



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

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June 26, 2015

Michael Dewine  
Ohio Attorney General  
30 East Broad Street, 14<sup>th</sup> Floor  
Columbus, Ohio 43215

Re: Request for Opinion

Dear Attorney General Dewine,

The Athens County Board of Elections and the Athens County Board of County Commissioners have presented questions in reference to a proposed charter in Athens County. I have enclosed the petition in question for your review.

I have been asked for my opinion on the proposed language and must provide this opinion by close of business on July 5, 2015 to meet the Board of Elections statutory time frame.

My work on this issue to date reveals that this issue has been raised in Medina County and Meigs County. It appears that this issue is one of import to various regions in the State of Ohio.

The petition in question does not comport with any of the statutory prescribed forms for a county charter, but claims to give home rule to Athens County.

My questions to you sir, are:

How does a Board of Elections determine if a proposed charter is valid? What are the minimum requirements for a charter to be valid? Can a charter give County Government jurisdiction over issues reserved to the State? Can a county charter eliminate the power of Eminent Domain? Does the proposed charter meet the minimum qualifications for a county charter under Ohio law?

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Keller J. Blackburn, 0080777  
Athens County Prosecuting Attorney

cc: Meigs County Prosecuting Attorney, Medina Prosecuting Attorney