

Wooldridge, John

From: Heim, Kimber
Sent: Friday, June 24, 2022 4:13 PM
To: Allen, Justine; Wooldridge, John
Cc: Corinna Efkean; Morgan, Douglas
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Perfect. I had met and provided the WA to Chris and he told me the attorney had not contacted them at all or provided the docs for review. I was disappointed but figured they want the free work, so I would get it by Monday as I requested. Shelly said they will be ready for this section probably 07/05 due to the delay of the past couple weeks.

So everyone another crisis fixed before it became a hurricane.

Great work everyone, and have a great WEEKEND!

Kimber L. Heim

Realty Specialist Manager
ODOT – District 5
9600 Jacksontown Road
Jacksontown, OH 43030
Ph: 740-323-5422 (direct) Cell: 740-814-0708
FAX: 740-323-5125



From: Justine Allen <Justine.Allen@OhioAGO.gov>
Sent: Friday, June 24, 2022 3:31 PM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Cc: Corinna Efkean <Corinna.Efkean@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi All,

Sorry for the delayed response. I was on a site visit in Allen county all morning. I've sent the work agreement to property owner's counsel with a small adjustment. He informed me that he would not have it signed today but would have the work agreement returned to me on Monday.

Thanks,
-Justine

Justine A. Allen

Assistant Attorney General – Executive Agencies Section
Transportation Unit
Office of Ohio Attorney General Dave Yost
Office number:(614)466-5829
Fax number:(866) 815-2731
Justine.Allen@OhioAGO.gov

From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Friday, June 24, 2022 8:24 AM
To: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Cc: Corinna Efkeman <Corinna.Efkeman@OhioAGO.gov>; Doug.Morgan@dot.ohio.gov
Subject: FW: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Sorry...

Sending again less the large attachment. I got bounce-back emails stating the below was too large of a file. Thanks!

Respectfully,

John R. Wooldridge

Real Estate Administrator

ODOT District 5

9600 Jacksontown Road, Jacksontown, OH 43030

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From: Wooldridge, John
Sent: Friday, June 24, 2022 8:11 AM
To: Heim, Kimber <Kimber.Heim@dot.ohio.gov>; Allen, Justine <Justine.Allen@OhioAGO.gov>
Cc: Corinna Efkeman <Corinna.Efkeman@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi Kimber,

Yes, the attached work agreement is approved (for ODOT use). I do not know if opposing counsel 'approved,' but we do not need their approval for ODOT. I do not have a great exhibit, so I proposed a combination of all the attached; however, one created in the field (like a plan sheet with sketches, etc.) may be better. The exhibit simply should allow for ODOT to be on the property as needed and show the work area. The owner will likely want more details as ODOT is currently proposing to go anywhere on their property to fix the drainage (rather broad).

I believe we can accept Chris Walsh signature for the work agreement. The Operating Agreement allows for any member **or manager** to act solely on binding the LLC company. As long as Chris holds himself out as a manager for Act; we would be fine. Also, their attorney provided the name for representing the LLC at this field meeting; so I am confident that it would be acceptable.

Thanks Kimber for your help.

Respectfully,

John R. Wooldridge

Real Estate Administrator

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From: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Sent: Friday, June 24, 2022 7:40 AM
To: Allen, Justine <Justine.Allen@OhioAGO.gov>; Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Sorry for the multiple emails...it's Friday...do we have an approved Work Agreement for ACT to sign? Do we have approval to accept Chris Walsh signature as ACT APPROVED representative?

Kimber L. Heim

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FAX: 740-323-5125



From: Justine Allen <Justine.Allen@OhioAGO.gov>
Sent: Friday, June 24, 2022 7:03 AM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi John,

I was just informed that Mr. Walsh was already on his way to the property yesterday and he was able to speak with someone at the site. Whoever he spoke to set up a meeting with him today at 2pm.

Justine A. Allen

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From: Justine Allen <>
Sent: Thursday, June 23, 2022 4:09 PM
To: 'John.Wooldridge@dot.ohio.gov' <John.Wooldridge@dot.ohio.gov>; Kimber.Heim@dot.ohio.gov
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Doug.Morgan@dot.ohio.gov
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi John,

These jabber phones never work when you need them.

But I did get your voicemail and have asked if their client is available around 9-10am. I'll be waiting for an email to confirm his availability. As soon as I receive confirmation I will email it to you.

Thanks,
-Justine

Justine A. Allen

Assistant Attorney General – Executive Agencies Section
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Office number:(614)466-5829
Fax number:(866) 815-2731
Justine.Allen@OhioAGO.gov

From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Thursday, June 23, 2022 4:03 PM
To: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Doug.Morgan@dot.ohio.gov
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hello Justine,

I received your VM regarding our efforts to get a meeting together today. It looks like they are not out at the site and will not be tonight. Doug asked if you could arrange for the meeting to be tomorrow morning (Friday) maybe at 9-10 am? Please let us know tonight or early tomorrow morning if that would work for the owner's representative; I think you said his name is Chris Walsh. Thanks Justine and sorry we would not get connected on the phone.

Respectfully,

John R. Wooldridge

Real Estate Administrator
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From: Wooldridge, John
Sent: Thursday, June 23, 2022 10:17 AM
To: Justine Allen <Justine.Allen@OhioAGO.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Good Morning Justine,

Can you let us know if the owner's attorney or representative are able to meet this afternoon and have allowed for our entry (did they return signature)? Construction would like to move forward ASAP but we really would like to discuss with owner first and need the approval from you /owner to move forward. Thank you for your assistance with this.

Respectfully,

John R. Wooldridge

Real Estate Administrator

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**OHIO DEPARTMENT OF
TRANSPORTATION**

From: Justine Allen <Justine.Allen@OhioAGO.gov>

Sent: Wednesday, June 22, 2022 7:31 AM

To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>

Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>

Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

John,

Thank you! I'll look through these and pass them along to opposing counsel.

Thanks,

-Justine

Justine A. Allen

Assistant Attorney General – Executive Agencies Section

Transportation Unit

Office of Ohio Attorney General Dave Yost

Office number:(614)466-5829

Fax number:(866) 815-2731

Justine.Allen@OhioAGO.gov

From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>

Sent: Tuesday, June 21, 2022 4:07 PM

To: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov

Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Doug.Morgan@dot.ohio.gov

Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi Again,

Trying to send again as your inbox rejected due to attachment sizes (I deleted the attached email's attachments). Thanks!

Respectfully,

John R. Wooldridge

Real Estate Administrator
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From: Wooldridge, John
Sent: Tuesday, June 21, 2022 4:00 PM
To: Justine Allen <Justine.Allen@OhioAGO.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Thanks Justine,

We will work on PCL 1 and get you the responses on 6/23 as requested. Thanks for explaining the details of your expectations.

Attached is the Work Agreement form. I also attached the word doc incase you need to make any alterations. I have attached a number of exhibits to document the parcel location as we do not have a 'plan sheet' that covers this work. The attached email also explains the field tile work that can be done to help with the water situation. We greatly appreciate you getting this approved by and signed by the owner's representative.

We hope to have an in-person meeting with ODOT, contractor, Fairfield County (water and soil), and the owner. We think this Thursday afternoon the 23rd is the best date as storms are expected tomorrow. Can you facilitate getting a representative of the owner to join us? What time on Thursday afternoon works well (noon to 4 ideally)?

The meeting will explain the details of the suspected location of the drain tile issue and discuss the methods to address it. Although some trees will likely be affected; we do not plan to remove all. We would like to start this work ASAP (Thursday when in the field would be a great start).

Thank you Justine for helping us get this approved with a signed work agreement and a meeting scheduled. Have a great evening.

Respectfully,

John R. Wooldridge
Real Estate Administrator

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From: Justine Allen <Justine.Allen@OhioAGO.gov>
Sent: Tuesday, June 21, 2022 1:08 PM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi John,

Thank you I did receive your voicemail! I'll give you a call back about Parcel 001 after I finish this email.

Parcel 002

You'll need to do a right of entry or work agreement for the property owner to sign. The specifics of this will not be included in our settlement agreement. If you send whatever documents you need for that over to me, I will forward them to opposing counsel.

What kind of details does the contractor need to go over with opposing counsel? If it is anything other than the timing of the work, I should be involved in that conversation as well since the appropriation is still pending. I can set up a call with all parties or if you planned on relaying the information via email I can forward the email to opposing counsel with all parties copied on the email.

Please let me know how you would like to proceed.

Thanks,
-Justine

Justine A. Allen

Assistant Attorney General – Executive Agencies Section
Transportation Unit
Office of Ohio Attorney General Dave Yost
Office number:(614)466-5829
Fax number:(866) 815-2731
Justine.Allen@OhioAGO.gov

From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Tuesday, June 21, 2022 12:47 PM
To: Kimber.Heim@dot.ohio.gov; Justine Allen <Justine.Allen@OhioAGO.gov>
Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi Justine,

I hope you are well. I also left you a VM regarding the same.

For PCL 2 (ACT); our construction section needs to get on the drainage issue ASAP. Kimber informed us all that ACT is 'accepting' of ODOT fixing what we need to fix which may help their overall drainage on the property (but maybe not) by correcting some field tiles that appear to be failing. This work is in addition to the agreed settlement amount of \$59,000.

Our crews need to have the contact information to go over the details with owner. Can you provide the contact information of the attorney to work through; or if allowed, the owner direct contact (we have that in file, really just need to know who they are permitted to discuss with)?

Second, does the settlement entry include the approval to do this work or should ODOT staff obtain a right to enter (either a right of entry or a Work Agreement)? If needed, can Kimber seek that directly through owner or does that still need to funnel through AGO/Attorney?

ODOT construction needs to resolve this issue by end of this week to avoid potential delay claims.

Corinna: if Justine is out for an extended period; can you help us with these issues?

Thanks!

Respectfully,

John R. Wooldridge

Real Estate Administrator

ODOT District 5

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**OHIO DEPARTMENT OF
TRANSPORTATION**

From: Heim, Kimber <Kimber.Heim@dot.ohio.gov>

Sent: Wednesday, June 1, 2022 7:57 AM

To: Allen, Justine <Justine.Allen@OhioAGO.gov>; Wooldridge, John <John.Wooldridge@dot.ohio.gov>

Cc: Corinna Efke <Corinna.Efke@OhioAGO.gov>

Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Morning Justine:

Can you give me a call when you get in this morning.

Kimber L. Heim

Realty Specialist Manager

ODOT – District 5

9600 Jacksontown Road

Jacksontown, OH 43030

Ph: 740-323-5422 (direct) Cell: 740-814-0708

FAX: 740-323-5125



**OHIO DEPARTMENT OF
TRANSPORTATION**

From: Justine Allen <Justine.Allen@OhioAGO.gov>

Sent: Tuesday, May 31, 2022 7:19 AM

To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>

Cc: Heim, Kimber <Kimber.Heim@dot.ohio.gov>; Corinna Efke <Corinna.Efke@OhioAGO.gov>

Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Good Morning John,

I hope you had a good weekend. If you'd still like to meet about this parcel I can set a quick meeting for today for us to discuss or if you like I can go ahead and offer this to opposing counsel.

Just so I'm clear, in addition to the \$59,000 you would like to offer to replace or install a broken or missing field tie on the ACT property that may possibly resolve some of the owner's water issues. To do this you would need a signed right of entry. Please let me know if that is correct.

Thanks,
-Justine

Justine A. Allen

Assistant Attorney General – Executive Agencies Section
Transportation Unit
Office of Ohio Attorney General Dave Yost
Office number:(614)466-5829
Fax number:(866) 815-2731
Justine.Allen@OhioAGO.gov

From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Thursday, May 26, 2022 1:07 PM
To: Kimber.Heim@dot.ohio.gov; Corinna Efke <Corinna.Efke@OhioAGO.gov>; Justine Allen <Justine.Allen@OhioAGO.gov>
Subject: RE: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Hi All,

We previously authorized settlement as \$55,700; then up to \$59,000.00. We can also accept the cash payment of up to \$59,000 plus correct the newly found water issue (we can provide a work agreement doc or it can be included into the settlement) that may (or may not) be of benefit to the land owner by possibly correcting at least some of the water issue on the property. Thank you for letting us know if the owner and their attorney is in agreement with this solution to settle the parcel in whole and provide a service both to the owner and to the general public by correcting the water issue in part. Thanks.

Respectfully,

John R. Wooldridge

Real Estate Administrator
ODOT District 5
9600 Jacksontown Road, Jacksontown, OH 43030
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From: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Sent: Thursday, May 26, 2022 12:21 PM
To: Corinna Efke <Corinna.Efke@OhioAGO.gov>; Allen, Justine <Justine.Allen@OhioAGO.gov>; Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Subject: 110412 FAI 256 at STA 15.112 PCL 002 cfn 1823162 Attorney Client Privileged Communication

Good afternoon Corinna, Justine and JR:

There has been a development on a culvert being replaced in the ROW on ACT's property. The video is most descriptive as it shows the water being pumped out of the hole all the while water keeps rushing in. Soil and Water believes this is due to crushed, broken or missing field tile in Act's field.

Due to the project work at the roadside, ODOT needs to have this repaired before our project can go forward. Per construction and project manager, ODOT is willing to repair this problem for ACT. Could be the reason his field continues to flood and fix a hurdle he has come up to at development of the field.

Wanted to know how to proceed as our construction team would like to complete the repair in the next week if possible to keep the project on time. Is there a way for us to contact ACT and put forth the request for a Right of Entry to repair this issue? This field tile actually ties in to other field tiles which feed into a natural river at the south boundary of the property.

Please advise how best to move forward? The fix would be completed at no cost to Act.

Kimber L. Heim

Realty Specialist Manager

ODOT – District 5

9600 Jacksontown Road

Jacksontown, OH 43030

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FAX: 740-323-5125



**OHIO DEPARTMENT OF
TRANSPORTATION**

From: Morgan, Douglas <Doug.Morgan@dot.ohio.gov>

Sent: Thursday, May 26, 2022 10:30 AM

To: Heim, Kimber <Kimber.Heim@dot.ohio.gov>

Subject: FW: FAI-256-15.112 cfn 1823162

Douglas N. Morgan, P.E.

(p) 740.323.5122

From: Sharb, Jordan <Jordan.Sharb@dot.ohio.gov>

Sent: Wednesday, May 25, 2022 12:17 PM

To: Reed, Justin <Justin.Reed@dot.ohio.gov>; Morgan, Douglas <Doug.Morgan@dot.ohio.gov>

Cc: Starkey, Robert <Robert.Starkey@dot.ohio.gov>

Subject: RE: FAI-256-15.112 cfn 1823162

Justin / Doug,

Shelly Co dug down and found the clay tile on the south side of 256. When they uncovered the line, a great deal of water with a lot of pressure was flowing back through (coming north) the clay tile (see photos and video). The field on the south side of SR 256 is mostly under water.

Shelly Co had 2 pumps running for about 2 hours trying to dewater this hole but were unable to ever get the water to stop flowing.

Shelly co backfilled the pipe for the time being until we can figure something out, especially with more rain coming.

Do you guys have any thoughts or ideas on what to do here? It seems like the clay tile is possible broken somewhere in the field, but without getting this ditch to dry up some, I'm not sure how we're going to construct these pipes or the widening / filling in the ditch.

Let me know if you have any thoughts

Thank you,

Jordan Sharb, P.E.

Project Engineer

ODOT District 5 Construction

9600 Jacksontown Rd. Jacksontown, Ohio 43030

740.323.6736

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**OHIO DEPARTMENT OF
TRANSPORTATION**

From: Reed, Justin <Justin.Reed@dot.ohio.gov>

Sent: Wednesday, May 25, 2022 8:30 AM

To: Sharb, Jordan <Jordan.Sharb@dot.ohio.gov>

Subject: FAI-256-15.112 cfn 1823162

Jordan,

The subject culvert is inventoried as an 18" x 40' corrugated metal pipe. I was incorrect on its current rating, it is rated a GA=6 (satisfactory). If you feel the best decision is to replace, please proceed accordingly. Please check with Doug on the designers principles when keeping the culvert separate from the deeper tile system. A 2nd possible reason for this could be that debris may be less apt to get into the actual tile by keeping the culvert higher and separated.

Attached are some pictures and a sketch from our inventory notes.

Thanks,
Justin

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