

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

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 Tuesday, May 07, 2024 Convenes at 9:30 a.m.
Approve Agenda
Approve Minutes April 24, 2024
Approve Appropriations, Transfers, New Line Items Requests/Changes, Then & Nows, & Bills

- 9:30 HAPCAP - CHIP Public Hearing # 1
- 9:45 DJFS Dir Jean Demosky - weekly updates
- 10:00 Jack Pepper - Health Dept.
- 10:15 Neill Lane - Athens Ohio Investment Alliance
- 10:30 W&S Supt Rich Kasler - weekly updates
- 10:45 Athens Farmers Market CDBG permanent home - Cara Olsen/Leslie Schaller/Adam Blaney
- 11:00 K&H injection wells in Torch- Roxanne Groff
- 11:15 911 Teresa Fouts-Imler & Catherine Hawley
- 11:20 AEP - Andrea Whaley
- 11:25 EMS Chief Amber Pyle - Personnel & Purchases
- 11:30 LUNCH
- 1:30 Athens Conservancy

Agenda Items

- Amended Certificate
- Utility Permits
- W&S Extensions (Ratify Commissioner Adkins Signature)
- ACSO - Court Security Surplus
- Baird - Underwriter Engagement Letter (Ratify Commissioner Eliason's Signature)
- Washington County Jail Contract
- Engineer TR315 Bridge Advertisement for Bids
- Engineer ATH-CR25-0.16 Landslide Repairs Advertisement for Bids
- Ohio EPA Funding Application (WPCLF) for New Marshfield Sewer (Ratify Commissioner Eliason's Signature)
- Radio Tower Easement Changes (Rescind the Motion on April 16, 2024)
- Capital Fire Protection Quote for the ATCO Building (Ratify Commissioner Eliason's Signature)
- Employment of a Public Employee
- Mike Myers Invoice for Dairy Barn Remainder Amount \$2,851.37 to be paid with ARPA Funds
- Motorola Solutions Invoice for Sheriff's Body Cameras in the amount of \$26,256.00 to be paid with ARPA Funds
- Senior levy

~TRAVEL

WIOA Joe Frazier; OWA Local Board Chair & Director Meeting, Columbus, OH; 05/15/24

ADJOURNMENT

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

Minutes

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the minutes for April 24, 2024.

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

Appropriations, Transfers, New Line Items Requests/Changes, Then & Nows, & Bills

A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins approving the Appropriations, Transfers, New Line Items Requests/Changes and approving the payment of the required County Bills, which are included in the Auditor's Office INVOICE TRACKING REPORT - From: 04/30/2024 To: 05/02/2024, and INVOICE TRACKING REPORT - From: 05/02/2024 To: 05/07/2024 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, absent; Mr. Chmiel, yea; Mr. Adkins, yea.

HAPCAP - CHIP Public Hearing # 1

Agenda

Public Hearing # 1, Athens County, City of Nelsonville, City of Athens

Community Housing Impact & Preservation Program (CHIP)

May 7, 2024 - 9:30 AM

Athens County Commissioner's office, 15 S Court Street Athens Ohio 45701

1. Community Housing Impact & Preservation (CHIP) program overview
2. CHIP Partnership
3. Funding Sources - CDBG, HOME, OHTF (Ohio Housing Trust Fund)
4. Eligible Activities
 - A. Home Rehabilitation (Owner & Rental)
 - B. Home Repair (Owner & Rental)
 - C. Home ownership Assistance (Down payment, Rehabilitation)
 - D. Tenant-Based Rental Assistance
5. National Objective
6. Application due date - June 20, 2024

DJFS Dir Jean Demosky - Weekly Updates

1. Program Updates
 - In-Demand Jobs Week Open House Today & other sessions
 - OJFSDA Training Conference in Columbus
 - State General Session for Directors
 - 16 Staff Attending Training Thursday-Friday
 - Next Tuesday 5/14/24 Athens County Family Services Planning Committee Meeting
 - Title XX on the Agenda
2. Contracts/Business
 - Startec Security
 - HR Crippen
 - Thank you Jeff for weekend assistance
3. Facilities
 - Thank you Maintenance for getting the facility tidy and ready for show
 - One-day Occupancy 5/15/24
 - Flower Day 5/21 CH
4. Human Resources
 - Absence Policy

DJFS - Startec Security Contract

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Startec Security Contract Amendment # 1 as requested by Dir. Jean Demosky:

Total \$ Value: \$19,000.00 (additional \$3,080.00)
 Contract Period: 02/15/24 - 02/14/27
 Accts & Code to be charged: 010/510050 - County Home Site
 Billing Procedure: Equipment & first month's fees paid upon contract approval. Monthly payments thereafter
 Performance Measures in the Contract: Monthly Invoices reviewed by ACDJFS Staff
 Complete copy of contract on file in the Commissioners Office.

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

DJFS - Absence Policy

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the DJFS Absence Policy as recommended by Dir. Jean Demosky: DJFS Absence Policy on back of page 188 through back of page 189. Complete copy on file in the Commissioner's Office.

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

ABSENTEEISM POLICY:

The work of every Athens County Department of Job & Family Services employee is necessary and valued for the overall efficient operation of the Agency. Absences and late arrivals disrupt this service, reduce efficiency, and increase the need for overtime. Therefore, timely reporting to work and regular attendance should be the goal of every employee. However, ACDJFS recognizes that some absences will occur because of employee/family illnesses and/or other personal reasons.

DEFINITIONS:

Documented sick leave - use of approved time off for the following reasons: bereavement leave, certified workers' compensation leave, and FMLA; or use of sick time with documentation from a physician or licensed practitioner will be considered documented sick time.

Documentation must be submitted within three (3) days of the employee's return to work or by the payroll processing date for the pay period in which sick time is used, whichever is sooner.

Undocumented sick leave - use of time off where documentation from a physician or licensed practitioner has not been secured and/or submitted as defined above.

Leave without pay status (LWOP)- payroll status where the employee is absent from work and in an unpaid status (for any portion of a workweek) because they have no available/acrued benefit time. Any incident of LWOP status may result in progressive disciplinary action up to and including discharge (except for FMLA protected absences, contractual extended leave absences, and absences approved as part of the preemployment process).

No call/no show - Not reporting to work and not calling to report the absence. Any no call/no show lasting three (3) days is considered job abandonment and will result in immediate termination of employment, absent extenuating circumstances.

PROCEDURE:

Absenteeism

Employees are expected to be at work as scheduled to ensure that the needs of our clients and customers (internal & external) are met appropriately each business day. For that reason, employees are encouraged to make a best effort to schedule time off from work well in advance and with prior approval from their supervisor to ensure coverage.

However, the Agency understands that there are occasionally situations that arise requiring an employee to be absent from work without the ability to have prearranged time off. As such, ACDJFS requires staff to maintain an acceptable sick time balance so that all absences are covered by paid time off.

Staff will have no fewer than 80 hours of accrued available sick time banked.

Staff in their new hire probationary period will have no fewer than 40 hours of accrued available sick time banked.

Employees without the acceptable level of banked sick time for undocumented absences will be subject to absence counseling and then progressive disciplinary action process. For staff not in their new hire probationary period, properly documented absences will not count against the employee and will not

lead to possible discipline procedures if their sick time balance falls below the threshold. Staff in their new hire probationary period will participate in absence counseling for all absences.

If an employee does not have sufficient accrued sick time in their bank at the time of the call off, hours will be automatically deducted from the employee's vacation, compensatory, or personal time bank(s). If the employee does not have accrued time in any bank to cover the full absence period, the employee will be considered on leave without pay status (LWOP) for the number of hours short.

Except for FMLA protected absences, contractual extended leave absences, and absences approved as part of the preemployment process, employees submitting an undocumented absence leading to a request for Leave Without Pay status will be subject to the progressive disciplinary action process. For staff not in their new hire probationary period, properly documented absences will not lead to discipline. Under normal circumstances, staff in their new hire probationary period will not be permitted to take LWOP.

The employee's supervisor is responsible for tracking each employee's absenteeism rate. Human Resources may be asked to verify the information based on the payroll records at any time.

Absence Counseling
Confidential

TO:
FROM:
DATE:
E: Absence Counseling

The purpose of this absence counseling is to define serious areas of concern, gaps in your attendance, dependability, reiterate Athens County Job & Family Services expectations, and allow you the opportunity to demonstrate improvement and commitment. Absence Counseling is not a form of discipline.

Areas of Concern:

Unexcused dates and times (reported to work late, left work early, and absences):

Observations, Previous Discussions or Counseling:

Absence Counseling Form 2024

Step 1: Improvement Goals:

1.	
2.	
3.	

Step 2: Corrective Action Plan:

Goal #	Activity	How to Accomplish	Start Date	Project Completion Date
1.				
2.				

Absence Counseling Form 2024

Step 3: Resources and Management Support: Listed below are resources available to you to complete your improvement activities (may include other people's time or expertise, funds for training materials and activities, or time away from usual responsibilities.) Listed below are ways in which your manager will support your improvement activities.

1.	
2.	
3.	

Step 4: Expectations: The following attendance standards must be accomplished to demonstrate progress towards achievement of each improvement goal:

1.	
2.	
3.	

Step 5: Progress Checkpoints: The following schedule will be used to evaluate your progress in meeting your improvement activities. Dates may need to be altered slightly if scheduling conflicts occur.

Follow-up Updates: You will receive feedback on your progress according to the following schedule:

Date Scheduled	Activity	Conducted By	Completion Date	Outcome
				Considerable Improvement <input type="radio"/> Slight Improvement <input type="radio"/> No Improvement <input type="radio"/>
				Considerable Improvement <input type="radio"/> Slight Improvement <input type="radio"/> No Improvement <input type="radio"/>
				Considerable Improvement <input type="radio"/> Slight Improvement <input type="radio"/> No Improvement <input type="radio"/>

Considerable Improvement – 50% or better dependability
 Slight Improvement – 25% - 49% increased dependability
 No Improvement – 25% or less dependability

Absence Counseling Form 2024

Timeline for Improvement, Consequences & Expectations:

Effective immediately, you are placed on a 90-day Attendance Counseling plan. During this time, you will be expected to make regular progress on the plan outlined above. Failure to meet the goals and expectations required for improvement may lead to the initiation of the discipline process.

The contents of this Attendance Counseling are to remain confidential. If you have questions or concerns regarding the content of this Attendance Counseling, you will be expected to follow up directly with me.

We will talk by email, and/or meet in person or virtually as noted above to discuss your Absence Counseling Plan. Please schedule accordingly.

Signatures:

Print Employee Name:

Employee Signature: _____

Date: _____

Print Supervisor/Manager Name:

Supervisor/Manager Signature: _____

Date: _____

Print Department Head Name:

Department Head Signature: _____

Date: _____

Absence Counseling Form 2024

Absence Counseling Outline

Supervisor/Employee Discussion

- Review attendance policy.
- Identify and review attendance patterns.
- Improvement Conversation:
 - Show concern.
 - Discuss internal and external impact.
 - Collect information for absence reasons.
 - Discuss FMLA and refer to HR when appropriate.
 - 12 months of service
 - 1,250 worked hours
 - Refer pregnancy related absences to HR
 - Provide Employee Assistance Program information.
 - Primary focus is to find a solution.
- Attendance Improvement Plan
 - Discuss the importance of dependability and attendance.
 - Create a detailed plan with specific actions, timelines, and expectations.
 - Specify actions that need to be taken:
 - Arriving on time.
 - Reducing absences.
 - Improving punctuality.
 - Communicate expectations clearly.
 - Define measurables:
 - Tracking absences.
 - Monitoring punctuality.
 - Measure the percentage of improvement in attendance.
 - Provide support and resources to help employee meet agreed goals.
 - Meet regularly and provide feedback.

Amended Certificate

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to acknowledge receipt of the Amended Certificate, dated May 7, 2024 prepared by Jill Davidson, Athens County Auditor.

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

W&S Extensions (Ratify Commissioner Adkins Signature)

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing an extension as requested by Crystal Cole for monies owed the Athens County Water and Sewer District for water and sewer service, the total amount due is \$256.83 with \$256.83 to be paid by 05/22/2024. 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, absent; Mr. Chmiel, yea; Mr. Adkins, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing an extension as requested by Margaret Maynard for monies owed the Athens County Water and Sewer District for water and sewer service, the total amount due is \$135.08 with \$135.08 to be paid by 05/10/2024. 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, absent; Mr. Chmiel, yea; Mr. Adkins, yea.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins authorizing an extension as requested by Brittany Rosser for monies owed the Athens County Water and Sewer District for water and sewer service, the total amount due is \$153.02 with \$83.99 to be paid by 05/09/2024. 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, absent; Mr. Chmiel, yea; Mr. Adkins, yea.

ACSO - Court Security Surplus

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the following ACSO Court Security Surplus:

Property Description	Model #	Serial #
10-Cell Pads	None	None

These are the mats in the cells that are in bad shape, torn up & damaged

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

Baird - Underwriter Engagement Letter (Ratify Commissioner Eliason's Signature)

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to ratify Commissioner Eliason's Signature on the Baird Underwriter Engagement letter.

Complete copy of the Baird letter on file in the commissioners office.

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

Washington County Jail Contract

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the following Washington County Jail Contract as requested by Sheriff Rodney Smith. Contract on back of page 190.

Engineer TR315 Bridge Advertisement for Bids

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Engineer TR315 Bridge Advertisement for Bids as requested by Engineer Jeff Maiden:

Advertisement for Bids

Sealed bids for the ATH-TR315-0.01 Bridge Replacement will received by the Board of County Commissioners of Athens County, Ohio, at their office, 15 S. Court Street, Athens Ohio until 10:00 a.m., Prevailing Local Time on the 28th day of May, 2024 and at that time and place will be publicly opened and read aloud. All bids will be considered valid until 60 days after the opening date, although not accepted or rejected.

The work for which proposals are invited consists of replacing the bridge at ATH-TR315-0.01 with a three span continuous reinforced concrete slab bridge with capped pile piers and capped pile abutments. The estimated total construction cost is \$997,676.42. The bidder must hold a current prequalification with the Ohio Department of Transportation for the appropriate items of work, and must maintain such prequalification during the course of the contract.

Copies of the Construction Plans, Bidding Forms, and Specifications on the Unit Price Contract may be purchased from the Office of the Athens County Engineer, 16000 Canaanville Rd, Athens, Ohio 45701 during regular business hours (7:00 a.m. to 3:30 p.m. Monday through Friday). A non-refundable fee of \$30.00 will be charged for copies mailed or picked up by prospective bidders.

Legal notice and bid documents are also posted on the internet at www.athenscountyengineer.org under the "Bids/RFPs" heading.

Each bid shall contain the full name and address of each person or company interested in the same and must be accompanied by either a bid bond in the amount of 100 percent (100%) of the bid amount with a surety satisfactory to Athens County and The Ohio Department of Transportation (ODOT), or by certified check, cashier's check, or a letter of credit upon a solvent bank in the amount of not less than ten



223 Putnam Street
Marietta, Ohio 45750
740-373-6623

Kevin J. Ritter / ext. 2013 / kriter@wcgov.org
Charlie L. Schilling / ext. 2014 / cschilling@wcgov.org
James W. Booth / ext. 2012 / jbooth@wcgov.org
Fiscal Manager/Clerk
Ben Cowdery / ext. 2011 / bcowdery@wcgov.org

CONTRACT FOR HOUSING PRISONERS
In the
WASHINGTON COUNTY JAIL

WHEREAS, this contract is made this 7 day of May, 2024, by and between the Board of County Commissioners of Washington County, Ohio hereafter referred to as "County", the Sheriff of Washington County, hereafter referred to as "Sheriff", and the Athens County hereafter referred to as "Contractor".

WHEREAS, Contractor wants to use the Washington County Jail to house as prisoners those persons who have been lawfully committed to custody by arrest or court order for any reason, and/or who have been charged with any misdemeanor or felony offense and are awaiting a bond hearing, and/or who are awaiting a trial and have not otherwise posted bail or been released by court order, and/or who serving a jail sentence after conviction.

WHEREAS, this agreement is intended to set forth the rights, duties, responsibilities, and obligations of the County and contractor for the term hereinafter set forth.

WITNESSETH:
In consideration of the mutual covenants herein made, each of the parties agree as follows:

1. The County shall receive, keep, board and safely maintain in the Washington County Jail following persons:
 - a. All persons arrested by _____ for violations of state criminal statutes until such persons have had an initial appearance before a judge, after which such persons shall be deemed to be in the custody of Washington County for purposes of compensation under this contract.
 - b. All persons arrested for violation of municipal ordinances from arrest through termination of any jail sentences imposed for that violation except as provided in paragraphs 4 through 9 below.
 - c. Persons incarcerated pursuant to subparagraphs a. and b. above shall be designated as prisoners in this contract.
2. The cost to be paid to the County by the Contractor shall be the amount of one hundred dollars (\$100.00) per day for each person incarcerated in the Washington County Jail under paragraph 1.
3. Prisoners confined in the Washington County Jail shall be subject to the rules and regulations of the jail, which apply to all the prisoners therein.
4. The County may reject and refuse to receive and prisoners who may be afflicted with a prior medical problem, afflicted with any contagious, infectious, venereal disease, mental illness, illness or injury that has not been treated prior to entry into the Washington County Jail, or having received any prisoner thereafter.

April 22, 2024

Athens County Sheriff's Office
13 W. Washington Street
Athens, Ohio 45701

Enclosed is the 2024 Jail Contract. If you are interested in housing prisoners in the Washington County Jail during 2024, please approve and sign the attached contract. The cost will be \$100.00 per day

Please return signed contract to:
Washington County Commissioners
C/o Shelly Vincent
223 Putnam Street
Marietta, Ohio

Sincerely,

Shelly Vincent
Washington County Commissioners Office

Visit our website: www.washingtongov.org
The Board of Washington County Commissioners is an Equal Opportunity Provider and Employer

5. Sheriff may refuse to receive any prisoner based upon current jail population, internal security conditions of the jail, or any other reason that the Sheriff deems pertinent at the time.
6. Contractor agrees to pay for any and all medical, surgical, dental, or ophthalmology expenses incurred on behalf of a prisoner including doctor's fees, hospital charges, and prescription costs.
7. Contractor shall transport and provide security anytime a prisoner must leave the Washington County Jail for any reason, unless a court orders that no transportation or security is needed.
8. Contractor shall bear the expense of the burial of a prisoner who dies in the Washington County Jail, if the body is not claimed for interment at the expense of friends or relatives.
9. No person under eighteen (18) years of age shall be received except on the approval of the Washington County Juvenile Court.
10. The Washington County Sheriff's Office shall provide an itemized statement of the amount due each month for housing prisoners. Payment shall be made by the Contractor to the Washington County Sheriff, 205 Putnam Street, Marietta, Ohio 45750 within (30) days of the date of the statement. The Washington County Sheriff may refuse to accept prisoners if timely payment is not made.
11. Contractor agrees that during the period of time this contract covers, it shall and will abide and be governed by any and all rules and regulations which now are, or at anytime in the future may be in force at the Washington County Commissioners, Common Pleas and Probate- Juvenile Judges, and the department of Rehabilitation and Corrections.
12. The parties to this contract agree that notice be given to certain persons when particular inmates are to be released from custody, namely victims of domestic violence offenses, named/protected persons in temporary protection orders, named/protected persons in civil protection order and victims of menacing by stalking crimes. To the end, Contractor specifically agrees to furnish to the Sheriff, through the Washington County Jail staff, a current telephone number or numbers and/or contact information for all such protected persons, at the time the inmate is brought to the Washington county Jail, Contractor shall update the information as any change becomes known. The County agrees that the Washington County Jail shall contact those victims and/or protected persons of any inmate pending release provided that a working telephone number has been furnished to the County. In situations where no working telephone number is provided, Contractor shall be responsible for making the required notification to said victims and/or protected persons of an inmate's pending release upon being notified thereof by the Jail when such notification has been given to the victim and/or protected persons, and shall furnish the date and time of day said notification has been made. Contractor acknowledges that failure to comply with these notifications terms will result in the refusal by the County to accept as inmates those persons who have victims or other persons who are subject to release notification information, without voiding the entire contract altogether.

13. This agreement may be terminated by either party during its term, by giving the other party ninety (90) days written notice.
14. This agreement shall be effective as of May 1, 2024, and terminated April 30, 2025.
15. All former contracts and/or agreements between the parties hereto relative to the subject matter of this contract are hereby canceled and terminated.

This agreement entered into in behalf of the Athens County Sheriff pursuant to Resolution Number 119- passed 5/7, 2024.

Any alteration of contract shall result in the contract being null and void.

IN WITNESS WHEREOF, the parties hereto, by their respective duly authorized officers; none hereto caused their names to be transcribed on the day first written above.

Absent
Commissioner
[Signature]
Commissioner
[Signature]
Commissioner

[Signature]
Witness
[Signature]
Sheriff

Washington County Commissioners
James W. Booth, President
Charlie L. Schilling
Kevin J. Ritter

Witness
Ben Cowdery, Clerk

Larry R. Mincks, Sr., Sheriff

Nicole T. Coil, Prosecuting Attorney

Approved as to form

percent (10%) of the bid amount in favor of the aforesaid County and ODOT, conditioned that if the bid is accepted, a contract will be entered into within ten (10) days after notice of acceptance. Bid Bonds shall be accompanied by Proof of Authority of the official or agent signing the bond. A performance bond of one hundred percent (100%) of the amount of the contract with a satisfactory surety company, conditioned according to law, will be required for the faithful performance of the contract.

The bidder will be required to describe in full detail as to their experience in this class or work, and bids from contractors inexperienced in this particular type of work will not be considered. Bidders must comply with the Federal Davis-Bacon Wages. The work shall commence upon written notice of award by Athens County. The owner intends and requires that this project be completed no later than June 30, 2025. The Board of County Commissioners of Athens County, Ohio reserves the right to reject any and/or all bids and to waive informalities as may be in the best interest of Athens County.

/s/ Jeff Maiden, P.E., P.S.
Athens County Engineer

Advertising dates: 05/04/24, 05/11/24

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

Engineer ATH-CR25-0.16 Landslide Repairs Advertisement for Bids

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Engineer TR315 Bridge Advertisement for Bids as requested by Engineer Jeff Maiden:

Advertisement for Bids

Sealed bids for the ATH-CR25-0.16 Landslide Repairs will be received by the Board of County Commissioner of Athens County, Ohio, at their office, 15 S. Court Street, Athens Ohio until 10:10 a.m., Prevailing Local Time on the 28th day of May, 2024 and at that time and place will be publicly opened and read aloud. All bids will be considered valid until 60 days after the opening date, although not accepted or rejected. The work for which proposals are invited consists of a drilled pier wall with lagging at CR25-0.16, pavement repair, and other miscellaneous item associated with the construction of the ATH-CR25-01.16 Landslide repairs. The Engineer's Estimate of Construction Cost for this project is \$945,000.00.

Copies of the Construction Plans, Bidding Forms, and Specifications on the Unit Price Contract may be purchased for \$30.00 from the Office of the Athens County Engineer, 16000 Canaanville Rd, Athens, Ohio 45701 during regular business hours (7:00 a.m. to 3:30 p.m. Monday through Friday).

Legal notice and bid documents are also posted on the internet at www.athenscountyengineer.org under the "Bids/RFPs" heading.

Each bid shall have filed with it a bid guaranty in the form of a certified check, cashier's check, or letter of credit revocable only oat the option of Athens County in an amount equal to 10 % of the bid or a bond in accordance with division (B) of Section 153.54 of the Revised Code.

Each proposal must contain full name of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit evidence of its experiences on projects of similar size and complexity. The owner intends and requires that this project be completed no later than October 11, 2024.

All contractors and subcontractors involved with the project will to the extent practicable use Ohio products, material, services, and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123 is required.

Bidders must comply with the prevailing wage rates on Public Improvements in Athens County as determined by the Ohio Department of Commerce, Bureau of Wage and Hour Administration, 614.644.2239.

The Board of County Commissioners of Athens County, Ohio reserves the right to reject any and/or all bids and to waive informalities as may be in the best interest of Athens County.

/s/ Jeff Maiden, P.E., P.S.
Athens County Engineer

Advertising dates: 05/11/24, 05/18/24

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

Ohio EPA Funding Application (WPCLF) for New Marshfield Sewer (Ratify Commissioner Eliason's Signature)

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to ratify Commissioner Eliason's Signature on the Ohio EPA Funding Application (WPCLF) for New Marshfield Sewer:

Program Funding Selection: Wastewater (Water Pollution Control Loan Fund (WPCLF)

Borrower: Athens County

Borrower's Population: 61,276 County: Athens Date of Application: 04/22/24

Project Name: New Marshfield Gravity Sanitary Sewer

Estimated Loan Amount: \$234,9000.00

Estimated Loan Award Date: 06/01/2024

Wastewater Discounts: Other: Regionalization Principal Forgiveness per 2024 PMP

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

Radio Tower Easement Changes (Rescind the Motion on April 16, 2024)

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to rescind the Radio Tower Easement on April 16, 2024 and to approve the following Radio Tower Easement Changes see back of page 192.

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

Capital Fire Protection Quote for the ATCO Building (Ratify Commissioner Eliason's Signature)

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to ratify Commissioner Eliason's Signature on the Capital Fire Protection quote for the ATCO Building:

RE: Troubleshooting FACP

Per your request this letter is to provide you with our quotation for our phase of work at the above referenced facility. Our quote includes the following:

Troubleshooting the fire alarm control panel that is powered down and not working
Our Price: \$1,250.00

Quotation includes necessary material, labor and insurance coverage to complete the job.

Items not included:

Any repairs or alterations not mentioned above.

Note: This proposal is subject to review after (30) days.

Please do not hesitate to call with any questions or comments. Thank you for the opportunity to be of service.

Sincerely,

Jeremy Snape

If you are in agreement with the above:

Please Sign Here: /s/ Lenny Eliason Date: 05/3/2024 P.O. # 20241310

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

Employment of a Public Employee

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to table and discuss until future meeting.

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

Mike Myers Invoice for Dairy Barn Remainder Amount \$2,851.37 to be paid with ARPA Funds

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Mike Myers Invoice for Dairy Barn Remainder amount \$2,851.37 to be paid with ARPA Funds.

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

Motorola Solutions Invoice for Sheriff's Body Cameras in the amount of \$26,256.00 to be paid with ARPA Funds

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Motorola Solutions Invoice for Sheriff's Body Cameras in the amount of \$26,256.00 to be paid with ARPA Funds.

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

Senior Levy

No public hearing needed, Administrator JoAnn Rockhold will send out the applications this week for the Senior Levy.

Travel

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

WIOA Joe Frazier; OWA Local Board Chair & Director Meeting, Columbus, OH; 05/15/24

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

Neill Lane - Athens Ohio Investment Alliance

Neill Lane from Athens Ohio Investment Alliance, which is an Angel Group. Mr. Lane wanted to bring it to the community that the Angel Group is here and if the Commissioners see the right kind of businesses Mr. Lane would like to be involved. He stated that it's like a network, Angel Investing, but as companies grow, the kind of companies that eventually are bought by larger companies or even go public in the beginning as the founders. They and their families often put in money and the next stage are Angel investors who put in money and then venture capitalists typically follow. It's a stage of investing companies that are going to grow rapidly and ultimately have what angels and venture capitalists call an exit. So there's going to be a moment at which the shareholders can turn their ownership into money.

TERMINATION OF EASEMENT

-QUIT CLAIM-

KNOW ALL PERSONS BY THESE PRESENTS that by way of the Deed for real property made the 27th Day of April, 2004, the ATHENS COUNTY BOARD OF COMMISSIONERS, GRANTOR, of 15 South Court Street, 2nd Floor, City of Athens, County of Athens, State of Ohio, holds an easement over real property of PAUL J. BRADLEY, single, Apostolic Administrator for the Roman Catholic Diocese of Steubenville, and under the regulations, canons, and disciplines of the Roman Catholic Church, as Trustee for the Mount Calvary Cemetary in Athens, Ohio, GRANTEE, whose mailing address is 422 Washington Street, P.O. Box 969, Steubenville, Ohio 43952.

Said easement was originally granted by R. Daniel Conlon, Single, Trustee, Bishop of the Roman Catholic Diocese of Steubenville, Ohio and under the regulations, canons, and disciplines of the Roman Catholic Church, as Trustee for the Congregation of St. Paul's Catholic Church in Athens, Ohio, to grantors on the 27th Day of April, 2004. This easement was recorded in Volume 366, Page 624, of the Official Records of Athens County, Ohio.

Grantor, in consideration of \$15,000.00 and other good and valuable consideration, paid by grantee, *releases and forever quitclaims* to grantee all the right, title, interest, estate, claim, and demand, both at law and at equity, of grantor, of, in, and to the real property; together with all improvements, ways, easements, rights, privileges, and appurtenances held or owned by or of grantor in the easement described as follows:

Situated in Out-lot 183 and 191 in Section 10, T.9 R-14, Athens Township, Athens County, Ohio and being part of a 3.068 acre tract (Vol. 353, Page 1558 O.R.).

Commencing at an iron pipe at the South-west corner of the Henry Boska Subdivision. Thence, North 16 degrees 56 minutes 11 minutes East, 64.36 feet to an iron pin set and being the point of beginning for the tract of land herein described;

Thence, north 33 degrees 29 minutes 11 seconds East, 128.10 feet to a chain link fence corner post;

Thence along a chain link fence, North 60 degrees 19 minutes 05 seconds East 44.28 feet to a chain link fence corner post;

Thence North 32 degrees 11 minutes 13 seconds West, 30.57 feet to a chain link fence post;

Thence, north 57 degrees 11 minutes 13 seconds West, 132 feet, to a concrete right of way monument (as per deed)

Thence, along the west-line of said tract, south 60 degrees 39 minutes 37 seconds West, 146.29 feet to a point;

Thence, Court 43 degrees 19 minutes 47 seconds East, 212.64 feet to the point of beginning.

Prior Reference: Volume 366, Page 624, Official Records of Athens County, Ohio.

The above-described easement includes an existing radio tower facility, underground electrical source, and an existing access road. Grantor, for good and valuable consideration, hereby *transfers and forever quitclaims* said items and equipment in its current condition, as is, *caveat emptor*, to grantee as part of this agreement. Grantee also shall take over payment of any utilities to said facility as part of this agreement.

Grantor further *assigns* any and all leases for the above-mentioned facilities to grantee to comply with all contractual obligations of said leases till expiration.

In witness thereof, signed this 7 day of May, 2024.

Athens County Board of Commissioners

Jo Ann Rockhold
Witness

Absent
Lenny Eliason, President

Alison M. Pearson
Witness

Charlie Adkins
Charlie Adkins

Chris Chmiel
Chris Chmiel

State of Ohio,
County of Athens, ss:

The foregoing instrument was acknowledged before me this 7 day of May, 2024.



Jo Ann Rockhold
Notary Public, State of Ohio
My Commission Expires
August 03, 2025

Jo Ann Rockhold
NOTARY PUBLIC

This instrument was prepared by:
Keller J. Blackburn, Athens County Prosecuting Attorney

Mr. Lane stated that the Angel Group meets every six weeks and typically they try to have a company making a pitch there and then the membership votes on whether to do due diligence to understand more about the company and then after the due diligence is completed the membership votes again.

Jack Pepper - Health Dept TB Levy

Jack Pepper brought to the board a request to put the TB Levy Renewal back on the ballot this fall, which is currently at .3 mills. The TB Levy helps pay for the candidate that is under or uninsured, so the cost to the county would be significant, talking in the neighborhood of \$700 to \$900,000.00 to treat one case if we had to send them to one or two hospitals around the country that actually treat antibiotic resistance tuberculosis.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to put together a resolution requesting the Athens County Commissioners to make request to the Athens County Auditor to print a certificate of estimated property tax revenue. It would go on the ballot in November and would be at .3 Mills.

Copy of Resolution on back of page 193.

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

W&S Supt Rich Kasler - Weekly Updates

W&S Supt Rich Kasler stated that Phase 6/7 they completed the boring and are setting the manholes on both sides of Rt. 56. Work is continuing on Heatherstone hopefully everything works out with the electric and the completion of the construction so that we can get the bills out and move forward with the project. Still having issues with the Elliottsville Lift Station living up to their guarantee and getting it operating correctly, also issue with the Hartman Rd Lift Station the contract time was up in October of 2023 and their still not done.

Supt Rich Kasler stated that under the federal and the higher EPA regulations, October of this year the water office is required to submit service line inventories. Supt Rich Kasler wanted to see about possibly doing an incentive rebate from the water district to get individuals to cooperate with the Water office.

Athens Farmers Market CDBG Permanent Home - Cara Olsen/Leslie Schaller/Adam Blaney

Leslie Schaller, Cara Olsen, and Adam Blaney brought to the commissioners the application for the CDBG allocation. The Farmers Market has a project to expand and the desire to secure an allocation of CDBG funds of \$175,000.00. Commissioners said that they will review the CDBG once Nate Simons from HAPCAP presents them. Administrator JoAnn Rockhold suggested adding the Athens Farmers Market CDBG back on the agenda for next week when Commissioner Eliason is here.

K&H Injection wells in Torch - Roanne Groff

Roanne Groff stated that K&H Injection Wells in Torch, the Oil & Gas Commission finally made their decision to uphold the Chiefs order of the division of oil and gas to cease and desist operations. Roanne feels that K&H will appeal in the Court of Common Pleas in Franklin County before their 30 day time period is up, if they don't file then the order from the chief stands and they have to submit a plan of how they're going to fix the problem they have, which is all of the oil and gas waste that's going into those injection wells is migrating out of the well and it's going into, hopefully not the water wells. Roanne is here to ask the commissioners to write a letter to Chief, Eric Vendel & Division of Oil & Gas to do more than the ½ mile radius for the testing.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to authorize a letter to be sent out to Eric Vendel, Division of Oil & Gas Resources Management concerning the K&H Injection Wells in Torch.

May 14, 2024

Eric Vendel, Chief
Division of Oil and Gas Resources Management
2045 Morse Road
Columbus, OH
43229-6693

Subject: DNR testing of private water wells

Mr. Vendel:

The Board of Commissioners are asking for water well testing on the K&H and Frost fracking waste injection wells. These wells should be tested frequently and extend over many years. What time frame is the testing to be done? How many tests will be done? How are the test areas being chosen? Additionally, we're requesting that the testing covers anything within a 2-mile radius of these wells.

Regular testing is crucial for ensuring water quality and identifying any potential contaminants or issues that may arise over time. It's a proactive approach to maintaining the safety and integrity of the water supply for the community.

RESOLUTION OF NECESSITY

*RESOLUTION REQUESTING CERTIFICATION FROM COUNTY AUDITOR
PURSUANT TO OHIO REVISED CODE SECTION 5705.03
(Dollar amount of revenue generated by specified number of mills)*

**TUBERCULOSIS BOARD
ATHENS COUNTY COMMISSIONERS
ATHENS COUNTY, OHIO**

RESOLUTION NO. 01-2024

**RESOLUTION TO REQUEST THE ATHENS COUNTY COMMISSIONERS TO MAKE REQUEST TO THE
ATHENS COUNTY AUDITOR TO PREPARE A "CERTIFICATE OF ESTIMATED PROPERTY TAX
REVENUE"**

The Tuberculosis Board of Athens County, Ohio met in regular session on the 8th of January at 278 West Union Avenue, Athens, Ohio with the following members present:

Frey X Adkins X Kachenko X

Traci Kachenko moved for the adoption of the resolution.

Whereas the Tuberculosis Board finds that the .30 mil levy expiring in 2025 is necessary to provide for the operation of a tuberculosis clinic for care and treatment of tubercular residents of Athens County and

Whereas the Tuberculosis Board finds it necessary to renew said .30 mil levy for a term of 5 years to be place on the general election ballot the 5th day of November, 2024, and

Whereas Ohio Revised Code 5705.20 requires the Board of County Commissioners to make request to the County Auditor to prepare a "Certificate of Estimated Property Tax Revenue"

Therefore be it resolved that the Athens County Tuberculosis Board in compliance with Ohio Revised Code 5705.20, requests the Athens County Commissioners ask the Athens County Auditor to prepare a "Certificate of Estimated Property Tax Revenue" for replacement of the current tuberculosis levy expiring at the end of 2025.

Rob Frey seconded the motion, and the roll was called on the question of its adoption. The vote was as follows:

Frey (yes) Adkins (yes) Kachenko (yes)

Adopted: January 8th, 2024

Attest:
Jack Pepper, Administrator, Athens City-County Health Department

WHEREAS, the Board of Commissioners of Athens County, Athens County, Ohio, determines that it is necessary to levy a tax outside the ten-mill limitation, and

WHEREAS, before seeking to have a levy approved by the electors of Athens County the Board of Commissioners must seek the certification of the Athens County Auditor in compliance with Section 5705.03 of the Ohio Revised Code, submitted for the General election held on November 05, 2024

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Athens County Athens County, Ohio, that the Athens County Auditor is hereby requested to certify to the Board of Commissioners:

- 1. The total current tax valuation of Athens County and
- 2. The dollar amount of revenue that would be generated by .30 mills.

BE IT FURTHER RESOLVED that the purpose of the tax is operating a tuberculosis clinic for care and treatment of tubercular residents.

And is for five (5), being first levied in tax year 2025, first collected in calendar year 2026 and appearing on the tax list for the years specified: five

Such tax is authorized to be submitted to a vote of the electors of the Athens County to Section 5705.20 of the Ohio Revised Code, and shall be levied on the residents of the Athens County pursuant to Section 5705.20 of the Ohio Revised Code and which shall be renewal. List any other county into which this subdivision overlaps: none

BE IT FURTHER RESOLVED that the Athens County Auditor is requested to issue the certification within ten days after receiving this Resolution.

Chris Chmiel moved for the adoption of the Resolution, and Charlie Adkins seconded the motion. The vote was as follows:

Mr. Eliason	voted	absent
Mr. Adkins	voted	yea
Mr. Chmiel	voted	yea
	voted	
	voted	
	voted	

Please contact our office if you have any questions or concerns.

Respectfully,

Lenny Eliason, President

Charlie Adkins, Vice President

Chris Chmiel

Also a letter written by Elizabeth Gierlowski-Kordesch about the concerns with the injection wells is attached to the back of page 194.

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

911 Teresa Fouts-Imler & Catherine Hawley

911 Dir. Teresa Fouts-Imler wanted to acknowledge Catherine Hawley as Telecommunicator of the Year. Catherine is a 5 year veteran at Athens County 911 & she wears many hats, certified training officer & afternoon shift supervisor. Dir Fouts-Imler states that Catherine goes above and beyond and that's why she was voted on by her peers and management as Telecommunicator of the Year. Congratulations Catherine Hawley.

AEP - Andrea Whaley

Andrea Whaley -AEP Customer Service Account Representative and Seth Montgomery -AEP Customer Design Supervisor Athens District came into the meeting today to introduce themselves to the Commissioners and to let them know who to contact with issues or questions.

AEP Customer Design Supervisor Seth Montgomery stated that the holdup on the lift stations at Whitland Dr. & Heatherstone is that they need to get three phase power to that location. AEP had a meeting May 6 to talk about some design changes and potentially relocating, we have a right away contractor and a dedicated design contractor working on that. Also with the New Marshfield Sewer, AEP would like to be involved in the very beginning so that things would move a lot smoother. Mr. Montgomery wants to make sure that where ever lift stations will be that there is three phase lines available there.

EMS Chief Amber Pyle & Asst Chief Randy Crossen Jr. - Personnel

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to accept the resignation of Paramedic Jim Foster at the Gloucester Station, his last shift will be May 9, 2024.

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

EMS Chief Amber Pyle & Asst Chief Randy Crossen Jr. - Boundtree & Stryker Equipment Request

EMS Chief Amber Pyle stated that Boundtree Equipment has requested to purchase the COT from the old ACEMS truck in the amount of \$5,500.00. Also Stryker would like to purchase the used powerload system in the amount of \$4,000.00.

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Boundtree Equipment Request for the COT in the amount of \$5,500.00.

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

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the Stryker Request to purchase the powerload system in the amount of \$4,000.00

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

EMS Asst Chief Randy Crossen Jr. - Workers Comp Grant

EMS Asst Chief Randy Crossen Jr. asked if EMS could submit to the BWC Safety Grant for this year with the County Commissioners approval.

EMS Chief Amber Pyle - Computer Purchase

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to approve the purchase of a computer for the new training person in the amount of \$979.00 from NetData.

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

EMS Executive Session

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to enter into executive session at 11:48 with Chief Amber Pyle & Asst Chief Randy Crossen Jr. to discuss hiring of a public employee.

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

My name is Elizabeth Gierlowski-Kordesch and I am a professor of geological sciences at Ohio University. In my 20+ years here in Athens County, I have worked with the rocks of southeastern Ohio as well as northern Kentucky, northern West Virginia, and southwestern Pennsylvania. I also have extensive experience in reviewing scientific research as a journal associate editor, peer reviewer, and geologic researcher, reading hundreds of scientific papers. I have visited six continents in my geologic journey through time on this Earth and I have even done consulting in the oil industry. With such expertise, I believe I am qualified to comment on the permit application by K & H Partners of West Virginia for a second Class II injection well in Torch. And, frankly, I am appalled at the total lack of science in the determination of this application as acceptable. It is like being in a third world country where the needs and health of the local citizens are blatantly ignored. This is supposed to be a democracy by and for the people.

Let me list for you three scientific reasons that this permit should be denied for the sake of the health and safety of Ohioans.

(1) First reason: There is a video on the website of the ODNR Division of Oil and Gas Resources Management that shows what is basically involved in the injection of fracking waste fluids of unknown chemistry deep into the Earth. The permitting process involves all the engineering protocols on the surface but there is no information or research into what is below the surface. It seems the wells are drilled in the "void" deep into the Earth without much concern if the conditions are ideal for injecting wastes. The website says that seismic surveys MAY be required for permitting. It is clear that perhaps they have never yet been required; the earthquakes up in Youngstown due to the injection of fracking fluid waste show that the permitting process is flawed because this basic information on subsurface conditions was not required. The website states that new regulations prohibit wells to be placed near faults (which they discovered, by the way, in seismic surveys up in Youngstown AFTER the earthquakes). Faults are present in southeastern Ohio and can only be found through seismic surveys. Why did the Division not require a seismic survey to be sure that there are no faults near the FIRST injection well in Torch, let alone the second well nearby? Good science would require this. How can the ODNR Division ignore the needed scientific research to make sure that the injection wells here in Athens County are not near any faults??? The safety of Ohio citizens has not been considered here.

(2) The next reason involves a new regulation that the formation that will receive the injection fluid needs to be stated. Without a seismic survey, I do not see how K&H Partners can honestly know where the fracking waste is actually going. With one injection well within half a mile already in operation, has there been any research done to calculate the capacity of this deep void?? What is the porosity and permeability of the receiving rock layer?? Can it receive double the injection capacity and not produce earthquakes? Without a seismic survey, no one can know until it is too late (as in Youngstown).

(3) The third reason involves the danger to the drinking water aquifers that the injection well poses. The only thing protecting the shallow aquifers is a cement casing surrounding the injection pipe. There are no rules about constant monitoring of the integrity of this cement casing over time. We all know that cement can be degraded with use; the evidence is seen in the degradation of sidewalks and roads over time. This is especially crucial for these cement casings that are exposed to the corrosive effects of these fracking wastes whose chemistry is kept a secret. Why aren't there more rules for protecting the drinking water of Ohio citizens? There is no information here about mapping of the aquifers in the area around the injection wells, key information needed to protect drinking water. Where is the science?? Ohio should not be like a third world country with regard to the safety of its citizens.

It is clear that the Division of Oil and Gas Resources Management does not follow its own regulations; the proclaimed strict regulations to protect the citizens of Ohio are clearly nonexistent. They approved a permit without any knowledge of whether faults are present near these injection wells in Athens County, against state regulations. Installing a second injection well so near to the first without any knowledge of the characteristics of the receiving rock layer portends possible future disasters, especially earthquakes. Also, with no knowledge of the position of any of the aquifers in the injection area, the water supplies of Ohio citizens are at great risk.

In addition, the Division should accept these public comments because their so-called experts ignored all the relevant comments on the dangers of this second injection well. I question the objectivity and lack of science by these so-called experts, especially after the Youngstown earthquakes. I propose that all such comments should be submitted to an INDEPENDENT committee of geology experts outside of the ODNR Division so clear objectivity and good science can be applied to the permitting process in the great state of Ohio. This is how REAL science works.

Elizabeth Gierlowski-Kordesch, PhD
Professor
Department of Geological Sciences
Ohio University
Athens

EMS Regular Session

A motion was made by Mr. Chmiel and seconded by Mr. Adkins to return to regular session at 11:58, and to authorize Chief Pyle to offer the position to the Compliance Officer:

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


Athens Conservancy - Easement with Rodney Smith


Donna Goodman with the Athens Conservancy & Brian Blair wanted to discuss the steps that the commissioners took with dismissing the trail easement that was negotiated with Rodney Smith. In 2017 immediately after the negotiated easement Athens Conservancy handed it over to the commissioners. The Athens Conservancy wasn't aware of the issues that Rodney Smith was having on his property and concerned about the future of the trail. Rodney Smith is concerned for the safety of him and his family because ATV's are riding on his property. In January Donna Goodman received an email from Planner Laura Olbers wanting to discuss the problem to the board but Donna quickly ascertained that it's no longer owned by the Athens Conservancy that it is owned by the Athens County Commissioners. Rodney Smith stated the problem is unique because of the proximity of the trails to his house, it's very close. The Conservancy asked if camera's and barriers could be added to help with the issue but Rodney Smith feels that won't stop the issues. Rodney stated that he feels it isn't being used like it was intended to be. Commissioner Chmiel feels that a Park District needs to be created to help with situations like this. Commissioner Chmiel will bring up the Park District when Commissioner Eliason is back and go from there. Planner Laura Olbers is waiting on an answer from ODNR with their decision on whether or not the county will have to pay back any of the monies that was given to the county for this project. Once a decision has been made from ODNR then a conversation with the County and Rodney Smith will happen to discuss the future of the easement.

Adjourn

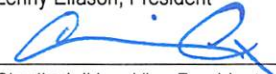
A motion was made by Commissioner Chmiel and seconded by Commissioner Adkins to adjourn the above meeting.


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



JoAnn Rockhold, Administrator


Alison Pierson, Clerk

-ABSENT-
Lenny Eliason, President


Charlie Adkins, Vice-President


Chris Chmiel