Picked up 12-11-23
  3. Scheduled Back Flow Test with Duane King to do all back flows at the Riecker Building and Courthouse. Exact date unknown at this time.
  4. Scheduled Advance Heating & Cooling to do Fall/Winter Services, and repair 2 VAV's, and possibility replace one thermostat in JFS (Children Services) on 12-19-23
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***Heidi Burns, JFS***

-Financial

- Mandated Share for December, 23-\$3,286.75

Working on Legislative Committee with PCSAO on some language changes: Dispositions and Degrees

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**23-581-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve to proceed with the following resolution for DD to levy a renewal tax in excess of the ten-mill limitation. See Attachment A

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

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### ***Chris Penrose, OSU Extension***

Sophia Whisman attended conferences November 1 and 2 about changes to Quality Assurance in 2024 and the 4-H Professionals In-service. She also participated at meeting with regional 4-H educators with Pam Montgomery in Belle Valley to share ideas and how other counties implement different programs. Then she attended the county sale committee meeting. Sophia and Pam then attended an in-service with all surrounding areas over Ohio held by the university to get updates on where the university is heading. Then they both attended a county 4-H Committee Meeting.

Sophia held her first round of older youth-in-Training interviews. This is an opportunity for youth in 4-H to join groups like Junior Leaders, Junior Fair Board and other committees. She interviewed two youth that evening. She also held a Junior leaders and Older Youth-in-Training meeting to prep for the December STEM day.

In December, Sophia provided her monthly TV interview on WHIZ news discussing volunteer opportunities for Morgan County 4-H. She attended an award ceremony to see her co-workers get rewarded for their hard work and dedication. That afternoon she also hosted her last older youth interview for the year. Finally, on December 16th she attended Market Steer weigh in for the upcoming Morgan County Fair.

Pam Montgomery completed 11 interviews for the 2024 Camp Counselors and reported that she is excited about the teen leaders taking on this responsibility. Trainings for Camp Counselors begin January 2. She remains the state 4-H Healthy Living Design Team leader providing monthly meetings. She attends monthly updates with the Associate Director and State 4-H Leader to stay current the 4-H Youth Development Program.

With Family and Consumer Sciences, Pam has completed the schedule for Successful Co-Parenting in 2024 and scheduled an Active Parenting Series for the first half of 2024. Individuals interested in the programs can find information on our website <https://morgan.osu.edu> or call the office 740-962-4854.

As the Area Leader, Pam continues to meet with staff in all 4 counties (Morgan, Muskingum, Perry, and Washington). She is excited to report that Muskingum County has a new office staff member starting in January 2024. She notes that it will be difficult to see her long-term co-worker, Chris Penrose, retire but wishes him well in his new endeavor. She invites the

commissioners and community members to attend the celebration of his 35-year career on December 27 from 4:30 – 6:30 p.m. in the Riecker Building Community Room.

Finally, Chris is finished up by teaching two grazing classes on campus, organized a county cattleman’s meeting and spent the past two weeks when having time, recycling 35 years of files on research conducted, publications published, and correspondence with co-workers and clientele.

He has finalized and planned winter programs for clientele that will be covered by co-workers. The regional Agronomy meeting will be held in Belpre on January 23; Pesticide and Fertilizer Recertification will be Monday, February 5, 6 p.m. at the High School Vo-Ag room; Cattleman’s Banquet will be on Monday evening February 12 at the Riecker bldg. Community room; and Master Gardener training will begin on Thursday, February 15. For more information and reservations, call the office at 740-962-4854.

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***Steve Hook, Engineer***

**23-582-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve the following:

PID No. **119451**

**FINAL RESOLUTION**

The following Final Resolution enacted by the Board of County Commissioners, County of **Morgan**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **24th day of July 2023**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The project consists of guardrail improvements on C.R. 7 in Marion Township, C.R. 13 in Penn Township, C.R. 45 in Windsor Township, C.R. 59 in Marion Township, C.R. 60 in Windsor Township, C.R. 66 in Marion and Windsor Townships, and C.R. 92 in Malta, Penn, and Windsor Townships, including guardrail removal and replacement, lying within Morgan County; and**

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

**The County agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds set aside by the**

**Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.**

The share of the cost of the LPA is now estimated in the amount of **Thirty-Five Thousand Four Hundred and - - - 00/100 Dollars, (\$35,400.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

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NOW, THEREFORE, be it resolved:

I. That the estimated sum, of **Thirty-Five Thousand Four Hundred and - - - 00/100 Dollars, (\$35,400.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

III. That the LPA enter into a contract with the State, and that the **County Engineer** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

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#### FISCAL OFFICER'S CERTIFICATE

(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$35,400.00** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **CR Guardrail FY 2024 (B)**, more particularly described as follows:

**The project consists of guardrail improvements on C.R. 7 in Marion Township, C.R. 13 in Penn Township, C.R. 45 in Windsor Township, C.R. 59 in Marion Township, C.R. 60 in Windsor Township, C.R. 66 in Marion and Windsor Townships, and C.R. 92 in Malta, Penn, and Windsor Townships, including guardrail removal and replacement, lying within Morgan County; and**

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of **Morgan** County, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely: Legislative Authority's Journal, Volume, at Page,

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#### C O N T R A C T

(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad

Street, Columbus, Ohio 43223, and the Board of County Commissioners, County of **Morgan**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

**WITNESSTH:**

**WHEREAS**, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

**WHEREAS**, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

**WHEREAS**, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

**WHEREAS**, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

**WHEREAS**, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

**NOW, THEREFORE**, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

**SECTION I: RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

**SECTION II: PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

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7. The LPA agrees that change orders and extra work contracts required fulfilling 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.

## **SECTION VI: RIGHT-OF-WAY AND UTILITIES**

1. 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.

2. 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, including that:

A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.

B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

## **SECTION VII: ADDITIONAL PROJECT OBLIGATIONS**

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.

2. The LPA agrees:

- . To keep said highway open to traffic at all times;
- . To maintain the PROJECT in accordance with the provisions of the statutes relating thereto, including, but not limited to, Title 23, U.S.C., Section 116;

C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;

D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;

E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;

F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

### **SECTION VIII: DISPUTES**

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

### **SECTION IX: NOTICE**

Notice under this contract shall be directed as follows

Board of County Commissioners Ohio Department of Transportation

**County of Morgan** Office of Contract Sales & Estimating

**155 East Main Street, Room 208** 1980 West Broad Street, 4th Floor

**McConnelsville, Ohio** Columbus, Ohio 43223

**43756**

### **SECTION X: FEDERAL REQUIREMENTS**

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or



Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.

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2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
2. 3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.
3. **SECTION XI: GENERAL PROVISIONS**
4. 1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
5. 2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
6. 3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
7. 4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or

relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.

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8. 2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
9. 3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

#### **10. SECTION XI: GENERAL PROVISIONS**

11. 1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
12. 2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.

- 13.3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
- 14.4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
- 15.5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

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- 16.6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
- 17.7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

## **18. SECTION XII: SIGNATURES**

19. Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

20. Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or email. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

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

**23-583-** Motion by Mr. Shriver and seconded by Mr. Welsh to untable tire bids.

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

**23-584-** Motion by Mr. Welsh and seconded by Mr. Shriver to accept a quote from Central Ohio Tire LLC with the understanding, that we can purchase tires from other vendors, when special opportunities arise.

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

**23-585-** Motion by Mr. Shriver and seconded by Mr. Welsh to untable all aggregate bids.

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

**23-586-** Motion by Mr. Welsh and seconded by Mr. Shriver to accept all aggregate bids and usage will be based upon location, and the job requirement to obtain the most overall cost-effective results for the materials and transportation to a given location

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

**23-587-** Motion by Mr. Shriver and seconded by Mr. Welsh to untable fuel bids.

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

**23-588-** Motion by Mr. Welsh and seconded by Mr. Shriver to accept fuel bid from Greuey's Fuel and Farm Supply for Morgan County as submitted and any Township that wants to participate can accept the quote as well.

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

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***Josh Motzer, Brightspeed***

-It is to discuss the Rural Broadband Opportunity Grant and their request for a resolution of support.

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***Shannon Wells, Development Office***

-A change order is being submitted as recommended by the Morgan County Health Department for 3445 E. SR266 Stockport, Ohio for \$4,476 for septic repair.

-The following list of activities for the Healthy Aging Grant is being recommended by the Morgan County Office on Aging.

1. Food Vouchers (\$25 increments)
2. Utility Assistance
3. Purchasing 2 Laptops work stations (including desk and chairs)
4. Handicapped Ramps (will be owned by the county)
5. Lift Chairs
6. Internet Assistance
7. Mortgage/Rental Assistance
8. Gym Membership
9. Home Medical Equipment
10. Classes

-Morgan County was awarded \$645,000 in Lead Safe Ohio grant funds.

-Shannon Wells will attend the Welcome Home Ohio webinar December 18, 2023 at 1:30pm.

-A meeting is scheduled with Ohio Winding Road December 19, 2023 at 9:00am.

-A meeting with ODOT regarding the transit facility is scheduled for December 20, 2023 at 10:00am.

-Salary increases for 2024 are requested for Morgan County Economic Development employees including transit and recycling to begin December 18, 2023.

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***Amber Wilson, Senior Citizens Director***

-Discussed senior vouchers

-Discussed having a bake sale to raise funds for signs to support their levy.

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***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)

***John Telez, Deputy Engineer***

**23-589-** Motion by Mr. Shriver and seconded by Mr. Welsh to develop the first four Floodplain Administration Fees as follows as on ODNR recommendation:

<b>Service provided</b>	<b>New Fee charge</b>
Engineer - Lot split fee	<b>\$100 per new lot</b>
Engineer - Deed review fee	<b>\$50 per review + \$25 per subsequent revision review (if required)</b>
Floodplain - Development fee – Structures (new buildings, remodels or additions)	<b>\$200 Plan review fee + \$50 inspection fee</b>
Floodplain - Development fee – Other (earthwork, fences, propane tanks filling, grading, mining, dredging, paving, excavation, drilling operations or storage of materials & new developments)	<b>\$100 Plan review fee + \$50 inspection fee</b>
Floodplain Violation Penalties (owner and/or contractor)	<b>\$300 per day</b>

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

**23-590-** Motion by Mr. Welsh and seconded by Mr. Shriver to establish a new line item Flood Plain Administration 004-0004-4016.00.

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

**23-591-** Motion by Mr. Shriver and seconded by Mr. Welsh to approve the authorization to purchase a vehicle no higher than the amount of \$10,000 and to be paid out of Engineer funds.

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

***Jeff Babcock, IT Administrator***

-Discussed keyless entry for the Courthouse.

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

**23-592-** Motion by Mr. Shriver and seconded by Mr. Welsh to approve the following supplemental appropriation in the amount of \$259.99 to line item #048-0048-5301 (grant expenses) which is partial grant funds from SOS for Cyber Security (Directive 2023-16) implementation to Morgan County Board of Elections

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

**23-593-** Motion by Mr. Welsh and seconded by Mr. Shriver to transfer \$380.00 from 001-0207-5307 (travel) to 001-0207-5321.00 (other fees)

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

**23-594-** Motion by Mr. Shriver and seconded by Mr. Welsh to transfer from the following:

Supplies	001-0601-5303.00	\$7,531.40	PO#29881
Repairs	001-0601-5305.00	\$ 374.27	PO#29882
Equip.& Uniforms	001-0601-5304-00	\$ 734.23	PO#29879
Contract Services	001-0601-5306.00	\$1,138.03	PO#29880
Gasoline	001-0601-5303.01	<u>\$1,195.57</u>	PO#29883
To: Other Expenses	001-0601-5309.00	\$10,973.50	

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

**23-595-** Motion by Mr. Welsh and seconded by Mr. Shriver to transfer the following:

<u>From</u>	<u>To:</u>	<u>Amount:</u>
015-0015-5102.00 (L-1 salary)	015-0015-5367.00 (L-11 PER)	\$313.73
015-0015-5307.00 (L-9 travel)	015-0015-5367.00 (L-11 PER)	\$210.07
015-0015-5369.00 (L-12 WC)	015-0015-5367.00 (L-11 PER)	\$300.00
015-0015-5369.00 (L12 WC)	015-0015-5368.00 (L-12A MED)	\$ 27.42

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

**23-596-** Motion by Mr. Shriver and seconded by Mr. Welsh to do the supplementally appropriate \$1,441.90 to public defender 001-1501-5328.0, this is to pay the last indigent attorneys for the year.

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

**23-597-** Motion by Mr. Shriver and seconded by Mr. Welsh to do the following transfers:

<u>From</u>	<u>To:</u>	<u>Amount:</u>
006-0006-5102.00 (PA H1 salaries)	006-0006-5345.00 (PA H33 purch. of serv.)	\$3,000.00

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

**23-598-** Motion by Mr. Welsh and seconded by Mr. Shriver to supplementally appropriate \$258.48 to law library contracts 026-00265306.00 to pay the last bill of the year.

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

**23-599-**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**

**23-600-**Motion by Mr. Welsh and seconded by Mr. Shriver to adjourn the commissioner meeting on December 18, 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



**BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, OHIO**

The Board of County Commissioners (the "Board") of Morgan County, Ohio (the "County"), met in regular session on December 11, 2023, at 8:30 a.m., at the offices of the Board, 155 East Main Street, 2nd Floor, McConnelsville, Ohio 43756, with the following members present:

M. R. Shriver introduced the following resolution and moved its passage:

**RESOLUTION OF NECESSITY TO LEVY A  
RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION**

(R.C. Sections 5705.03, 5705.222 and 5705.25)  
(R.C. Chapter 5126)  
Renewal DD Levy

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Morgan County Board of Developmental Disabilities, Ohio (the "DD Board"), a board subject to the jurisdiction of the Board of the County; and

WHEREAS, the Board is currently levying a 1.28 mill, six year levy for the purpose of providing programs and services for persons with mental retardation and developmental disabilities and provide for the acquisition, construction, renovation, financing, maintenance, and operation of mental retardation and developmental disabilities facilities operated by or contracted through the Morgan County Board of Developmental Disabilities (programs, services, and facilities provided by the Board are commonly called the "Mary Hammond Program") (the "Existing Levy"), which Existing Levy was approved by the voters of the County on November 6, 2018 and first placed on the tax list and duplicate in 2018 for collection in years 2019 through 2024; and

WHEREAS, the DD Board passed a resolution, dated December 5, 2023, requesting the Board to seek voter approval to renew all of the Existing Levy for the purpose of the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes; and

WHEREAS, a resolution declaring the necessity of levying a renewal tax outside the ten-mill limitation must be passed and certified to the County Auditor of Morgan County, Ohio (the "County Auditor") in order to permit the Board to consider the levy of such a renewal tax, and must request that the County Auditor certify to the Board the current total taxable value of the County, the estimated property tax revenue (rounded to the nearest \$1,000) that will be produced by such renewal tax based on such total taxable value, and the amount of the renewal tax (based on the renewal tax's "estimated effective rate" (as defined in Ohio

19044067M

Revised Code Section 5705.01(Q)), as required by Ohio Revised Code Section 5705.03(B)(2)(c)(i)) expressed in dollars, rounded to the nearest dollar, for each \$100,000 of the “county auditor’s appraised value” (as defined in Ohio Revised Code Section 5705.01 (P));

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Morgan County, Ohio, two-thirds of all of the members thereof concurring, that:

Section 1. It is necessary for the Board to renew all of the Existing Levy, which is a tax in excess of the ten-mill limitation, for the purpose of the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes.

Section 2. As authorized by Ohio Revised Code Section 5705.25, the question of such renewal tax levy (the “Renewal Levy”) shall be submitted to all of the electors in the entire territory of the County at the election to be held on March 19, 2024. All of the territory of the DD Board is located in Morgan County, Ohio.

Section 3. The Renewal Levy shall be at a rate not exceeding 1.28 mills for each \$1 of taxable value upon the entire territory of the County, for a period of six years.

Section 4. The Renewal Levy shall include a levy on the tax list and duplicate for the 2024 tax year (commencing in 2024, first due in calendar year 2025), if approved by a majority of the electors voting thereon.

Section 5. The Clerk of the Board is directed to promptly certify a copy of this Resolution to the County Auditor with instructions for the County Auditor to calculate and certify to the Board the current total taxable value of the County, the estimated property tax revenue (rounded to the nearest \$1,000) that will be produced by the Renewal Levy based on such total taxable value, and the amount of the Renewal Levy (based on its estimated effective rate) expressed in dollars (rounded to the nearest dollar) for each \$100,000 of the county auditor’s appraised value.

Section 6. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Mr. Mayle seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: Shriver, Mayle, Welsh

Nays: \_\_\_\_\_

The Resolution passed.

Passed: December 11, 2023

BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, OHIO

Attest: Sheila Welch  
Clerk

By: Adam Shriver  
President

[Signature]  
Commissioner

[Signature]  
Commissioner

CERTIFICATE

The undersigned Clerk of the Board of County Commissioners of Morgan County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of County Commissioners of said County on December 11, 2023, and that a true copy thereof was certified to the County Auditor of Morgan County, Ohio.

23-570

Sheila Welch  
Clerk, Board of County Commissioners  
Morgan County, Ohio

## Certificate of Estimated Property Tax Revenue

Use this form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.

The county auditor of Morgan County, Ohio, does hereby certify the following:

1. On Dec 11, 2023 the taxing authority of the Morgan County Board of Developmental Disabilities, Morgan County, Ohio, certified a copy of its resolution adopted December 11, 2023, requesting the county auditor to certify the current taxable value of the subdivision and the amount of revenue that would be produced by 1.28 mills, to levy a tax outside the 10-mill limitation for current expense and permanent improvement purposes pursuant to Revised Code §5705.222, to be placed on the ballot at the March 19, 2024, election. The levy type is renewal.
2. The property tax revenue that will be produced by the stated millage, assuming the taxable value of the subdivision remains constant throughout the life of the levy, is calculated to be \$ 398,000.
3. The total taxable value of the subdivision used in calculating the estimated property tax revenue is \$ 446,063,800.
4. The millage for the requested levy is 1.28 mills per \$1 of taxable value, which amounts to \$ 44.80 for each \$100,000 of the county auditor's appraised value.

Randy Williams  
Auditor's signature

12-15-23  
Date

### Instructions

1. "Total taxable value" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of public utility personal property for the first year the levy will be collected as set forth on the worksheets prescribed in conjunction with this form. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
2. For purposes of this certification, "subdivision" includes any agency, board, commission or other authority authorized to request a taxing authority to submit a tax levy on its behalf. See R.C. 5705.01(A) & (C).
3. "Levy type" includes the following: (1) additional, (2) renewal, (3) renewal with an increase, (4) renewal with a decrease, (5) replacement, (6) replacement with an increase and (7) replacement with a decrease levies.
4. In completing Lines 1 and 4 of this form, mills should be identified in whole numbers, i.e., 5 mills, rather than as a fraction of a dollar, i.e., \$0.005. This expression is consistent with the prior practice of identifying mills in whole numbers per \$1 of valuation.
5. "The county auditor's appraised value" means the true value in money of real property. R.C. 5705.01(P).
6. For any levy or portion of a levy, an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission. R.C. 5705.03(B).
7. Please file this certificate with the subdivision as soon as possible, so the taxing authority can pass a resolution to proceed not later than 90 days before the election.

**BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, OHIO**

The Board of County Commissioners (the "Board") of Morgan County, Ohio (the "County"), met in regular session on December 18, 2023, at 8:30 a.m., at the offices of the Board, 155 East Main Street, 2nd Floor, McConnelsville, Ohio 43756, with the following members present:

M.R. Maize introduced the following resolution and moved its passage:

RESOLUTION TO PROCEED  
WITH ELECTION ON THE QUESTION OF  
A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION

(R.C. Sections 5705.03, 5705.222 and 5705.25)  
(R.C. Chapter 5126)  
Renewal DD Levy

WHEREAS, on December 11, 2023, the Board passed a resolution (the "Resolution of Necessity") declaring the necessity to renew for a period of six years all of a tax in excess of the ten-mill limitation, at the rate of 1.28 mills for each \$1 of taxable value, for the purpose of the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes (the "Renewal Levy"); and

WHEREAS, the County Auditor of Morgan County, Ohio (the "County Auditor") has certified to the Board that the dollar amount of revenue that would be generated by the Renewal Levy during the first year of collection is \$ 378,000, based on the current total taxable value of the County of \$ 446,063,800; and

WHEREAS, the County Auditor has also certified to the Board that the amount of the Renewal Levy (based on the Renewal Levy's "estimated effective rate" (as defined in Ohio Revised Code Section 5705.01(Q), as required by Ohio Revised Code Section 5705.03(B)(2)(c)(i)) expressed in dollars, rounded to the nearest dollar, for each \$100,000 of the "county auditor's appraised value" (as defined in Ohio Revised Code Section 5705.01(P)), is \$ 44.80 (the "Estimated Cost");

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Morgan County, Ohio, two-thirds of all of the members thereof concurring, that:

Section 1. The Board determines to proceed with the submission of the question of the Renewal

Levy to all of the electors of the County at the rate of 1.28 mills for each \$1 of taxable value for a period of six years, for the purpose of the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, which the County Auditor has certified at the Estimated Cost for each \$100,000 of the county auditor's appraised value.

Section 2. As authorized by Ohio Revised Code Section 5705.25, the question of the Renewal Levy shall be submitted to all of the electors in the entire territory of the County at the election to be held on March 19, 2024 (the "Election Date"). All of the territory of the Morgan County Board of Developmental Disabilities is located in Morgan County, Ohio.

Section 3. The form of the ballot to be used at said election shall be substantially as follows:

A renewal of a tax for the benefit of the Morgan County Board of Developmental Disabilities, Ohio for the purpose of the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, that the county auditor estimates will collect \$ 398,000 annually, at a rate not exceeding 1.28 mills for each \$1 of taxable value, which amounts to \$ 44.80 for each \$100,000 of the county auditor's appraised value, for a period of six years, commencing in 2024, first due in calendar year 2025.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 4. The Clerk of the Board is hereby directed to immediately certify, not later than December 20, 2023 (which date is not less than 90 days prior to the Election Date), to the Board of Elections of Morgan County, Ohio (the "Board of Elections"), a copy of the Resolution of Necessity and a copy of this Resolution together with the certificate of the County Auditor certifying the current total taxable value of the County, the estimated property tax revenue that will be produced by the Renewal Levy based on such total taxable value, and the amount of the Renewal Levy (based on the Renewal Levy's estimated effective rate) expressed in dollars for each \$100,000 of the county auditor's appraised value.

Section 5. The Clerk of the Board is hereby directed and shall also certify to the Board of Elections that the Renewal Levy will be levied for a period of six years and will include a levy on the tax list and duplicate for the 2024 tax year (commencing in 2024, first due in calendar year 2025), if approved by a majority of the electors voting thereon.

Section 6. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

M.R. Welsh seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: Shrivor, Welsh, Mayle

Nays: \_\_\_\_\_

The Resolution passed. 23-581

Passed: December 18, 2023

BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, OHIO

Attest: Sheila Welsh  
Clerk

By: Ada Shumri  
President

[Signature]  
Commissioner

[Signature]  
Commissioner

CERTIFICATE

The undersigned Clerk of the Board of County Commissioners of Morgan County, Ohio hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of County Commissioners of said County on December 18, 2023, and that a true copy thereof was certified to the Board of Elections of Morgan County, Ohio.

  
Clerk, Board of County Commissioners  
Morgan County, Ohio



