COMMISSIONERS' JOURNAL 110 ATHENS COUNTY, June 18, 2019 PAGE 361

THE BOARD OF ATHENS COUNTY COMMISSIONERS, met in regular session, with Lenny Eliason presiding, Charlie Adkins, present; and Chris Chmiel absent.

#### **AGENDA**

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

ATHENS COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Agenda for June 18, 2019 - Convenes at 9:30 a.m.

Approve Agenda

Approve Appropriations, Transfers, New Line Items Requests/Changes Approve Bills

09:35 EMA Dir. Don Gossel 09:45 DJFS - Jean Demosky

10:00 Bid Opening - Chip Seal /Fog Seal Various County Roads

10:15 County Planner, Jessie Powers

#### ~ AGENDA ITEMS

Bid Award - International Harvester Refrigerator

Pro. Atty. T-CAP Grant Statement Agrmt. (Ratify Chris Signature)

Engineer - Notice of Commencement - ATH-CR36 - ATH-CR36 - ATH-CR109-0.13 - ATH-CR20-2.82 & ATH-CR42-4.48

OPWC CR33A & CR16V/CR17V Frank Lavelle Local Loan Request #6

**EMA Surplus** 

Common Pleas PSI Grant

Pro. Attv. Surplus

Senior Levy Meals on Wheels, Acknow. Receipt of Cert. of Estimated Revenue

## ~TRAVEL

Engineer

Eng. Jeff Maiden - AASHTO Bridge Training - 6/23 - 6/25 - Columbus, Ohio Donnie Stevens - AASHTO Bridge Training - 6/23 - 6/25 - Columbus, Ohio

Recorder

Jessica Markins, Recorder - ORA Summer Continuing Education Seminar - June 18-21 - Oregon, Ohio

#### ~ADJOURNMENT

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

# APPROPRIATIONS, TRANSFERS, NEW LINE ITEMS REQUESTS/CHANGES

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the Appropriations, Transfers, New Line Items Requests/Changes submitted and processed through the Auditor's Office by various Departments. Dated: June 18, 2019 - Budget Transfers and Amendments. Copies on file in Commissioner's Office. (Copied to page 365).

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

#### **BILLS**

A motion was made by Mr. Adkins and seconded by Mr. Eliason Approving the payment of the required County Bills, which are included in the Auditor's Office INVOICE TRACKING REPORT - From: 6/11/2019 To: 6/18/2019 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. The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, absent.

# **EMA DIR. DON GOSSEL - JUNE UPDATE**

EMA Dir. Don Gossel, gave the Commissioners a June update as follows:

June 2019 Commissioners Update

May 21st- met with Ohio SE Sector EMA (DART dilemma resolved)

May 23rd- Attended OH-101, Developing & Maintaining EOP

May 30th- Jessie Powers and I met with OEMA's Luan Nguyen - HMP Implementation Meeting

o No grace on due date from grant delay during government shutdown

o Due 1 Apr 2020

June 7th- Attended OEMA's required EMA Fundamentals in Fairfield County

June 9th -Completed Athens Co School District EOP Review with Chad Springer

June 11th- Met with USDA Rural Development on Available grants to impoverished elderly

June 12th-Formal Athens Co EOP review with OEMA (much needed update required)

June 13th- Athens Behavioral Health EOP review meeting

Items of Interest

COMMISSIONERS' JOURNAL 110 ATHENS COUNTY, June 18, 2019 PAGE 362

Hazards Mitigation Plan- under rewrite

Hazardous Material Response Plan - update due by Oct 2020.

Jacksonville (Amesville, Albany, Chauncey) Tornado Siren (see quote) - would like to purchase

with Hazard Mitigation Grant Program Funds Made Available from Ohio Flooding in February

2019 or possibly EMPG

#### JACKSONVILLE VILLAGE - FIREHOUSE SIREN PURCHASE APPROVED.

Mr. Gossel presented two (2) proposals from B&C Communications (one with installation & one without), for a new Tomado Siren in the Village of Jacksonville. He feels he can work with the Village for a new mount for the siren. The Commissioners suggested for him to work with Maint. Supv. Jeff Gabriel for installation resources, and to acquire a long term maintenance agreement with the Village.

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the purchase of a Firehouse Siren for the Village of Jacksonville. B&C Communications.

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

#### DJFS - DIR. JEAN DEMOSKY - AGENDA

COMMISSIONERS

6-18-19

ACDJFS

- 1. Asset Disposal List See motion below.
- 2. Union Contract Update They have a ratified Contract, with a 10 day waiting period. Will bring next week.
- 3 Facilities
  - A. County Home Architect will set off a kick off meeting for the parking lot project in the near future.
  - B. OMJ Building -
- 4. Personnel Issues

# **DJFS - MISC. SURPLUS ITEMS**

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the following Surplus Equipment, as requested by DJFS Dir. Jean Demosky:

- 11 Desktop Computers
- 9 Monitors
- 2 Copiers

(These Items to be destroyed)

- 39 Keyboards
- 34 Computer Mice
- 1 Network Printer
- (\* Redistribute- 1 Desktop Computer. 1 Monitor. I Keyboard, and 1 Mouse to Athens Hocking Solid Waste)

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

\* Commissioner Adkins wished to discuss the idea of a garden space. Ms. Demosky stated that the idea she discussed with Commissioner Chmiel was the possibility of picking some fresh produce from the garden when individuals picked up their food boxes. She stated that no county employees time would be used to prepare and/or harvest the site, that WEP workers would be used for this. Commissioner Adkins stated that from this point on he wants any further discussion needs to be done during a Commissioner Meeting with all three Commissioners present.

# **EXECUTIVE SESSION W/DJFS DIR. JEAN DEMOSKY**

A motion was made by Mr. Adkins and seconded by Mr. Eliason to enter into executive session at 9:50 with DJFS Dir. Jean Demosky and Admin. Clerk, JoAnn Rockhold, to discuss the purchase of property and the discipline of a public employee.

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

## **RETURN TO REGULAR SESSION**

A motion was made by Mr. Adkins and seconded by Mr. Eliason to return to regular session at 10:13

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

\* Let the record reflect the following - They will get some price quotes for financing. No Action on discipline.

## BID OPENING - ENGINEER - CHIP SEAL / FOG SEAL - VAR. COUNTY ROADS - 10:00 A.M. - Engineer Estimate: \$311,832.80

The following Bid(s) were received and opened by County Engineer Jeff Maiden:

Shelly & Sands \$314,853.66

#### **ENGINEER - ACKNOW. RECEIPT OF BIDS**

A motion was made by Mr. Adkins and seconded by Mr. Eliason to acknowledge receipt of the above mentioned bids. The Engineer will review and return later with his recommendations.

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

# BID AWARD - CHIP SEAL / FOG SEAL VAR. COUNTY ROADS

A motion was made by Mr. Adkins and seconded by Mr. Eliason authorizing the above mentioned bid to be awarded to Shelly & Sands, pending review by the County Engineer, Jeff Maiden.

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

COMMISSIONERS' JOURNAL 110 ATHENS COUNTY, June 18, 2019 PAGE 363

# **BID AWARD - INTERNATIONAL HARVESTER REFRIGERATOR**

A motion was made by Mr. Eliason and seconded by Mr. Adkins awarding the International Harvester Refrigerator to Jacob Wirick for \$30.00. Only one (1) bid was received.

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

#### **COUNTY PLANNER, JESSIE POWERS**

A motion was made by Mr. Adkins and seconded by Mr. Eliason to enter into executive session at 10:19 with County Planner, Jessie Powers, and Admin. Clerk, JoAnn Rockhold, to discuss discipline of a public employee.

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

#### RETURN TO REGULAR SESSION

A motion was made by Mr. Adkins and seconded by Mr. Eliason to return to regular session at 10:30.

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

#### COUNTY PLANNER - TERMINATE EMPLOYMENT OF SPENCER HOBSON

A motion was made by Mr. Adkins and seconded by Mr. Eliason to terminate the employment of Spencer Hobson effective at 4:00 p.m., today, June 18th, 2019.

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

#### COUNTY PLANNER - TEMPORARY AGRMT. W/BOB EICHENBERG

A motion was made by Mr. Adkins and seconded by Mr. Eliason authorizing the Planner to enter into a temporary agreement, for ninety (90) days with Bob Eichenberg.

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

#### PRO. ATTY. - T-CAP GRANT AGREEMENT

A motion was made by Mr. Adkins and seconded by Mr. Eliason to Table the T-CAP Grant Agreement for discussion at next week's meeting. The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, absent.

## ENGINEER - NOTICE OF COMMENCEMENTS - ATH-CR36 - ATH-CR34 - ATH-CR109-0.13 - ATH-CR20-2.82 & ATH-CR42-4.48

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the Notice of Commencements of Public Improvements for the following Projects, as recommended by the County Engineer's Office:

ATH-CR36 - ATH-CR34 - ATH-CR109-0.13 - ATH-CR20-2.82 & ATH-CR42-4.48

(Copied to pages 366-367).

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

## ENGINEER - OPWC CR33A & CR16V/CR17V

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving Commissioner Eliasons signature on the Ohio Public Works Commission Disbursement Request No. 2, to Nuko Paving Inc. in the amount of \$86,795.73. (Copied to page 368). The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, absent.

# US50 SEWER PROJECT / FRANK LAVELLE LOCAL LOAN REQUEST #6

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the US50 Sewer Project Local Loan Request No. 6, in the amount of \$28,627.18, payable to Lavelle Law Offices Trust Account.

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

## **EMA SURPLUS**

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the surplus of an old brown leather office chair, as requested by EMA, to be destroyed.

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

## COMMON PLEAS PSI GRANT AGRMT.

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the Ohio Department of Rehabilitation and Correction Subsidy Grant Agrmt. For 407 Community Based Non Residential Corrections Programs. (Copied to pages 369-370).

Program Name

Application Identifier

Amount

PSI

407 -PSI-2020/21-AppAthenCPAPD-00025

\$76,000

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

# PRO. ATTY. SURPLUS OFFICE CHAIRS

A motion was made by Mr. Adkins and seconded by Mr. Eliason approving the Surplus of the following items as requested by the Pro.Atty.'s Office, to be redistributed to the Common Pleas Court Office.

(10) Red Leather Office Chairs

(6) Grey Leather Office Chairs

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

# SENIOR LEVY (MEALS ON WHEELS) - ACKNOWL. RECEIPT OF CERTIFICATION OF ESTIMATED REVENUE

110

A motion was made by Mr. Adkins and seconded by Mr. Eliason to acknowledge receipt of the following Certificate Of Estimated Revenue from the Auditor's Office, for the

#### CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE

The County Auditor of Athens County, Ohio does hereby certify the following:

**JOURNAL** 

- 1. On May 9, 2019 the taxing authority of the Athens County Board of Commissioners certified a copy of its resolution or ordinance adopted May 7, 2019 requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by Twenty-Five Tenths (0.25) mills, to levy a tax outside the 1 0-mill limitation to provide or maintain senior citizen services or facilities pursuant to Revised Code §5705.19 (Y) to be placed on the ballot at the November 5, 2019, General Election. The levy type is a Renewal.
- 2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be\$ 251,707. \*
- 3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is\$ 1,161,064,630.

(Copied to page 371).

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

#### **TRAVEL**

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

Engineer

Eng. Jeff Maiden - AASHTO Bridge Training - 6/23 - 6/25 - Columbus, Ohio Donnie Stevens - AASHTO Bridge Training - 6/23 - 6/25 - Columbus, Ohio

Recorder

Jessica Markins, Recorder - ORA Summer Continuing Education Seminar - June 18-21 - Oregon, Ohio The roll being called upon for adoption, the vote resulted as follows: Mr. Eliason, yea; Mr. Adkins, yea; Mr. Chmiel, absent.

#### **ADJOURN**

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

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

JoAnn Rockhold, Clerk

Julie Brooks, Assistant Clerk

Lenny Eliason President

ABSENT

Chris Chmiel, Vice-President

Charlie Adkins

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|Athens County |BUDGET TRANSFERS AND AMENDMENTS

P 1 |bgamdent

Record Number	Year	Per	Journal	Date	Clerk	Description	Total Increase	Total Decrease	Workflow Status
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<sup>\*\*</sup> END OF REPORT - Generated by JoAnn Rockhold \*\*

## NOTICE OF COMMENCEMENT OF PUBLIC IMPROVEMENT SECTION 1311.252 OHIO REVISED CODE

State of Ohio,	1	
	) ss:	
County of Athens	1	
1.enn	v Eliason	being first duly sworn, says that:

- Affiant is the President of the Athens County Board of Commissioners, 15 S. Court Street, Athens, Ohio, 45701.
  - The Public Authority will be commencing a public improvement identified as follows: <u>ATH-CR36/VAR-3.63/VAR LANDSLIDE REPAIRS</u> with contract signed on 6/5/2019.
- The following lists the name, address and trade of each of the principle contractors working on this public improvement:

#### NAME

#### ADDRESS

Alan Stone Company Inc.

1324 Ellis Run Road, Cutler, Oliio 45724

 The following lists the names and addresses of the sureties for all of those principle contractors:

#### PRINCIPLE

CONTRACTOR

NAME OF SURETY

ADDRESS OF SURETY

Alan Stone Company Inc.

Western Surety Company

One PPG Place, 29th Floor, Suite 2920

Pinsburgh, PA 15222

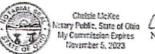
 For the purpose of serving an affidavit pursuant to Revised Code 1311.26, service may be made upon the following representative of the Public Authority:

Lenny Pliason

President of Athens County Board of Commissioners

15 S. Court Street, Athens, Ohio, 45701.

SWORN TO before me and subscribed in my presence this 15 Day of June , 2019.



# Mees Melle. Notary Public

#### NOTICE OF COMMENCEMENT OF PUBLIC IMPROVEMENT SECTION 1311.252 OHIO REVISED CODE

County of Athens	) ss:	
County of Athens	)	
Lenn	y Eliason	being first duly sworn, says that:

- Affiant is the President of the Athens County Board of Commissioners, 15 S. Court Street, Athens, Ohio, 45701.
  - The Public Authority will be commencing a public improvement identified as follows: ATH-CR34/CR48-2.54/VAR LANDSLIDE REPAIRS with contract signed on 6/5/2019.
- The following lists the name, address and trade of each of the principle contractors working on this public improvement:

NAME

State of Ohio.

ADDRESS

Alan Stone Company Inc.

1324 Ellis Run Road, Cutler, Ohio 45724

 The following lists the names and addresses of the sureties for all of those principle contractors:

#### PRINCIPLE

CONTRACTOR

NAME OF SURETY

ADDRESS OF SURETY

Alan Stone Company Inc.

Western Surety Company

One PPG Place, 29th Floor, Suite 2920

Pittsburgh, PA 15222

 For the purpose of serving an affidavit pursuant to Revised Code 1311.26, service may be made upoglithe following representative of the Public Authority:

Lenny Einson

President of Athens County Board of Commissioners

15 S. Court Street, Athens, Ohio, 45701.

SWORN TO before me and subscribed in my presence this 18 Day of June , 2019.





## NOTICE OF COMMENCEMENT OF PUBLIC IMPROVEMENT SECTION 1311.252 OHIO REVISED CODE

State of Ohio,	ì	
	) 550	
County of Athens	ì	
Farm	u Elisaa	being first duly swoon

- Affiant is the President of the Athens County Board of Commissioners, 15 S. Court Street, Athens, Ohio, 45701.
  - The Public Authority will be commencing a public improvement identified as follows: ATH-CR109-0.13-0.24 LANDSLIDE REPAIRS with contract signed on 6/5/2019.
- The following lists the name, address and trade of each of the principle contractors working on this public improvement:

NAME

ADDRESS

Shelly and Sands, Inc.

1515 Harmon Ave, Columbus, Ohio 43223

4. The following lists the names and addresses of the sureties for all of those principle enameters:

PRINCIPLE

CONTRACTOR Shelly and Sands, Inc. NAME OF SURETY Ohio Farmers Insurance Co./ ADDRESS OF SURETY 4125 Highlander Parkway/

Travelers Casualty and Surety

6150 Oak Tree Blvd,

Company of America

Richfield/Independence,OH 44286/44131

 For the purpose of serving an affidavit pursuant to Revised Code 1311.26, service may be made upon the following representative of the Public Authority:

anno Albrenn

President of Athens County Board of Commissioners

15 S. Court Street, Athens, Ohio, 45701.

SWORN TO before me and subscribed in my presence this 18 Day of June , 2019.



Notary Public

#### NOTICE OF COMMENCEMENT OF PUBLIC IMPROVEMENT SECTION 1311.252 OHIO REVISED CODE

June of Onio,		
	) ss:	
County of Athens	)	

Come of Mile

Lenny Eliason being first duly sworn, says that:

- Affiant is the President of the Athens County Board of Commissioners, 15 S. Court Street. Athens, Ohio, 45701.
- The Public Authority will be commencing a public improvement identified as follows: <u>ATH-CR20-2.82 & ATH-CR42-4.48 LANDSLIDE REPAIR PROJECTS</u> with contract signed on 6:3/2019.
- The following lists the name, address and trade of each of the principle contractors working on this public improvement:

NAME

ADDRESS

George J. Igel & Co., Inc.

George J. Igel & Co., Inc.

2040 Alum Creek Drive, Columbus, OH 43207

 The following lists the names and addresses of the sureties for all of those principle contractors:

PRINCIPLE

CONTRACTOR

NAME OF SURETY

Ohio Farmers Insurance Co.

ADDRESS OF SURETY

2000 Polaris Parkway Columbus, OH 43240

 For the purpose of serving an affidavit pursuant to Revised Code 1311.26, service may be made upon the following representative of the Public Authority:

Lenny Etinson

President of Athens County Board of Commissioners

15 S. Court Street, Athens, Ohio, 45701.

SWORN TO before me and subscribed in my presence this 18 Day of June . 2019.



Notary Public

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S ege9 - 3 xbradgA	Adhead County	Subdivision Name			

AUTHORIZED CERTIFICATIONS

be closed upon processing this request. As described in Appendix D of the Project Agreement, your minimum

(Note: Changes to project afficials must be submitted in writing.)

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Percentage Contribution is 69% of the total project cost.

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Chief Financial Officer

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# APPENDIX E - DISBURSEMENT REQUEST FORM AND CERTIFICATION OHIO BUBLIC WORKS COMMISSION

DISBURSEMENT REQUEST NUMBER:

ond ("Director of the Ohio Public Works Commission ("Director") and Insuresting the Project Agreement of PWG outside the Section 8 of the Project Agreement

thens County (009-00009) Athens County (hu "Recipient"), dated

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Any such person who acquires an incompatible or conflicting personal interest, on or after the effective date of this Agreement, or who involuntarily acquires any such incompatible or conflicting personal interest, shall immediately disclose his or her interest to Grantor in writing. Thereafter, he or she shall not participate in say action affecting the work under this Agreement, unless Grantor shall determine in its sole discretion that, in the light of the personal interest disclosed, his or her panicipation in any such action would not be contrary to the public interest.

**JOURNAL** 

110

Grantee certifies that by executing this Agreement, it has reviewed, knows and understands the State of Ohio's ethics and conflict of interest laws. Grantee further agrees that it will not engage in any action(s) inconsistent with Ohio ethics laws or any Executive Orders

- Contract: All contracts by the Orantee for Program Services must be in writing, contain performance criteria, have itemized service costs, indicate responsibilities of parties' involved, state performance criseria, nave stamace service cook, indicate responsionates to particular accounts officials before their implementation. A copy of such contract(s) shall be forwarded to the Chief of the Bureau of Community Sanctions.
- 14. Finding for Recovery: The Grantee warrants that it is not subject to an "unresolved" floding for recovery under RC 9.24. If the warranty is deemed to be false, this Agreement is void ab initio and the Grantee must immediately repay any Funds to the Okio Department of Rehabilitation and Correction, or the Ohio Attorney General If the collection is so referred.
- 15. Standards: The Grantee shall comply with the laws and rules for subsidy awards to municipal corporations and counties as set forth in RC \$149.31, RC \$149.35, and OAC rais \$120:1- 5-06. In accordance with paragraphs (C) and (D) of OAC rule 5120;1-5-06, the intensive supervision probation deviation cap shall be ten percent during the term of this Agreement, and if said cap is impermissibly exceeded then Funds shall be reduced.
- Certification of Funds: It is expressly understood and agreed by the Parties that none of the rights, duties, and obligations described in this Agreement shall be binding on either Party until all relevant statutory provisions of the Obio Revised Code, including, but not limited to, RC 126.07, have been complied with, and until such time as all necessary Funds are available or encumbered and, when required, such expenditure of Funds is approved by the Controlling Board of the State of Ohio, and further, until such time that Grantor gives Grantee the "Community Based Correction Act Program Grant Approval" letter that such Funds are available to Grantee.
- 17. Compliance with Laws: Grantee, in the execution of duties and obligations under this Agreement, agrees to comply with all applicable federal, state and local laws, rules, regulations and ordinances.
- Drug Free Workplace: Orantee agrees to comply with all applicable federal, state and local laws regarding smoke-free and drug-free work places and shall make a good faith effort to ensure that none of its employees or permitted subcontractors engaged in the work being performed hereunder purchase, transfer, use, or possess titegal drugs or alcohol, or abuse prescription drugs in any way.
- Campaign Coatributions: Grantee hereby certifies that all applicable parties listed in Divisions (I) (3) or (I) (3) of RG 3317.13 are in full compliance with Divisions (I) (I) and (I) (I) of RG

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Entire Agreement or Walver: This Agreement contains the entire agreement between the Parties and shall not be modified, smended or supplemented, or any rights herein waived, unless specifically agreed upon in writing by the Parties hereto. This Agreement supersedes any and all previous agreements, whether written or oral, between the Parties. A walver by any Party of any breach or default by the other Party under this Agreement shall not constitute a continuing waiver by such Party of any subsequent act in breach of or in default hereunder.

- Netterst All notices, consents, and communications hereunder shall be given in writing, shall be deemed to be given upon receipt thereof, and shall be sent to the addresses first set forth above.
- Headings: The headings in this Agreement have been inserted for convenient reference only and shall not be considered in any questions of interpretation or construction of this Agreement.
- Severability: The provisions of this Agreement are severable and independent, and if any such provision shall be determined to be unenforceable in whole or in part, the ermaining provision and any partially enforceable provision shall, to the extent enforceable in support or provision and any partially enforceable provision shall, to the extent enforceable in any jurisdiction, nevertheless be binding and enforceable.
- 24. Controlling Law: This Agreement and the rights of the Fartles hereunder shall be governed, construed, and interpreted in accordance with the laws of the State of Ohio and only Ohio courts thall have Jurisdiction over any action or proceeding concerning this Agreement and/or performance
- Successors and Assignat Neither this Agreement nor any rights, duties, or obligations hereunder may be assigned or transferred in whole or in part by Grantee, without the prior written consent of
- 16. Prison Rape Elimination Act: If the Program Services are residential services, the Grantee shall adopt and comply with the Prison Rape [limitation Act, National Standards to Frevent, Detect, and Respond to Prison Rape [28 C.F.R. Part 115]. The Grantor shall monitor Grantee to ensure such compliance. The Grantor shall ensure that Grantee has been trained on their responsibilities under Grantor's Policy on sexual abuse and sexual harassment prevention, detection and response.
- 27. Execution: This Agreement is not binding upon Granter unless executed in full.

EX 20231 SET CEA DON'T ACCOUNT

IN WITNESS WHEREOF, the poster hereto have extend this Agreement to be executed by their duly applicated officers, as of the day and year that written above FOR THE GRANTOR Christopher Gatti Cuntisia Maurite Cynible Matter Childopher Galli, Chief Deputy Director of Parale & Community Services Hereau of Cornmunity Sanctions. FOR THE GRANTEF (Commissioners, County Executive of Mayor/City Monageric 6/15/19 County Compliancer District County Executive Stair. ABSENT Casesy Consultioner 6.18:19

Mayor City Manager



# Jill A. Thompson

Athens County Auditor

DTE Form 140R Revised 5/2011 O.R.C. §5705.03(B)

# CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE

The County Auditor of Athens County, Ohio does hereby certify the following:

- 1. On May 9, 2019 the taxing authority of the Athens County Board of Commissioners certified a copy of its resolution or ordinance adopted May 7, 2019 requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by Twenty-Five Tenths (0.25) mills, to levy a tax outside the 10-mill limitation to provide or maintain senior citizen services or facilities pursuant to Revised Code §5705.19 (Y) to be placed on the ballot at the November 5, 2019, General Election. The levy type is a Renewal.
- The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be <u>\$ 251,707</u>, \*
- The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$ 1,161,064,630.

Jill A. Thompson, Athens County Auditor

May 10, 2019 Date





<sup>\*</sup> Estimate calculated based on a 5% delinquency.