

**REGULAR SESSION**

**Agenda**

**THE BOARD OF ATHENS COUNTY COMMISSIONERS**, met in regular session on May 1<sup>st</sup>, 2018 , with Lenny Eliason presiding, Charlie Adkins and Chris Chmiel in attendance.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the following agenda:

**ATHENS COUNTY BOARD OF COUNTY COMMISSIONERS  
Meeting Agenda for May 1, 2018 - Convenes at 9:30 a.m.**

**Approve Agenda**

**Approve Minutes from April 17 & 24, 2018**

**Approve Bills**

09:30    EMS - Rick Callebs - Resolution  
09:45    DJFS - Scott Zielinski  
10:00    Ohio Public Defender - Herman Carson and John Comely - Fiscal Year 2019  
10:15    Frank Lavelle, Atty.  
10:45    Planner - Jessie Powers  
11:00    Judge McCarthy- Grant Award Notification

**~ AGENDA ITEMS**

Utility Permit  
ACWSD - Extension Request  
Data Board Recommendations  
911 - Surplus  
Probate Court - Surplus  
CASA Proclamation  
DJFS Director Position  
Proclamation - Economic Development

**~TRAVEL**

Auditor  
Tammi Goeglein, Heidi Easley - SE Dist. CAAO Mtg. - May 4th - New Lexington, OH  
Ben Abfall, GIS Administrator - URISA Education Day - May 15<sup>th</sup> - Columbus, OH

ATHENS COUNTY WATERSEWER  
DISTRICT, BY AND THROUGH THE  
COUNTY COMMISSIONERS

BY: Ray Clark President

ATTEST:  
Alan R. Miller Clerk

RESOLUTION NO. \_\_\_\_\_

AGREEMENT ENTERING INTO CONTRACT WITH ADDITIONAL LAND  
AGENT TODD ODA, FOR EASEMENT ACQUISITION IN CONNECTION  
WITH ATHENS COUNTY US ROUTE 50 CORRIDOR SEWER PROJECT

WHEREAS, the Athens County Water Sewer District ("COUNTY") needs to  
acquire easements from property owners for the US Route 50 Corridor Sewer Project; and

WHEREAS, COUNTY has engaged Attorney Frank A. Lavette, Esq. and Lavette  
Law Offices, LPA, for Land and Easement Acquisition Services and Legal Services, to be  
rendered in connection therewith; and

WHEREAS, COUNTY AND ATTORNEY are in need of certain Land  
Acquisition Services in connection with such Project; and

WHEREAS, COUNTY AND ATTORNEY have reviewed the proposals submitted  
by Todd Oda, and COUNTY desires to engage their services in connection with such  
Project;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE ATHENS  
COUNTY COMMISSIONERS, AS FOLLOWS:

1. The attached Contract for Land and Easement Acquisition with Todd Oda, is  
hereby adopted and approved, and the President of the Commission is authorized  
and instructed to sign the same on behalf of the COUNTY upon the terms and  
conditions stated therein;
2. It is found and determined that all formal actions of County Commissioners  
concerning and relating to the passage of this Resolution were conducted in open  
meetings of the County Commissioners and that all deliberations of the County  
Commissioners in such formal action were in meetings open to the public, in  
compliance with all legal requirements including Sec. 121.22 of the Ohio Revised  
Code;
3. This Resolution shall become effective the earliest date permitted by law.

Duly enacted this 1 day of MAY, 2018.

It is the policy of the County of Athens, Ohio, to encourage the use of electronic communication and to provide for the efficient and effective use of resources.

Common Pleas  
Judge McCarthy - Ohio Comm. Pleas Judges Assoc. - June 26-29 - Perrysburg, OH

~APPROPRIATIONS  
Dog & Kennel  
\$5,000.00 into 002.2455.560100 Dog & Kennel Other

~TRANSFERS  
Commissioners  
\$68,419.88 from 001.1941.590520 Courthouse Renov., into 016.0315.422100 Transfer In  
\$4,358.89 from 001.1941.590540 Cap. Improv., into 033.0033.422100 Transfers In

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the minutes from April 17<sup>th</sup> & April 24<sup>th</sup>, 2018.

Minutes

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the payment of the required County Bills, which are included in the list of the ACCOUNTS PAYABLE CHECK REGISTER - Athens County, Date: May 1<sup>st</sup>, 2018 and the bills are hereby the same and authorize the County Auditor to issue warrants on the County Treasurer for payment in the same. Complete list of bills maintained in the Auditor's office.

Bills

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to Proclaim EMS Week as follows

EMS - Proclamation EMS Week May 20-26

2018 EMS Week Proclamation  
To designate the Week of May 20 - 26, 2018, as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury;

**CONTRACT FOR RIGHT-OF-WAY AGENT  
AND EASEMENT PROCUREMENT SERVICES**

WHEREAS, the COUNTY has engaged the services of HDR, Inc., an Engineering firm with offices located at 2800 Corporate Centerway, Suite 100, Columbus, OH 43231-1666 (\"ENGINEER\"), to provide Engineering services to construct the water and sewer system to be constructed in Adams County; and

WHEREAS, the COUNTY has engaged the services of Attorney Frank A. Lawelle, Esq. and Lawelle Law Office, LPA (ATTORNEY), to provide Legal Services, Land Acquisition and Easement Procurement Services in connection therewith; and

WHEREAS, ATTORNEY and COUNTRY requires the services of individuals in contract with Property Owners in an effort to purchase said land and to procure said Sewer Easements, and has entered into discussions and agreements with the CONTRACTOR named below; and

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN  
ATTORNEY, CONTRACTOR AND COUNTY AS FOLLOWS:

1. **SERVICES: CONTRACTEE shall procure Land and Sewer Easements from**

(applicable Sections of Title 42 USC Sec. 4601 et. seq., and Regulations issued thereunder)  
Copyright © 1987 by the LAWYERS and ALL RIGHTS RESERVED  
Federal Register, Vol. 51, No. 39) and applicable State law.

2. CONTRACTOR'S RESPONSIBILITIES. CONTRACTOR shall be

Engineers and Consulting Architects will use designated property owners, representing the property and part of the local Government, and will report to the property owner, the ENGINEER and ATTORNEY, and shall work to obtain the agreement(s) of the property owner, and the local Government. CONTRACTOR shall also assist in the Public Information campaign conducted by the COUNTY in this effort, and such Meetings as the CONSULTANTS may be requested to attend, and observe, and comply with the requests of the ENGINEER and ATTORNEY in providing the services required under this Contract.

In addition, CONTRACTOR shall fully document all contacts with the property owner, shall obtain, review and keep in good standing his or her Ohio Money Public Record and listing, shall obtain sufficient verification of identity from those who may be the necessary witnesses and carry out the required policies and procedures as conveyed by ENGINEER and ATTORNEY.

1. **TERM OF PERFORMANCE:** CONTRACTOR shall execute his, her or its best efforts to make all required contracts and obtain all the needed approvals in as expeditious a manner as possible. It shall be the stated goal of CONTRACTOR to obtain all Land and other Documents assigned (or at least make all necessary contacts, to this point the Landowners refuse to convey same), per the Schedule given by ATTORNEY and ENGINEER.

4. **CONFIDENTIALITY:** CONTRACTOR shall communicate with the ENGINEER and ATTORNEY in the most efficient manner possible, and shall employ the best means, means and methods required to most efficiently perform the services required hereunder. Any questions or a technical field or engineering nature should be referred to the ENGINEER or ATTORNEY for a response. If referring is considered to be obtaining any other benefits, it shall be brought to the attention of ATTORNEY and ENGINEER as soon as possible.

5. INDEPENDENT CONTRACTOR STATUS: CONTRACTOR is not, and shall not be considered an employee of the COUNTY, ENGINEER or ATTORNEY. CONTRACTOR shall be solely responsible for payment of any taxes due as the result of this agreement, including Federal, State and local income taxes. It is specifically agreed that CONTRACTOR, ENGINEER and ATTORNEY shall not be responsible for any and all other taxes and shall indemnify and save COUNTY, ENGINEER and ATTORNEY harmless from same.

**6. CONFIRMATION.** For the performance of services as hereunder contemplated, and such country or additional services as ENGINEER or ATTORNEY may from time to time deem appropriate, CONTRACTOR shall be compensated at the rate of \$7100.00 per project completed. "Project contract" means at least 3 hours file in person communication with the project Engineer, and then necessary follow-up to obtain signature from all parties needed for said documents, Writings, Records and other necessary documents, CONTRACTOR must fully validate Eminent and Water or Dock as mutually observed, no additional \$30.00 per property shall be paid by ATTORNEY to CONTRACTOR.

CONFIDENTIAL and subject bills or statements to ATTORNEYS by 25% of each county, who shall include them in ATTORNEYS' monthly billing to COUNTY.

DATE 5 / 18

DATE  
5-1-81

DATE \_\_\_\_\_

Charles Adkins

CONTRACTEE

5312 Infirmary Dr  
1532 E. 15th St  
1532 E. 15th St

And Customers Can Save Dollars Again Later, But a Little Later (Continued on Page 10)

LAVELLE LAW OFFICES, LPA

By: Francis (Frank) A. Lavelle

DATE \_\_\_\_\_

ATLANS COUNTY  
WATERSEWER DISTRICT

By: Joey Se. Lenny Johnson

DATE 5/1/14

and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, the Athens County Board of Commissioners, in recognition of this event do hereby proclaim the week of May 20 - 26, 2018, as EMERGENCY MEDICAL SERVICES WEEK With the theme, EMS Strong: Stronger Together, We encourage the community to observe this week with appropriate programs, ceremonies and activities.

Signed this 1st day of May, 2018.

\_\_\_\_\_  
/s/ Lenny Eliason, President

\_\_\_\_\_  
/s/ Chris Chmiel

\_\_\_\_\_  
/s/ Charlie Adkins

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Retirement Resolution for EMS Paramedic Douglas Glass:

**EMS Resolution - Retirement Douglas Glass**

RESOLUTION

WHEREAS, Paramedic ,Douglas Glass has provided forty five year of outstanding service to the citizens of Athens County, and;

WHEREAS, Douglas Glass has been an exemplary employee of the Athens County Emergency Medical Services, and;

WHEREAS, Douglas Glass has provided assistance to thousands of needy county residents, and;

BE IT RESOLVED, that we, the Athens County Commissioners offer our wholehearted appreciation to Douglas Glass for a job well done and wish him a happy retirement.

Signed this 1<sup>st</sup> day of May, 2018

BOARD OF ATHENS COUNTY COMMISSIONERS

/s/ Lenny Eliason, Commissioner

/s/ Charlie Adkins, Commissioner

/s/ Chris Chmiel, Commissioner

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Retirement Resolution for EMS Paramedic Susan M. Emmert:

**EMS Resolution - Retirement Susan Emmert**

RESOLUTION

WHEREAS, Paramedic, Susan M. Emmert has provided forty three year of outstanding service to the citizens of Athens County, and;

WHEREAS, Susan M. Emmert has been an exemplary employee of the Athens County Emergency Medical Services, and;

WHEREAS, Susan M. Emmert has provided assistance to thousands of needy county residents, and;

BE IT RESOLVED, that we, the Athens County Commissioners offer our wholehearted appreciation to Susan M. Emmert for a job well done and wish him a happy retirement.

Signed this 1st day of May, 2018

BOARD OF ATHENS COUNTY COMMISSIONERS

/s/ Lenny Eliason, Commissioner

/s/ Charlie Adkins, Commissioner

/s/ Chris Chmiel, Commissioner

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

~ Discussion regarding the EMS Surplus vehicle, 2003 McCoy Miller Ambulance, Truck 5302 - The Commissioners will discuss further with Glen Crippen, HAPCAP, to see about entering into a private sale with the Friends Helping Friends Group.

**EMS Discussion re 2003 Surplus Ambulance**

~ Also discussed were the old frames from the Awnings at the Athens EMS Station, along with an old door frame - After discussion - A motion was made by Mr. Chmiel and seconded by Mr. Adkins to declare these items surplus and authorize Chief Callebs to enter into a private sale for these items.

**EMS - Surplus Door Frames - Enter into Private Sale**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

~ Discussion regarding a proposed new EMS Policy - Forced Entry - for the Commissioners to review. Chief Callebs will work on revisions and bring back for approval at a later date.

**EMS - Policy Review - Forced Entry**

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to enter into executive session at 9:40 with EMS Chief Rick Callebs and Amber Pyle, Assistant Chief; to discuss the acquisition of real estate.

**Executive Session - EMS w/Chief Callebs**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to return to regular session at 10:10, real estate was discussed.

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

**Return To Regular Session - Discussed Real Estate**

~ DJFS Director, Scott Zielinski - Updates - Athens is eligible for potential disaster National Dislocated Worker Grant money. Flood damage cleanup on public land use. The Job Fair was held last week with 74 employers and 353 job seekers. Also, Monday, May 3 was go live day for the new digital document imaging system, seemed to go well.

**DJFS - Dir. Zielinski - Updates**

Discussion regarding the Fire Escape at 184 Lancaster Street location. There were some issues with broken steps. The Commissioners stated they would like to limit the traffic to an emergency exit only.

~ Ohio Public Defender - Herman Carson and John Comely - Fiscal Year 2019 Discussion.

**Ohio Public Defender 2019 FY Agreement**

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the Agreement to Participate in the Multi-County Branch of the Office Public Defender Agreement for FY2019. Term of Contract: July 1, 2018 to June 30, 2019. Contract Amount: \$556,040.00. Shall be paid in four (4) equal installments of \$139,010.00, due July 1, 2018, October 1, 2018; January 5, 2019 and April 1, 2019. Contract on file in Commissioners Office.

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Resolution and Contract for Right of Way Agent and Easement Procurement Services:

**US50 Sewer Project - Land Agent  
Resolution/Contract w/Todd ODA**

**RESOLUTION NO.  
RESOLUTION ENTERING INTO CONTRACT WITH ADDITIONAL LAND  
AGENT TODD ODA, FOR EASEMENT ACQUISITION IN CONNECTION  
WITH ATHENS COUNTY US ROUTE 50 CORRIDOR SEWER PROJECT**

WHEREAS, the Athens County Water Sewer District ("COUNTY") needs to acquire easements from property owners for the US Route 50 Corridor Sewer Project; and  
WHEREAS, COUNTY has engaged Attorney Frank A. Lavelle, Esq. and Lavelle Law Offices, LP A, for Land and Easement Acquisition Services and Legal Services, to be rendered in connection therewith; and

WHEREAS, COUNTY AND ATTORNEY are in need of certain Land Acquisition Services in connection with such Project; and

WHEREAS, COUNTY and ATTORNEY have reviewed the proposals submitted by Todd Oda, and COUNTY desires to engage their services in connection with such Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE ATHENS COUNTY COMMISSIONERS, AS FOLLOWS:

1. The attached Contract for Land and Easement Acquisition with Todd Oda, is hereby adopted and approved, and the President of the Commission is authorized and instructed to sign the same on behalf of the COUNTY upon the terms and conditions stated therein;
2. It is found and determined that all formal actions of County Commissioners concerning and relating to the passage of this Resolution were conducted in open meetings of the County Commissioners and that all deliberations of the County that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Sec. 121.22 of the Ohio Revised Code;

3. This Resolution shall become effective the earliest date permitted by law.  
Duly enacted this 1<sup>st</sup> day of May, 2018.

**CONTRACT FOR RIGHT-OF-WAY AGENT  
AND EASEMENT PROCUREMENT SERVICES**

WHEREAS, BOARD OF ATHENS COUNTY COMMISSIONERS ("COUNTY") needs to acquire approximately 200 ±permanent easements and apx. 18-20 Pump Station sites from property owners located within the Service Area for a new Sanitary Sewer System the COUNTY is constructing in Athens County; and  
WHEREAS, the COUNTY has engaged the services of HDR, Inc., an Engineering firm with offices located at 2800 Corporate Exchange Drive, Suite 100, Columbus, OH 43231-1666 ("ENGINEER") to provide Engineering services in connection therewith; and  
WHEREAS, the COUNTY has engaged the services of Attorney Frank A. Lavelle, Esq. and Lavelle Law offices, LPA ("ATTORNEY"), to provide Legal Services, Land Acquisition and Easement Procurement Services in connection therewith; and  
WHEREAS, ATTORNEY and COUNTY require the services of individuals to contact Property Owners in an effort to purchase said land and to procure said Sewer Easements, and has entered into discussions and agreement with the CONTRACTEE named below; and  
NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN ATTORNEY, CONTRACTEE AND COUNTY AS FOLLOWS:

1. SERVICES: CONTRACTEE shall procure Land and Sewer Easements from property owners as the ENGINEER and ATTORNEY designate, pursuant to Federal law (applicable Sections of Title 42 USC Sees. 4601 et. seq., and Regulations issued thereunder Federal Register, Vol. 51, No. 39) and applicable State law.
2. CONTRACTEE'S RESPONSIBILITIES: CONTRACTEE shall be responsible for contacting and communicating with the designated property owners, explaining the purpose and intent of the needed Easements, act as liaison between the property owners, the ENGINEER and ATTORNEY, and shall work to obtain the signature(s) of the property owners, and notarize the same. CONTRACTEE shall also assist in the Public Information campaign undertaken by the COUNTY in this effort, attend such Meetings as the CONSULTANTS and/or its officers instruct, and otherwise comply with the requests or directives of the ENGINEER and ATTORNEY in providing the services required under this Contract.

In addition, CONTRACTEE shall fully document all contacts with the property owners; shall obtain, renew and keep in good standing his or her Ohio Notary Public license and testing; shall obtain sufficient verification of identity from those who sign the necessary Easements and Waiver; and shall implement and carry out the required policies and procedures as conveyed by ENGINEER and ATTORNEY.

3. TIME OF PERFORMANCE: CONTRACTEE shall exercise his, her or its best efforts to make all required contacts and obtain all the needed easements in as expeditious a manner as possible. It shall be the stated goal of CONTRACTEE to obtain all Land and/or Easements assigned (or at least make all necessary contacts, to the point the Landowners refuse to convey same), per the Schedule given by ATTORNEY and ENGINEER.

4. COMMUNICATION: CONTRACTEE shall communicate with the ENGINEER and ATTORNEY in the most efficient manner possible, and shall employ the means, manner and methods required to most effectively perform the services required hereunder. Any questions of a technical legal or engineering nature should be referred to the ENGINEER or ATTORNEY for a response. If difficulty is encountered in obtaining any given Easement, it shall be brought to the attention of ATTORNEY and ENGINEER as soon as possible.

5. INDEPENDENT CONTRACTOR STATUS: CONTRACTEE is not, and shall not be considered an employee of the COUNTY, ENGINEER or ATTORNEY. CONTRACTEE shall be solely responsible for payment of any taxes due as the result of this Agreement, including federal, state and local income taxes, if applicable, as well as any self-employment social security taxes, Medicare and any and all other taxes, and shall indemnify and save COUNTY, ENGINEER and ATTORNEY harmless from same.

6. COMPENSATION: For the performance of services as hereunder contemplated, and such corollary or additional services as ENGINEER or ATTORNEY may from time to time direct, CONTRACTEE shall be compensated at the rate of \$100.00 per property contacted. "Property contacted" means at least 3 bona fide in-person communications with the property owners, and then necessary follow-up to obtain signatures from all parties needed for valid Easements, Waivers, Deeds and other necessary documents. CONTRACTEE must fully document all contacts and communications as directed by ENGINEER and ATTORNEY. If a valid Easement and Waiver or Deed are actually obtained, an additional \$50.00 per property shall be paid by ATTORNEY to CONTRACTEE.

CONTRACTEE shall submit bills or statements to ATTORNEY by the 25th of each month, who shall then include them in ATTORNEYS's monthly billing to COUNTY. More than one contiguous Easement, from the identical property owner(s), shall only count as one property, for the purposes of remuneration recited above. If separate deed and recording parcel information is available, such shall be combined so that easements for the same property owner(s) for contiguous purposes can be obtained on one easement form, if possible. Non-contiguous easements from the same property owner(s) shall count as separate easements.

2

7. WAIVER AND RELEASE: In consideration of the foregoing agreed-upon compensation, because CONTRACTEE is an Independent Contractor. CONTRACTEE shall not have, and therefore waives and releases any claim which may arise, which he or she may have or

which may accrue or grow out of the performance of his or its duties hereunder, against the COUNTY, ENGINEER or ATTORNEY. By way of example, such possible claims might include injuries received in an automobile collision while traveling to meet with property owners; injuries sustained while attempting to procure signatures on Easements and other documents; and injuries or accidents which occur while on the lands or appurtenances of the property owners.

8. CONFIDENTIALITY/NON-DISCLOSURE/PROFESSIONALISM:  
CONTRACTEE acknowledges that information obtained and conveyed in the performance of this Contract, is privileged and confidential, and shall not be conveyed to any unauthorized party. CONTRACTEE acknowledges and promises to perform the services required in a professional manner, and at all times shall show due deference and respect to the property owners, their privacy and their interests.

9. INSURANCE AND INDEMNIFICATION: CONTRACTEE shall carry his or its own Automobile Collision and Liability insurance, and shall indemnify and save COUNTY, ENGINEER or ATTORNEY harmless from any and all acts or omissions committed or failed to be performed by CONTRACTEE in the performance of this Contract.

IN WITNESS WHEREOF, this Contract has been executed in duplicate by the parties on the dates set forth below.

DATE (Copied to pages 234-235)

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Akdins to enter into executive session at 10:40 with Frank Lavelle, Atty., Rich Kasler, ACWSD Supt., Clerk JoAnn Rockhold to discuss the US50 Sewer Project.

Exec. Session w/Frank Lavelle, Atty. US50 Sewer Project

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to return to regular session at 10:53.

Return to Reg. Session - Discussed Sewer Project.

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

~ Jessie Powers, County Planner held a bid opening for the Athens to Belpre Rail Trail Frost Road Nature Trail at 10:00 a.m on April 30, 2018. Results as follows:

Planner - Belpre Rail Trail Frost Road Bid Award - York Paving

Project Estimate:	\$118,250.00
10% Allowable Overage	\$11,825.00

Max. Allow. Bid Amount \$130,075.00

One (1) Bid received from York Paving - \$129,910.15

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to authorize County Planner, Jessie Powers to move forward with the contract circulation and award pending review by the Prosecuting Attorney.

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing a letter of support to be drafted for the Rural Action 2019 Grant Application. Ms. Powers will send a copy of the letter to the clerk once received by Rural Action. (Copied to page 236)

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

Commissioner Chmiel discussed with Ms. Powers regarding the maintenance plan for mowing on the Torch Bikeway Trail, which is based on time and availability on the county maintenance staff. She will forward the Maintenance Plan to the Maintenance Department, to get on schedule with the mowing.

~ Judge George McCarthy was present to notify the Commissioners of two (2) Court System Improvements Grant Notifications to the Athens County Common Pleas Court as follows:

- \* Technology Grant Fund Award of \$61,654.00 for iDMS PDF viewer online
- \* Technology Grant Fund Award of \$72,086.00 for eFiling, eAccess and ePay.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing Judge Lang's signature to enter into the agreement between the Supreme Court of Ohio and Athens County Court of Common Pleas for the above mentioned Technology Grant Fund projects. Term: for both Agreements: May 1, 2018 through April 30, 2019. Copy of agreements on file in Commissioners Office.

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins Authorizing an extension as requested by Justin Wayand for monies owed the Athens County Water and Sewer District for water and sewer service, the total amount due is \$117.48 with \$62.88 to be paid by May 16, 2018. If the terms of this agreement are not met, the account will be considered delinquent and service could be shut off.

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

**Rural Action Letter of Support 2019 Grant Application**

**Torch Bikeway Trail Maint. Plan Discussion**

**Common Pleas - Two (2) Tech. Grant Awards**

**ACWSD - Extension Request - Justin Wayand**

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the request by the Sheriff to purchase a new iPad for Deputy Adkins, as recommended by the Data Processing Board. Total cost to be \$729.98 and will be paid from the equipment fund. The Auditor has requested that the current iPad be turned in or declared surplus.

**Sheriff - New iPad Purchase Approved**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the surplus of the following items as requested by 911, to be recycled/scrap:

**911 - Surplus Property Approved**

Printers:  
HP Laser jet P1606      VND3F37678  
HP Office jet Pro 8600      CN253BT0GB  
HP Laser jet P160      U63883D5N806141  
HP Laser jet P2035N      CN89561287  
Fax      Brother Intellifax U6163AG4J520556  
Printer      HPOffice Jet Pro CN4B9DX2S1  
USB Floppy Disc Drive      MPF82E      5021609

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the surplus of the following items as requested by Probate Court, to be recycled/scrap, all have broken or missing parts:

**Probate Court - Surplus Property Approved**

Dot matrix printer      GE007100A      903B2074228  
(oki microline 321 turbo):  
24 Pin Dot Matrix Printer      GE5293A      500B0142452  
(Oki microline 590)  
Canon AP110 typewriter      V186      T22013413  
Canon AP110 typewriter      V186      T22043736

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to ratify the Commissioners signatures on the following Proclamation for CASA Day in Athens County:

**CASA/GAL Proclamation**

**CASA Day in Athens County**

WHEREAS the Athens Court Appointed Special Advocates / Guardians ad Litem (CASA/GAL) Program was established in 1993; and

WHEREAS the mission and purpose of the Athens CASA/GAL Program is to recruit, train and support community members who volunteer as Court Appointed Special Advocates to represent the best interests of children involved in the juvenile justice system due to abuse and neglect; and  
WHEREAS Athens County Juvenile Court relies on the objective, unbiased information and recommendations provided by the CASA Volunteer to make informed decisions regarding children who are impacted by abuse and neglect; and  
WHEREAS the Athens CASA/GAL Program provides over 200 hours of training to CASA Volunteers and community members from Athens County and neighboring regions; and  
WHEREAS Athens County CASA Volunteers work tirelessly to advocate for local children, donating more than 6000 hours each year; and  
WHEREAS more than 150 children served by the program annually benefit from the presence of a CASA Volunteer through improved education advocacy, reduction in re-traumatization and improved access to necessary services; and  
WHEREAS dozens of local children are still awaiting the assignment of a CASA Volunteer due to a need for additional trained Court Appointed Special Advocates; and

WHEREAS the need for improved awareness and support is more critical than ever as the Athens CASA/GAL Program continues to strive towards serving all of the local children adjudicated abused, neglected or dependent with the appointment of a trained, dedicated Court Appointed Special Advocate; and

Now, therefore, we, the Board of Athens County Commissioners do hereby proclaim April 30, 2018, as "CASA Day in Athens County" and recognize the significant benefit afforded to children impacted by abuse or neglect through the appointment of trained volunteers serving as Court Appointed Special Advocates; and  
Furthermore, we urge all citizens to join in this celebration by raising awareness to the issue child maltreatment and the need for additional volunteers.

Signed this 30<sup>th</sup> day of April, 2018

/s/ Lenny Eliason, President

/s/ Chris Chmiel, Vice President

/s/ Charlie Adkins

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to enter into executive session at 11:10 with DJFS Director, Scott Zielinski to discuss the employment of a public employee.

**DJFS Dir. - Exec.Session - Discuss  
Employment of Pub. Empl.**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to return to regular session at 11:23 .

**Return to Reg. Session**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to make an offer of employment to the preferred candidate and negotiate salary.

**DJFS - Offer of Employment to Preferred Candidate / Negotiate Salary**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Proclamation for Economic Development:

**Proclamation - Economic Dev. Week**

**Economic Development Week  
#Econ Dev Week #EDW2018 #Quality of Life  
May 7-12, 2018**

Recognizing 2018 as the 92nd anniversary of the International Economic Development Council and

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program and the certified Economic Developer designation; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chamber of commerce, universities, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work in the County of Athens within the State of Ohio; and

NOW, THEREFORE, BE IT RESOLVED that the County of Athens does hereby, Recognize May 7-12, 2018 as "National Economic Development Week" and remind individuals of the importance of this community celebration which supports expanding career opportunities and improving quality of life.

Signed this 1st day of May, 2018.  
/s/ Lenny Eliason, President  
/s/ Chris Chmiel  
/s/ Charlie Adkins

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Travel:

Travel

Auditor  
Tammi Goeglein, Heidi Easley - SE Dist. CAAO Mtg. - May 4th - New Lexington, OH  
Ben Abfall, GIS Administrator - URISA Education Day - May 15<sup>th</sup> - Columbus, OH

Common Pleas  
Judge McCarthy - Ohio Comm. Pleas Judges Assoc. - June 26-29 - Perrysburg, OH

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Appropriations and Transfers:

Appropriations & Transfers

~APPROPRIATIONS

Dog & Kennel  
\$5,000.00 into 002.2455.560100 Dog & Kennel Other

~TRANSFERS

Commissioners  
\$68,419.88 from 001.1941.590520 Courthouse Renov., into 016.0315.422100 Transfer In  
\$4,358.89 from 001.1941.590540 Cap. Improv., into 033.0033.422100 Transfers In

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing Athens County Engineer, Jeff Maiden to sign all documents and act as authorized agent relative to FEMA-DR-4360-OH.

Engineer - Authorized Authorized Agent  
Relative to FEMA

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins approving the following Utility Permit for Frontier:  
From: Frontier Communications Permit #18-096

Utility Permit #18-096 Frontier Communications

1315 Albert Street  
Portsmouth, OH 45662

We hereby request permission to install utility lines within public right-of-way limits.

Location of work: Twp. Rd. 28 - Hudnell Road

General Description of Work: At pedestal bore under road for approx. 20-25' and along edge of r/w for approx. 30-50' and then onto customers property to his house. Placing a buried service wire for new service.

Type of Installation: Underground (buried) line parallel to road. Underground (buried) line crossing road.

Estimated Project Schedule: Start Date: ASAP Completion Date: 07/15/18

Agreed to by: /s/ Dena Martin

Athens County Commissioners

/s/ Charlie Adkins

/s/ Chris Chmiel

/s/ Lenny Eliason

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing Athens County Engineer, Jeff Maiden to sign all documents and act as authorized agent relative to FEMA-DR-4360-OH.

**Engineer - Authorize J. Maiden to Sign/Act as  
Author. Agent Relative to FEMA DR 4360 OH**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.

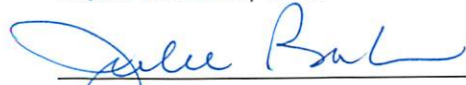
A motion was made by Mr. Chmiel and seconded by Mr. Adkins to adjourn the above meeting.

**Adjourn**

The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, yea.



JoAnn Rockhold, Clerk



Julie Brooks, Assistant Clerk



Lenny Eliason, President



Chris Chmiel, Vice-President



Charlie Adkins