

**MORGAN COUNTY COMMISSIONERS  
RIECKER BUILDING**

The Board of Morgan County Commissioners met in their office Monday, March 25, 2024. The meeting was called to order at 8:30am with the pledge of allegiance to the flag.

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

**24-150-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve the minutes of March 18, **Mr. Mayle yea, Mr. Shriver yea, Mr. Welsh yea Motion Carried**

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***Lynn White, Morgan Metropolitan Housing Authority***

-Discussed that the Board meets once a month. The commissioners suggested that since not many changes are made throughout the year, they only need to meet with her semi-annually.

**24-151-** Motion by Mr. Shriver and seconded by Mr. Welsh to appoint Lynn White as a member of Morgan Metropolitan Housing Authority Board of Commissioners to serve for a term of five (5) years to commence on the 1<sup>st</sup> day of April 2024 and ending on the 31<sup>st</sup> day of March 2029.

\*Full Resolution See Attachment A

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

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**24-172-** Motion by Mr. Shriver and seconded by Mr. Welsh to approve the fuel reimbursement rate is currently .65 cents per mile for Morgan County employees using personal vehicles for Morgan County business for the calendar year of 2024.

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

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***Cheryl Brink, Treasurer***

**24-152-** Motion by Mr. Welsh and seconded by Mr. Shriver to approve the resolution authorizing and designating an additional five percent of all collections of delinquent real property, personal property, and manufactured and mobile home taxes and assessments collection fund for the use

of and appropriating such amount to the use of the Morgan County Land Reutilization Corporation and providing for related matters.

\* Full Resolution See Attachment B

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

**24-153-** Motion by Mr. Shriver and seconded by Mr. Welsh to approve the resolution pursuant to Ohio Revised Code Section 1724:10(A)92) approving and authorizing the execution and delivery of an agreement and plan with the Morgan County Land Reutilization Corporation as the county's agency for exercising the powers and performing the duties of the county under chapter 5722 of the Ohio Revised Code for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed and other real property in the county.

In addition,

The Agreement and Plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed and other real property in the county. \* Full Resolution See Attachment C

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

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***Al Eltringham, Riecker Maintenance***

-Brush pile and old swing set removal is scheduled for Tuesday 3-26-24

-Mowing scheduled for Thursday 3-28-24

-Pat Kelley was going to contact a contractor to look at the West side of the Riecker Building to see where the water is coming in. He seems to think that the upper level will need to have Point Tuck done between the 2<sup>nd</sup> and 3<sup>rd</sup> floors.

-Repaired outside ceiling at the front entrance of the Riecker Building.

-New swing set to be put up sometime the week of 3-25-24.

-New waterline to be installed at the Grove Park from meter to Monument the week of 3-25-24

**24-154-** Motion by Mr. Welsh and seconded by Mr. Shriver to enter executive session at 8:50am with Al Eltringham pursuant to ORC 121.22 (G)(2) property.

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

24-155- Motion by Mr. Welsh and seconded by Mr. Shriver to exit executive session at 8:55am with Al Eltringham pursuant to ORC 121.22 (G)(2) property.

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

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***Missy Fisher, JFS Director***

-Submitted Mrs. Burns's timesheet

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***John Wilt, EMA;911***

**EMA/OHS Report to Commissioners, 3/25/2024**

- Ohio Emergency Operations Center coordination calls Thursdays at 1300 hours
- Continuous review and revision of Emergency Operations Plans.
- Designed and printed 30 ID cards for Transit employees.
- Received call from Aaron Wolfe with Ohio EPA about report of illegal burn at the old Harlow trailer court. Caller advised they were burning construction materials from demolished trailers including plastics. Also advised they had contacted Sheriff and M&M FD with no response from either. I contacted Ch. Finley who went to scene and investigated, reporting to me that there was evidence of fire, but he believed they were just burning wood. Mr. Wolfe will be in town this week investigating. There was also a complaint of an illegal burn (tires, plastics) in Chesterhill. It is up to the "Chief Fire Official" of a jurisdiction to enforce fire code and burning provisions within their jurisdiction. There can be culpability for failure to enforce.

**9-1-1 Report to Commissioners, 3/25/2024**

- The Commissioners need to appoint a member of the Commission to serve on the 9-1-1 Program Review Committee (who will serve as chair) as well as another elected County official (I recommend this be the Sheriff). Both of these appointments need to be memorialized with a resolution.
- Completed draft of 9-1-1 Final Plan for review and approval of 9-1-1 Program Review Committee. We can hold a meeting this week or I can circulate the plan and obtain the

needed signatures. The committee is required by statute to meet at least annually. The plan is Due April 3 which puts us on a short timeline. The plan was completed for multiple PSAP county (which we currently are) with inclusion of plan to consolidate.

- Prepared draft for submission of one-time fund request to Senator Chavez. There are areas I did not complete - point of contact info (probably Shannon?), Specific description of how State \$\$ will be used, any additional funding sources, and annual operations cost figures. Will the Commissioners write a letter of support for the project, why it is needed, why we need funding, etc.?
- Working with Verizon and Intrado to get corrections made to ALI information from 2 responses.
- I have found an alternative to the \$2,093 pre-employment testing program. The alternative is from Stanard & Associates, is vetted, and costs \$18.00 per applicant. This test does not include a typing test and is completed on paper with a proctor. There is an audio portion that is provided on a CD. I am going to talk with Jobs Ohio to see if they can administer the testing for us to eliminate any bias. I am going to order this test to evaluate it before we jump in to either option.

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### ***Shannon Wells, Development Office***

-The new swing set at the Grove is scheduled to be installed March 26, 2024.

-Shannon Wells and Bobby White attended a Morgan County Public Transit staff meeting on March 21, 2024.

-A virtual meeting is scheduled for 11:30am March 26, 2024 with Sunday Creek Horizons and Morgan CIC subcommittee.

-Karen Hinkle and John Sampson will represent Morgan County Public Transit at a small operator's conference at Deer Creek State Park March 26-27.

-A transportation advisory committee meeting will be held March 27<sup>th</sup> at 1pm at the transit office.

-Shannon Wells will attend a Burr Oak Alive meeting on March 28<sup>th</sup>, 2024 at 6:00pm at Burr Oak Lodge.

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**24-156-** Motion by Mr. Shriver and seconded by Mr. Welsh to appoint Sheriff McGrath to County 911 review Committee to serve the remainder of the year.

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

**24-157-** Motion by Mr. Welsh and seconded by Mr. Shriver to appoint Commissioner Mayle as designee for Board of Commissioners for County 911 review Committee to serve the remainder of the year.

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

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***Mystie Long, Pound Keeper***

-3/17—Fed and cleaned.

-3/18—Meeting with commissioners, fed and cleaned.

-3/19—Cleaned up scrap outside pound, fed and cleaned.

-3/20—Fed and cleaned.

3/21—Picked up cleaning supplies from Mr. Eltringham. Fed and clean.

3/22—Pick up glue for flooring in bathroom and cleaned out bathroom for new flooring to go down.

3/23—A dog was redeemed. Fed and watered dogs.

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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)

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**24-158-** Motion by Mr. Shriver and seconded by Mr. Welsh to approve the following;

Expend \$8,000.00 out of 001-0501-5309.00 for a remaining balance of the purchase of two vehicles for the Sheriff's Office.

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

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***Steve Fate; Jeff Fleming, Medical Mutual Insurance***

-Gave first quarter report.

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***Robin Townsend, Aspen Energy***

-This is a company that bids out energy rates, brings bids back to the commissioners to get lower energy rate. The commissioners currently have a 36-month contract with Aspen Energy that expires July of this year. The commissioners are deciding the renewal length of next contact.

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***Amber Wilson, Senior Center***

-Council meeting tomorrow at 9:30am. April 4<sup>th</sup>, 2024—Health Fair.

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***Adam Triplett, Veteran's Office***

-April 13<sup>th</sup>, 2024 purple heart ceremony at 12:00 at the Reicker Building to celebrate a Purple Heart Recipient who had never received his accommodation.

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***Jeff Babcock, IT Administrator***

-Transit had issues with internet and Spectrum.

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

**24-158-** Motion by Mr. Welsh and seconded by Mr. Shriver to grant permission to MMRWD to bore under County Road 36, located in Township of Windsor, Morgan County, Ohio.

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

**24-159-** Motion by Mr. Shriver and seconded by Mr. Welsh to grant permission to AEP/Ohio Power/Lane James Graham to span over County Road CR 53, located in Township of Marion, Morgan County, Ohio.

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

**24-160-** Motion by Mr. Welsh and seconded by Mr. Shriver to grant permission to Chris Postle to span over County Road CR-79, located in Township of Marion, Section No. 18, Morgan County, Ohio.

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

**24-161-** Motion by Mr. Shriver and seconded by Mr. Welsh to grant permission to AEP/Ohio Power to span over County Road 16, located in Township of Union, Morgan County, Ohio.

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

**24-162-** Motion by Mr. Welsh and seconded by Mr. Shriver to transfer \$40,000 from 099-0099-5102.00 salary expense line item 099-0099-5309.00 misc. line item.

Please add \$40,000.00 to PO 24-30173

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

**24-163-**Motion by Mr. Welsh and seconded by Mr. Shriver to approve payment of bills. \*See attached\*

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

**24-164-** Motion by Mr. Shriver and seconded by Mr. Welsh to adjourn the commissioner meeting on Monday, March 25, 2024 at 4:00pm.

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

**Cecil Mayle, President**

**Adam Shriver, Vice-President**

**Richard Welsh, Member**

**Sheila Welch, Clerk**

Attachment A:

**OATH OF MEMBER OF THE  
MORGAN METROPOLITAN HOUSING AUTHORITY  
BOARD OF COMMISSIONERS**

I, Lynn White, DO SOLEMNLY SWEAR that I will support the Constitution of the United States, the Constitution of the State of Ohio, and that I will faithfully discharge the duties of the Board of Commissioners of the Morgan Metropolitan Housing Authority according to the best of my ability.

I further swear that I am a resident of Morgan County, OH.

Signature: Lynn White

Date: 3-15-24

Sworn in by: Cecil Mayle

Morgan County, OH Commissioner

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I, Cecil Mayle (Morgan County, OH Commissioner)  
HEREBY CERTIFY that Lynn White appeared before me on the 25<sup>th</sup> day of  
MARCH, 2024 and made the above oath.

Signature: Cecil Mayle

(Morgan County, OH Commissioner)

Date: 3-25-24



**MORGAN METROPOLITAN HOUSING AUTHORITY  
CERTIFICATE OF APPOINTMENT**

Certificate of Appointment of a Board Member to the Morgan Metropolitan Housing Authority Board of Commissioners by the Commissioners of Morgan County, OH.

Whereas The Ohio State Board of Housing held a duly authorized meeting on May 16, 1978, at which a resolution was adopted creating Morgan Metropolitan Housing Authority.


Whereas Morgan Metropolitan Housing Authority is located in Morgan County, OH.

Now, Therefore, pursuant to provisions of said resolution and section 3735.37 (1078-30) of Baldwin's Ohio Revised Code, as amended and supplemented, and by virtue of the Commissioners of Morgan County, OH.

I hereby appoint Lynn White as a member of the Morgan Metropolitan Housing Authority Board of Commissioners to serve for a term of five (5) years to commence on the 1<sup>st</sup> day of April 2024 and ending on the 31<sup>st</sup> day of March 2029.

In Witness Whereof, I have hereunto signed my name as a Commissioner of Morgan County, OH and caused the official seal of this office to be attached hereto this

25<sup>th</sup> day of March, 2024.

  
Signature  
Morgan County, OH Commissioner

Date 3-25-24

**RESOLUTION**

**Authorizing and designating an additional five percent of all collections of delinquent real property, personal property, and manufactured and mobile home taxes and assessments to be deposited in the delinquent tax and assessment collection fund for the use of and appropriating such amount to the use of the Morgan County Land Reutilization Corporation and providing for related matters.**

**WHEREAS**, the Board of Morgan County Commissioners (the "Board") has heretofore authorized and directed the Morgan County Treasurer (the "County Treasurer") to file, and the County Treasurer has filed, articles of incorporation, organizing the Morgan County Land Reutilization Corporation (the "Corporation").

**WHEREAS**, pursuant to Section 1724.10(B) of the Ohio Revised Code the Board has heretofore authorized, approved, executed and delivered an agreement and plan with the Corporation for it to act as agent for the County for the purpose of exercising the powers of Chapter 5722 of the Ohio Revised Code.

**WHEREAS**, pursuant to subdivision (B) of Section 321.261 of the Ohio Revised Code, the Board has received a request from the County Treasurer to authorize and designate the Additional DTAC Fee to be deposited in the County's delinquent tax and assessment collection fund and to appropriate and disburse the same upon its deposit for the exclusive use of the Corporation subject to the terms and provisions of this Resolution.

**AND WHEREAS**, the Board now desires to designate and authorize the Additional DTAC Fee, subject to the provisions of this Resolution.

**BE IT RESOLVED** by the Board of County Commissioners of Morgan County, Ohio that pursuant to and in accordance with Section 321.261(B) of the Ohio Revised Code the Additional DTAC Fee is hereby authorized and designated to be

applied on all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments solely for the use of the Corporation for so long as the Corporation serves as the agent of the County for the purpose of exercising the rights of the County under Chapter 5722 of the Ohio Revised Code, subject to the limitation hereinafter provided.

**BE IT FURTHER RESOLVED** that all amounts of the Additional DTAC Fee shall be deposited in the delinquent tax and assessment collection fund of the County and such amounts upon their deposit in such fund are hereby appropriated for the sole use of the Corporation and shall be disbursed to the Corporation.

**BE IT FURTHER RESOLVED** that the Clerk of the Board be, and she is hereby instructed to transmit a copy of this resolution to the County Auditor, the County Treasurer and the County Administrator.

**BE IT FURTHER RESOLVED** that this resolution shall take effect and be in force immediately upon its adoption.

On Motion of Commissioner Shriver, seconded by Commissioner Welsh, the foregoing resolution was duly adopted.

Ayes: Shriver, Welsh, Mayle

Nays: —

Resolution Adopted.

Clerk of the Board

**A RESOLUTION PURSUANT TO OHIO REVISED CODE SECTION 1724.10(A)(2) APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT AND PLAN WITH THE MORGAN COUNTY LAND REUTILIZATION CORPORATION AS THE COUNTY'S AGENCY FOR EXERCISING THE POWERS AND PERFORMING THE DUTIES OF THE COUNTY UNDER CHAPTER 5722 OF THE OHIO REVISED CODE FOR THE RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT, ABANDONED, TAX-FORECLOSED AND OTHER REAL PROPERTY IN THE COUNTY.**

WHEREAS, the County pursuant to division (A) of Section 5722.02 of the ORC has elected to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the ORC to facilitate the effective reutilization of nonproductive land situated within its boundaries; and

WHEREAS, the County has caused the Morgan County Land Reutilization Corporation (the "Corporation") to be organized as a county land reutilization corporation under Chapter 1724 of the ORC to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county with respect to land reutilization under Chapter 5722 of the ORC; and

WHEREAS, subdivision (A)(2) of Section 1724.10 of the ORC authorizes a county to designate a corporation organized under Chapter 1724 of the ORC as its agency for the reclamation, rehabilitation and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county; and

WHEREAS, this Board has heretofore designated the Corporation as the County's agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county and has

heretofore directed the Corporation to prepare or cause to be prepared for approval and execution by this Board an agreement and plan between the Corporation and the County, as authorized by division (B) of Section 1724.10 of the ORC to provide for, among other things, a plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property and the extent to which the Corporation will participate as the agency of the County in carrying out the plan; and

WHEREAS, pursuant to subdivision (B) of Section 1724.10 of the ORC the Corporation has prepared and has heretofore delivered the form of said agreement and plan (the "Agreement and Plan") to the Clerk of this Board for approval and execution and delivery by this Board; and

WHEREAS, the Board of Directors of the Corporation has approved the form of the Agreement and Plan and has authorized the execution and delivery of the Agreement and Plan by its President; and

WHEREAS, in furtherance of the purposes of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County and the exercise by the Corporation on behalf of the County of the powers of the County under Chapter 5722 of the ORC this Board now desires to approve and enter into and deliver the Agreement and Plan to accomplish the foregoing;

AND WHEREAS, the Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board and that all the deliberations of this Board, and of its committees, if any, which resulted in formal actions were taken in meetings open to the public,

in full compliance with applicable legal requirements, including Section 121.22 of the ORC.

**BE IT RESOLVED** by the Board of County Commissioners of Morgan County, Ohio, that pursuant to division (B) of Section 1724.10 of the ORC, the Agreement and Plan between said Board and the Morgan County Land Reutilization Corporation, a copy of which is attached hereto as Exhibit A, be, and the same is, hereby approved.

**BE IT FURTHER RESOLVED**, that the Clerk of the Board be and hereby is authorized and directed to certify copies of this resolution to

And

**BE IT FURTHER RESOLVED**, that this resolution shall take effect and be in force immediately upon its adoption.

**ADOPTED**, at a regularly adjourned meeting of the Board of County Commissioners of Morgan County, Ohio, this 25<sup>th</sup> day of March, 2024.

#### CERTIFICATE OF CLERK

**IT IS HEREBY CERTIFIED** that the foregoing is a true and correct transcript of a Resolution adopted by this Board of County Commissioners in session the 25<sup>th</sup> day of March, 2024.

**AGREEMENT AND PLAN**

**OF RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT,  
ABANDONED, TAX-FORECLOSED OR OTHER REAL PROPERTY IN MORGAN COUNTY,  
OHIO**

THIS AGREEMENT AND PLAN, entered into as of the 25th day of March, 2024 (collectively, the "Agreement"), by and between the County of Morgan, Ohio (the "County"), a county organized and existing under the Constitution and laws of the State of Ohio (the "State") and the Morgan County Land Reutilization Corporation (the "Corporation") a county land reutilization corporation organized and existing as a corporation not for profit under the laws of the State;

WHEREAS, in accordance with Section 1724.10(A)(2) of the ORC, the Corporation has been designated as the agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County; and

WHEREAS, the County and the Corporation desire to enter into an agreement pursuant to division (B) of Section 1724.10 of the ORC to provide for, among other things, a plan for the County of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County; and

WHEREAS, the Corporation has prepared a plan (the "Plan") of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County; and

WHEREAS, the Corporation and the County desire to incorporate the terms and provisions of the Plan into this Agreement so that this Agreement will embody and constitute the plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County provided for under division (B) of Section 1724.10 of the Revised Code.

NOW, THEREFORE, the County and the Corporation do hereby agree as follows:

**ARTICLE I**

***The Plan Generally***

Section 1.1. The Plan Purposes Generally. The Plan for the Corporation, as the sole agency for the County designated to carry out the Plan, shall be the following:

- a) To promote and facilitate the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County to the fullest extent possible within the legal and fiscal limitations applicable to the Corporation;
- b) To efficiently hold and manage vacant, abandoned, or tax-foreclosed real property pending its reclamation, rehabilitation, and reutilization;
- c) To assist governmental entities and other nonprofit or for-profit persons to assemble, clear, and clear the title of vacant, abandoned, or tax-foreclosed real property;



- d) To promote economic and housing development in the County or region;
- e) To advance, encourage, and promote the industrial, economic, commercial, and civic development of a community or area of the County; and
- f) In furtherance of the preceding purposes in items a) through e), and not as a limitation on any of the powers of the Corporation under Chapter 1724 of the ORC, to exercise any and all of the powers conferred upon a county under Chapter 5722 of the ORC and any ancillary or related statutes.

Section 1.2 Intention of Parties with respect to Implementation of Plan. In connection with implementation of this Plan by the Corporation, it is the intention of the parties hereto to work cooperatively with other governmental entities and persons, especially with those that have elected to exercise the powers set forth in Chapter 5722 of the ORC in pursuit of purposes similar to those of this Plan.

Section 1.3 Compliance with Applicable Zoning and Planning Laws. Implementation of the Plan shall be effected in compliance with all zoning and planning laws applicable to the real property which is the subject of action under this Plan.

Section 1.4 Construction of Provisions of the Plan. All provisions of this Plan shall be liberally construed, subject to any limitations thereon in the ORC applicable to the Corporation or the County. If in any provision in this Agreement and Plan reference is made to "real property" without more, whether by use of such term or others of similar import, such reference shall be understood or interpreted to mean "real property within the County."

## **ARTICLE II**

### ***Actions in Furtherance of the Plan***

In the furtherance of promoting and facilitating the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County, the Corporation, as a community improvement corporation organized under and for the purposes of Chapter 1724 of the ORC and designated to act as the electing subdivision (as defined in division (F) of Section 5722.01 of the ORC) for and on behalf of the County, may exercise any or all of the powers authorized in Sections 1724.02 and 1724.10 and Chapter 5722 of the ORC, including, but not limited to the following:

- a) To purchase, receive, hold, manage, lease, lease-purchase, or otherwise acquire and to sell, convey, transfer, lease, sublease, or otherwise dispose of real property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof;
- b) To acquire, reclaim, manage, or contract for the management of improved or unimproved and underutilized real property for the purpose of constructing industrial plants, other business establishments, or housing thereon, or causing the same to occur, for the purpose of assembling and enhancing utilization of the real property;
- c) To serve as an agent for grant applications and the administration of grants or to make applications as principal for grants to the Corporation;
- d) To engage in code enforcement and nuisance abatement, including, but not limited to, cutting grass and weeds, boarding up vacant or abandoned structures, and demolishing condemned structures on properties which the Corporation owns or in which it has legal interest whether or not subject to a delinquent tax or assessment lien, or property

for which a municipal corporation or township has contracted with the Corporation to provide code enforcement or nuisance abatement assistance;

- e) To purchase tax certificates at auction, negotiated sale or from a third party who purchased and is a holder of one or more tax certificates issued pursuant to Sections 5721.30 to 5721.43 of the ORC;
- f) To be assigned a mortgage on real property from a mortgagee in lieu of acquiring such real property subject to a mortgage;
- g) To borrow money for any of the purposes of a county land reutilization corporation by means of loans, lines of credit, or any other financial instruments or securities, including the issuance of its bonds, debentures, notes, or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust, or other lien on its property, franchises, rights, and privileges of every kind and nature or any part thereof or interest therein;
- h) To mortgage, pledge, or otherwise encumber any real property acquired by the Corporation in the furtherance of its purposes;
- i) To make loans to any person, firm, partnership, corporation, joint stock company, association, or trust for the purpose of furthering the purposes of the Corporation, and to establish and regulate the terms and conditions with respect to any such loans;
- j) To acquire nonproductive land (as defined in division (F) of Section 5722.01 of the ORC) through the exercise, and as electing subdivision on behalf of the County, of the powers set forth in Chapter 5722 of the ORC;
- k) To accept a conveyance in lieu of foreclosure of any delinquent land from the proper owners thereof and to accept from the County Auditor properties escheated to the State both before and after the execution and delivery of this Agreement;

- l) To enter into agreements with municipal corporations and townships within the boundaries of the County for implementation within such municipal corporations and townships for the purposes of the Corporation and the purposes of Chapter 5722 of the ORC;
- m) To establish data bases identifying the vacant, abandoned, tax-foreclosed and nonproductive real properties within the County which are in need of reclamation, rehabilitation, and reutilization and to enter into agreements with municipal corporations or townships for cooperative sharing and use of such data bases;
- n) To assist municipal corporations and townships in preparing plans for acquiring vacant, abandoned or tax-foreclosed real properties within their boundaries and for the reclamation, rehabilitation and reutilization of such properties so as to return such properties to productive use and thereby to foster economic and housing growth within the County;
- o) To prepare, or to participate in or partner with post-secondary educational institutions or other entities for the preparation of studies or analyses of the causes of or contributing factors in vacancy, abandonment and tax delinquency of real property in the County and the methods and manner of reclaiming, rehabilitating and reutilizing vacant, abandoned, tax-foreclosed and nonproductive real property in the County;
- p) To partner with the State and agencies of the State in the pursuit and implementation of the purposes of the Corporation;
- q) To develop, implement and maintain programs designed to creatively revitalize property such as deconstruction and recycling of building and other materials, urban forestry, agriculture, greenhouses, green infrastructure, water retention, parks, human resource programs such as workforce development, and other job creation or vocational programs

other than governmental workforce development programs and faith-based initiatives; and

- r) To take such other actions that are authorized under Ohio law and are consistent with and will facilitate the implementation of the purposes of the Corporation.

### **ARTICLE III**

#### ***Miscellaneous***

Section 3.1. Amendments to the Plan. This Agreement and the Plan may be amended and supplemented from time to time provided that all such amendments and supplements shall be in writing, shall be duly approved by the Corporation and the County and shall be executed by the property officers of each.

Section 3.2. No Prohibition on Independent Exercise of Governmental Powers. No provision, term or covenant contained in this Agreement and Plan shall be construed as prohibiting or limiting the County from independently exercising any and all powers it may have under the Constitution or laws of the State.

Section 3.3 Fiscal Matters. Nothing in this Agreement and Plan shall be construed as requiring the County, and the County shall not be required, to make financial contributions to the Corporation or shall be construed as permitting the Corporation to obligate the County except as expressly set forth in this Agreement and Plan; provided, however, that nothing in this Section shall be construed as a limitation on, or a prohibition on acting pursuant to, any terms and provisions in Ohio law providing for the fiscal matters of the Corporation, including, but not

limited to, increasing the Delinquent Tax and Assessment Collection Fee (DTAC) up to an additional 5 per cent.

In such regard, but only to the extent that the additional DTAC fee has been deposited in accordance with division (B) of ORC 321.261 in the County Land Reutilization Corporation Fund established in accordance with ORC 321.263, the Board of County Commissioners of Morgan County shall appropriate the portion or all of such fee so deposited as shall have been requested by the Corporation.

Section 3.4 Term of Agreement. The term of this Agreement shall commence on the date first above written and shall continue in effect thereafter unless terminated in accordance with this Section 3.4. Each of the parties to this Agreement may terminate this Agreement and Plan upon written notice to the other party setting forth the termination date of the Agreement and Plan. The termination date (the "Termination Date") specified in the notice shall not be any earlier than the first day of the calendar month that immediately succeeds the first anniversary of the giving of written notice of termination. From and after the Termination Date no further actions, agreements, contract, liabilities or obligations shall be initiated or incurred pursuant to this Agreement and Plan, but any action, agreement, contract, liability or obligation which has been commenced, entered into, initiated or incurred prior to the Termination Date shall not be affected by such termination and this Agreement and Plan shall remain in full force and effect as to any such action, agreement, contract, liability or obligation, and the Corporation shall continue as the agency of the County under this Agreement and Plan and the designation by resolution of the Corporation as agency of the County made by the Board of County Commissioners of Morgan County for the purposes of full performance of all such actions, agreements and contracts, liabilities or obligations.

Section 3.5. Notices. All written notices required to be given by one of the parties hereto to the other party under this Agreement and Plan or under any sections of the ORC that relate to the function of the Corporation as the designated agency of the County for purposes of this Agreement and Plan shall, unless otherwise specified herein or in the ORC, be deemed duly given by delivering such written notice to the following electronic mail addresses of the intended recipient party or to the following first class mail delivery address of the intended recipient party to the attention of the proper party:

IF TO THE COUNTY:

*First Class Mail:*

Board of Morgan County  
Commissioners  
155 E Main St  
McConnelsville OH 43756

*Email:*

commissioners@morgancounty-  
oh.gov

IF TO THE CORPORATION:

*First Class Mail:*

Morgan County Land Reutilization  
Corporation  
155 E Main St Room 153

*Email:* treasurer@morgancounty-  
oh.gov

Any party may change its notice address upon written notice of such change to the other party; provided, however, that non-receipt of any notice by the recipient party shall not affect the efficacy of the notice if non-receipt was caused by a change in the recipient's notice address of which such recipient had not notified the party giving notice in accordance with this Section 3.5.

IN WITNESS WHEREOF, the County and the Corporation, by their duly authorized officers, have caused this Agreement and Plan to be executed as of the day and year first above written.

MORGAN COUNTY LAND REUTILIZATION CORPORATION

By: *[Signature]*

Attest:

COUNTY OF MORGAN, OHIO

By: *Sheila Welch*



