

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

**Agenda**

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

Athens County Board of County Commissioners

Meeting Agenda for Thursday, March 14, 2024 Convenes at 9:30 a.m.

Approve Agenda

Approve Minutes March 7, 2024

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

Fund to Fund Transfer- Health Dept Reno-\$26,700.00 from 662-2662-580100 Trans out into 021-2021-422101 Trans In

9:30

9:45

10:00

10:15 Tom Todd - Village of Coolville

10:30 W&S Supt Rich Kasler - weekly updates

10:45 Joshua Grossman- Children Services Bond

11:00

11:15

11:30 LUNCH

**Agenda Items**

Engineer Stone & Asphalt Ads

Amesville Senior Request

Otis SVC & Repair Order for County Home & Annex (Ratify Lenny's signature)

911 Hire Shift Supervisor

Health Insurance review committee recommendation letter

EMS Surplus

Beechwood DR- Sewer Connection

FVRC Letter of Support

DLZ Invoice - Unsewered Area Study to be paid with ARPA Funds

DLZ Invoice - Village of Albany Sewer Project to be paid with ARPA Funds

Fields Excavating Invoice - Pmt# 4 Village of Albany Sewer Project to be paid with ARPA Funds

DJFS New Hire - Tracy Nichols as Account Clerk 3

The Righter Co - Hartman Rd Lift Station (Signature)

-add Road Trip to New 911 Building

-add Vacation Allotment

**~TRAVEL**

DJFS Dir. Jean Demosky; OJFSDA 2024 Executive Board Meeting, Lewis Center OH; March 14-15

Joe Frazier, WIOA Director - 3/20/2024-Ohio Workforce Mtg- Columbus, Ohio

JoAnn Rockhold- CEBCO-4/5/2024- Embassy Suites Columbus- Airport Drive, Columbus, OH 43219

JoAnn Rockhold & Alison Pierson Safety Congress -3/26-29/2024- Great Columbus Convention Center, Columbus, OH 43219

EMA Melissa Blank; Spring Conference SEU Ohio Events SVC, Columbus OH; April 15-17

EMA Teresa Fouts-Imler; EMA Conference 8405 Pulsar Place Columbus OH; April 16-17

Candy Russell, Heather Stack, Dottie Adkins, Shannon Lemley, Jayliegh Zaayer -APRIL 17-18-Nationwide Center Lewis, OH

**ADJOURNMENT**

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

**Minutes**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the minutes for March 7, 2024.

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

**Appropriations, Transfers, New Line Items Requests/Changes & Bills**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins approving the Appropriations, Transfers, New Line Items Requests/Changes including the Fund to Fund Transfer Health Dept Reno \$26,700.00 from 662.2662.580100 Trans Out to 021.2021.422101 Trans In and approving the payment of the required County Bills, which are included in the Auditor's Office INVOICE TRACKING REPORT - from: March 7, 2024 to: March 14, 2024 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. Chmiel, yea; Mr. Adkins, yea.

**Engineer - Stone & Asphalt Ads**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the Bid for Stone & Asphalt Ads.

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

**Amesville Senior Request**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins

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

**Otis SVC & Repair for County Home & Annex (Ratify Lenny's Signature)**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to ratify Commissioner Eliason's signature on the Otis SVC & Repair for County Home in the amount of \$1,205.72 and Annex in the amount of \$1,408.84 for replacing the emergency return unit batteries to provide emergency power to the car.

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

**911 Hire Shift Supervisor**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the 911 hiring of a Shift Supervisor as recommended by Dir. Teresa Fouts-Imler:

Catherine Hawley start date of April 5, 2024

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

**Health Insurance Review Committee Recommendation Letter**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the Health Insurance Review Committee's Recommendation Letter to eliminate Snider Stroh Insurance effective March 31, 2024:

March 8, 2024

Board of County Commissioners,

Recently a work group was formed to examine the rising costs of the county health insurance costs. The group has met with a representative of CEBCO. During that meeting it was discovered that the county has been paying an additional 1 % commission for the policy to the county's former insurance agency.

This payment is not a portion of our plan and something the county added on its own request. The 1 % is estimated to be \$100,000.00 in 2024. This expense is shared by the county and the employee. Terminating this relationship will be an instant savings to the county and the employees.

Cancelling will result in no charge in services or coverage to the employees.

It is the recommendation of this group to terminate immediately, notify CEBCO to stop the payment to Snider Stroh Insurance Partners, formally Snider Fuller and to notify the county auditor to reduce employee share and amount paid to CEBCO.

/s/ Chris Chmiel

/s/ Jack Pepper

/s/ Keller J. Blackburn

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

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the recommendation to dissolve the partnership. The Prosecutor's Office will send a letter to Snider Stroh Insurance, see attached letter on back of page 108.

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

**EMS Surplus**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the following surplus as requested by Chief Amber Pyle:

Description	Model #	Serial #
Electric Dryer from Glouster Station		

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

**DLZ Invoice - Unsewered Area Study to be paid with ARPA Funds**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the DLZ Invoice - Unsewered Area Study to



**KELLER J. BLACKBURN**  
Athens County Prosecuting Attorney

Athens County Courthouse  
1 South Court Street  
Athens, Ohio 45701  
Phone: 740-592-3208  
Fax: 740-592-3291

March 22, 2024

Snider Stroh Insurance Partners  
5 Depot Street  
Athens, Ohio 45701

Re: Notice on Voluntary Commission

To Whom It May Concern:

I am writing to inform you that the Athens County Board of Commissioners have voted to no longer pay the voluntary 1% commission for the County's insurance. Please accept this letter as notice to that effect.

Should you have any questions, please feel free to contact the Athens County Board of Commissioners at your leisure.

Sincerely,

Timothy L. Warren  
Assistant Athens County Prosecutor

CC: JoAnn Rockhold

be paid with ARPA Funds in the amount of \$2,084.20.

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

**DLZ Invoice - Village of Albany Sewer Project to be paid with ARPA Funds**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the DLZ Invoice Village of Albany Sewer Project to be paid with ARPA Funds in the amount of \$518.75.

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

**Fields Excavating Invoice - Pmt# 4 Village of Albany Sewer Project to be paid with ARPA Funds**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the Fields Excavating Invoice PMT# 4 Village of Albany Sewer Project to be paid with ARPA Funds in the amount of \$128,075.54.

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

**DJFS New Hire - Tracy Nichols as Account Clerk 3**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve DJFS New Hire as recommended by Dir. Jean Demosky:

Tracy Nichols as Account Clerk 3 with CSEA with a pay rate of \$20.99 hr. start date of March 25, 2024

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

**The Righter Co - Hartman Rd Lift Station (Signature)**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve Commissioner Eliason to sign The Righter Co - Hartman Rd Lift Station Est# 4 in the amount of \$17,663.26.

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

**Travel**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the following travel:

DJFS Dir. Jean Demosky; OJFSDA 2024 Executive Board Meeting, Lewis Center OH; March 14-15

Joe Frazier, WIOA Director - 3/20/2024-Ohio Workforce Mtg- Columbus, Ohio

JoAnn Rockhold- CEBCO-4/5/2024- Embassy Suites Columbus- Airport Drive, Columbus, OH 43219

JoAnn Rockhold & Alison Pierson Safety Congress -3/26-29/2024- Great Columbus Convention Center, Columbus, OH 43219

EMA Melissa Blank; Spring Conference SEU Ohio Events SVC, Columbus OH; April 15-17

EMA Teresa Fouts-Imler; EMA Conference 8405 Pulsar Place Columbus OH; April 16-17

Candy Russell, Heather Stack, Dottie Adkins, Shannon Lemley, Jayliegh Zaayer -APRIL 17-18-Nationwide Center Lewis, OH

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

**Road Trip to New 911 Building**

The Commissioners and Staff will be visiting the New 911 Building on Tuesday March 19 th at 8:30.

**Vacation Allotment**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins approving Commissioner Eliason's signature on the vacation leave time record sheet (over the allotted amount) for JoAnn Rockhold, Clerk to the County Commissioners.

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

**FVRC Letter of Support**

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the letter of support for FVRC: March 14, 2024

**To Whom This May Concern**

As long term residents of Athens County and a County Commissioner, we are well aware of the hardships citizens of rural Appalachia face. These hardships were exacerbated by the effects of Covid. In response to these realities, we have witnessed the members of FVRC create and execute accessible, essential, services for our rural residents in a traditional Appalachian grassroots fashion. They have networked to provide resources that expand access to health wellness service, workforce development training, and education to K-12. This has been actualized by working with other community organizations such as Community Foods Initiatives, OU's Heritage College of Osteopathic Medicine, and Federal Hocking Local Schools to creatively spread resources throughout our region and serve multiple SEOH's counties.

Our small rural communities need a resurgence of pride and encouragement to preserve their histories and to create new and innovative ideas; they cannot do so without first being sure that their basic needs are met. FVRC recognizes this and provides needed services such as the food pantry, workforce development programming and the thrift store while simultaneously offering classes in traditional Appalachian folk skills, art and music and building mentorship relationships with Federal Hocking High School Students.

Members of FVRC have shared with us their vision of renovating the campus to be multi-functional, serving as an Appalachian traditional folk art and folk skills school, attracting locals and tourists alike, as well as serving as a business incubator hub. They envision doing this while maintaining and expanding upon their current programs and services, such as renovating the original home economics classroom to be a community kitchen. It is organizations like the FVRC that are offering long term solutions to systemic problems that have plagued Appalachia for too long.

It is essential that we protect relics of our community, like historical buildings such as the FVRC campus. It is of even more urgency and importance that we do so when they are remaining in use to serve, support and uplift our underserved rural communities in the ways the Federal Valley Resource Center is.

We fully support renovations being made to the FVRC main building so that it may better serve the rural communities of SEOH. Thank you for your consideration of their application.

Sincerely

/s/ Lenny Eliason

/s/ Charlie Adkins

/s/ Chris Chmiel

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

**Tom Todd - Village of Coolville**

Tom Todd brought in the plans from DLZ for Coolville Water System Improvements and stated they applied for the WSRLA grant and is still waiting to hear if they get the grant. Tom is asking for funding for DLZ that will provide services outlined herein for a fee not to exceed \$94,100.00 and within 12 months of receiving a written "Notice to Proceed" in the form of a purchase order referencing this proposal or this proposal agreement signed by an authorized individual from the Village. Tom is also working with HAPCAP to see if there are any grants that they can help with.

**W&S Supt. Rich Kasler & DLZ Gary Silcott - Weekly Updates**

US 50 Sanitary Sewer Project Update

March 14, 2024

contracts as of February Construction Meeting

Contract A is 100 % construction complete and 100 % of contract time. Connect Notices went out 03/14/2023

Contract B is about 100 % construction complete and 100 % contract time. Connect Notices went out 01/20/2023

Contract C is about 100 % construction complete and 100 % contract time. Connect Notices went out 01/20/2023

Contract D is about 100 % construction complete and 100 % contract time. Connect Notices went out 03/14/2023

Contract E is complete Connect Notices went out 10/18/2022

Phase 5 is about 100 % of construction complete and 85 % of contract time Connect Notices went out 06/23/2023

Elliotsville is about 99 % of construction complete and 100 % of contract time. Electric done by mid February

Phase 6 and 7 is about 68 % of construction complete and 55 % of contract time. NTP 3/15

Radford Road Close status

Contract A, B, C, D, E and Ventura complete and Elliotsville are mostly complete

Outlay report attached for current budget

Proposed Rate \$52.50 base rate and \$5.51 per 1,000 gallons

Unsewered Area Study - County paying for through ARPA, had call with OEPA on New Marshfield, need to make decision if want to start on design, looking at taking sewer to The Plains. Public Meeting January 9<sup>th</sup> in New Marshfield Congressional Earmark of \$2 million dollars sent to committee but was not funded! WPLCF Renomination Submitted. Additional WWIG Application submitted, met with Bladensburg on 12/14 to meet with operators to discuss sand bioreactor treatment plant. \$250,000 PF for design awarded by OEPA. Project area flown, call with OEPA on 3/19 to discuss regional options.

Paving Bid to cover rest of paving needed, Contractors willing to non-perform asphalt on their contracts to allow for contingency funds to finalize Phase 6 & 7. DLZ prepare bid package and get it out to bid. Estimating \$2 million dollars with no berm and no striping. Awarded to McKee Paving for base bid of \$1,867,580.00, Jeff Maiden wants to add 617 Aggregate Berm, 257 CY at a cost of \$30,840 for county roads. Paving Started, Elliotsville, Shaw, Bails, Sesame, Fisher Rd, Bentbrook, Clover, Fullview Heights, Rolling Hills, Selby, Beal, Ervin, Cornell, Beechwood, Estates, Thelma, Tammy, Edria, Gilham, Happy Valley MHP, Elinor Dr. And 1 st part of Radford complete, Paver will be back mid-October to

complete what they can for this year which looks to be Salem, Kramer, Whitland, Brookside Way and Edgewood. McKee proposing to be back end of Spring to wrap up.

Proposed Connection Schedule	Connect Notice Sent Out	First Bill Date
Contract E	10/18/2022	01/18/2023
Contract C	01/20/2023	04/20/2023
Contract B	01/20/2023	04/20/2023
Contract A	03/14/2023	06/14/2023
Contract D	03/14/2023	06/14/2023
Phase 5	06/23/2023	09/23/2023
Elliotsville	03/18/2024	06/18/2024
Phase 6 & 7	06/01/2024	09/01/2024

Commissioner Eliason had some concerns with the wording of the letter that will be going out for the billing, he feels that the wording of the 90 days needs to be looked at and reworded. Supt. Rich Kasler said they can't give a date because they don't know an exact date for the billing. Commissioner Eliason stated that it should say The first billing period that falls 90 days after the date of this letter.

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to send the letter for connection.

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

**W&S - Beechwood Dr. - Greg Grippa**

Commissioner Eliason questioned Supt. Rich Kasler why he is making Mr. Grippa run an 8 inch pipe to the house when they have let people run 4 inch pipe for grinder pumps to the house. Supt. Rich Kasler stated that it was policy to have the main line frontage to get service. Commissioner Eliason wanted to know if the customer is maintaining the line versus us maintaining the line, what is the difference? Supt. Kasler said typically the further run you get over 200 ft, you start having issues with a 4 inch line plugging up.

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to grant a variance to the main line frontage requirement for this property to a six inch tap, with the condition of a recorded easement.

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

**Joshua Grossman - Children SVC Bond Resolution**

Joshua Grossman brought to the Commissioners the authorizing bond resolution for the Children Services Project. The par amount of the bonds won't exceed \$13 million may come in under that may be slightly over with Premium if premium generated, the Par amount won't exceed \$13 million for the project. The interest rate is not allowed to exceed 6 %.

Commissioner Adkins concern about the Children Service Project is that it is his understanding doing the project that it does not take away from any benefits or any services that's going to the children. Dir. Otis Crockron said it only increases the services and makes it a higher quality. The income that the agency gets clearly has to be for housing as well and housing our staff. The Commissioners stated that they don't want the \$2.5 million that is set aside to be touched unless there is an issue down the road with payment.

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to approve the resolution as presented see pages 111 (Back) through 114.

**CERTIFICATE OF MEMBERSHIP**

The undersigned, Clerk of the Board of County Commissioners of the County of Athens, Ohio, hereby certifies that the following were the duly elected or appointed and acting members of the Board of County Commissioners and officers of said County during the period proceedings were taken authorizing the issuance of not to exceed \$13,000,000 Various Purpose Building Bonds, Series 2024:

County Commissioner	Lenny Eliason
County Commissioner	Chris Chmiel
County Commissioner	Charlie Adkins
County Treasurer	Ric Wasserman
County Auditor	Jill Davidson
Prosecuting Attorney	Keller J. Blackburn
Clerk/Administrative Assistant	JoAnn Rockhold

  
Clerk

**TRANSCRIPT CERTIFICATE**

The undersigned, Clerk of the Board of County Commissioners, hereby certifies that the attached is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified bonds, and that all such proceedings were held in compliance with the law, including Section 121.22 of the Ohio Revised Code.

  
Clerk

**CERTIFICATE AS TO MAXIMUM MATURITY OF BONDS**

The undersigned, being the fiscal officer of the County of Athens, Ohio (the "County"), within the meaning of Section 133.01 of the Ohio Revised Code (the "Code"), hereby certifies to the Board of County Commissioners of such County in connection with the proposed issuance of not to exceed \$13,000,000 of general obligation bonds (the "Bonds") for the purpose of paying part of the cost of acquiring, constructing, renovating, and improving real property and buildings for use by the County's Children Services Department, including paving, furniture, equipment and furnishings, landscape planting and other site improvements, the demolition of existing buildings, and all other necessary appurtenances related thereto (the "Project") that:

- a. The estimated life or period of usefulness of the Project financed is at least five (5) years;
- b. The maximum maturity of the Bonds, assuming that:
  - i. \$11,750,000 is expended for real property and building acquisition, construction, renovation, and improvement for which I hereby estimate the maximum life or period of usefulness as set forth in Section 133.20 of the Code;
  - ii. \$600,000 is expended for paving for which I hereby estimate the maximum life or period of usefulness as set forth in Section 133.20 of the Code;
  - iii. \$375,000 is expended for landscape planting and other site improvements for which I hereby estimate the maximum life or period of usefulness as set forth in Section 133.20 of the Code; and
  - iv. \$275,000 is expended for furniture, fixtures and equipment for which I hereby estimate the maximum life or period of usefulness as set forth in Section 133.20 of the Code;

is at least thirty (30) years, as computed pursuant to Sections 133.19 and 133.20 of the Ohio Revised Code.

IN WITNESS WHEREOF, I have hereunto set my hand, this 14th day of March, 2024.

  
County Auditor  
Athens County, Ohio

ENTERED IN COMMISSIONERS' JOURNAL  
NO. 119, PAGE NO. 107

The Board of County Commissioners of the County of Athens, Ohio, met in regular session at 9:30 o'clock A.m., on March 14, 2024, at the office of said board of county commissioners, 15 South Court Street, Athens, Ohio, with the following members present:

Lenny Eliason      Charlie Adkins      Chris Chmiel

Absent: N/A

Mr. Chmiel moved the adoption of the following resolution:

COUNTY OF ATHENS, OHIO

RESOLUTION NO. 119-107

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,000,000 OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING, CONSTRUCTING, RENOVATING, AND IMPROVING REAL PROPERTY AND BUILDINGS FOR USE BY THE COUNTY'S CHILDREN SERVICES DEPARTMENT, INCLUDING PAVING, FURNITURE, EQUIPMENT AND FURNISHINGS, LANDSCAPE PLANTING AND OTHER SITE IMPROVEMENTS, THE DEMOLITION OF EXISTING BUILDINGS, AND ALL OTHER NECESSARY APPURTENANCES RELATED THERETO, AND MATTERS RELATED TO SUCH BONDS.

WHEREAS, this board of county commissioners (the "Board") of the County of Athens, Ohio (the "County"), has heretofore declared the necessity of acquiring, constructing, renovating, and improving real property and buildings for use by the County's Children Services Department, including paving, furniture, equipment and furnishings, landscape planting and other site improvements, the demolition of existing buildings, and all other necessary appurtenances related thereto (the "Project"); and

WHEREAS, this Board desires to issue bonds in an amount not to exceed \$13,000,000 to pay a portion of the costs of the Project; and

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets comprising the Project to be acquired with the proceeds of the bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of such bonds is thirty (30) years; and

WHEREAS, the Board anticipates that debt service on such bonds will be paid from revenues other than revenues from unvoted County property taxes, derived from leases or other agreements between the County and those agencies, departments, boards or commissions relating to the use of the Project and specifically the County's Children Services Department (the "Revenues");

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Athens County, Ohio:

SECTION 1. That it is necessary to issue and sell bonds of the County in the principal sum of not to exceed \$13,000,000 (the "Bonds") for the purpose of paying part of the costs of the Project, or such lesser amount as the County Auditor or President of the Board (the "President") may determine in the hereinafter defined Certificate of Award, and paying "financing costs," as defined in Section 133.01 of the Ohio Revised Code, related to the issuance of the Bonds, under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. It is hereby determined that notes shall not be issued in anticipation of the Bonds.

SECTION 2. That the Bonds shall (i) be issued in a principal amount not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated, (iii) be of denominations, provided that each Bond shall be of a single maturity, (iv) mature or be subject to mandatory sinking fund redemption on dates and in amounts, provided that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable (whether due to maturity or mandatory sinking fund redemption) shall be not more than three times the amount of such payments in any other fiscal year, and provided further that the final maturity of the Bonds shall be not later than December 1, 2054 or the latest maturity date permitted by law, and (v) bear interest payable semiannually on dates and at a rate or rates per annum, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed six percent (6%) per annum, all as determined by the County Auditor or President, acting alone or together, without further action of the Board in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Bonds shall be subject to redemption prior to maturity at the option of the County upon such terms, at such times, and such price or prices, if any (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), or not at all, as may be determined by the County Auditor or President in the Certificate of Award without further action of the Board.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts equal to the minimum authorized denomination of the Bonds (the "Minimum Authorized Denomination") or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than the Minimum Authorized Denomination are then outstanding, each Minimum Authorized Denomination unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination equal to the Minimum Authorized Denomination. If one or more, but not all, of such units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a Minimum Authorized Denomination unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the Minimum Authorized Denomination unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by certified mail, return receipt requested, at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

The Bonds shall be designated "County Building Bonds, Series 2024 (ACCS Project)" or as otherwise provided in the Certificate of Award.

It is hereby determined by the Board that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of the Board and of the County Auditor (each, an "Authorized Officer"), provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and

shall bear the manual authenticating signature of the County Auditor as the paying agent, registrar and transfer agent for the Bonds, or an authorized officer of a bank or trust company designated by the County Auditor or President in the Certificate of Award without further action of this Board to serve in such capacity (in either case, the "Paying Agent and Registrar"). The principal amount of each Bond shall be payable at the designated office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively, or such other dates as set forth in the Certificate of Award) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at such holder's address as it appears on such registration records, or as otherwise provided in the Certificate of Award.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the designated office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar and upon such other terms as may be set forth in a Certificate of Award. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, levied, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof; provided, that in each year to the extent that the Revenues or moneys from other sources are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of the Revenues or such moneys so available and appropriated.

This Board of County Commissioners hereby covenants on behalf of the County that there shall be annually appropriated from the Revenues a sufficient amount to cover principal of and interest on, and any financing costs relating to, the Bonds as they become due. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due.

SECTION 5. That the Bonds shall be sold to Robert W. Baird & Co. Incorporated (the "Purchaser") at not less than 97% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor or President without further action of the Board in the Certificate of Award pursuant to the Purchaser's offer to purchase which either such officer, alone or together, is hereby authorized to accept. The President, at least two members of the Board, or the County Auditor, or any of them, are hereby separately authorized, alone or with others, to execute and deliver a purchase agreement for the Bonds (the "Purchase Agreement") in such form as may be approved by the officer executing the same, such officer's execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and to make the necessary arrangements with the Purchaser to establish the date, location, procedure and conditions for the delivery of the Bonds to the Purchaser, to give all appropriate notices and certificates and to take all steps necessary to effect the due execution and delivery of the Bonds pursuant to the provisions of the Purchase Agreement. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That the Board hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, the Board represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor, President, or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

Each Authorized Officer and the President is hereby authorized to designate any of the Bonds issued as tax-exempt obligations as "qualified tax-exempt obligations" to the extent permitted by Section 265(b) of the Code and not already deemed so designated if such Authorized Officer or President determines that the reasonably anticipated amount of tax-exempt obligations (whether or not designated as qualified) issued and to be issued by the County during the calendar

year in such Bonds are initially delivered to the Purchaser, including any of such Bonds not already deemed so designated, does not exceed \$10,000,000. Each Authorized Officer, the President, and other appropriate officers, and any of them, are authorized to take such additional actions and give such certifications on behalf of the County with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the County during such calendar year and with respect to such other matters as appropriate under the Code.

SECTION 7. That at least two members of the Board and the County Auditor or President are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 8. That each Authorized Officer, the President, or any other officer, employee or agent of the County, are each hereby separately authorized, alone or with others to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should recommend the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Auditor or President determines in the Certificate of Award that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy, which determination shall be conclusive.

SECTION 9. That each Authorized Officer, the President, or any other officer, employee or agent of the County, are each hereby separately authorized, alone or with others to apply for a rating from one or more national rating services with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the fees and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 10. That at least two members of the Board or the County Auditor or the President are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of the County, which shall be in form and substance approved by the County Auditor or President without further action from this Board, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of the Board, the County Auditor, and the President are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

At least two members of the Board, the County Auditor or the President are each hereby separately authorized to execute and deliver of a continuing disclosure certificate, dated the date of issuance and delivery of the related Bonds (the "Continuing Disclosure Certificate"), in connection with the issuance of those Bonds. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 10. That the law firm of Dinsmore & Shohl LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Bonds and, if appropriate, rendering its approving legal opinion or opinions in connection therewith in accordance with a written agreement with the County which at least two members of the Board, the County Auditor, or the President are each hereby separately authorized to execute and deliver on behalf of the County, as may be approved by such officers. The approval of such agreement by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than the County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) each Bond shall be of a single maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to

receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in the County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of the County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to the County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to the County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Auditor or President are each authorized and directed without further action of the Board to execute, acknowledge and deliver, in the name of and on behalf of the County, a blanket letter agreement between the County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Auditor or President deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, the County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If the County and the Paying Agent and Registrar do not or are unable to do so, the County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 12. That the Clerk of the Board is hereby directed to forward a certified copy of this resolution to the County Auditor.

concerning and relating to the adoption of this resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Mr. Adkins seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Ayes: Mr. Eliason Mr. Adkins Mr. Chmiel

Nays:

ADOPTED: this 14th day of March, 2024.

John Rockhold
Clerk
Board of County Commissioners
County of Athens, Ohio

Prepared by Dinsmore & Shohl LLP

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CERTIFICATE OF CLERK

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on March 14, 2024 and that a copy thereof was certified to the County Auditor on March 14, 2024.

John Rockhold
Clerk
Board of County Commissioners
County of Athens, Ohio

CERTIFICATE AND RECEIPT

The undersigned, County Auditor of the County of Athens, Ohio, hereby certifies the filing and acknowledges receipt this day of a certified copy of the foregoing resolution.

County Auditor
County of Athens, Ohio

Dated: March 14, 2024

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

Adjourn

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

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

John Rockhold
JoAnn Rockhold, Clerk

Alison M. Pierson
Alison Pierson, Assistant Clerk

Lenny Eliason, President

Charlie Adkins, Vice-President

Chris Chmiel
Chris Chmiel