

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 24 , 2011, IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: TIMOTHY C. IRVINE, VICE PRESIDENT, AND STEVEN W. WEBER, MEMBER. PRESIDENT CORA A. MARSHALL WAS UNABLE TO ATTEND. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE VICE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

Also in attendance were Administrator Paul Cunningham and Clerk Rick Peoples.

Michelle Hyer of Buckeye Hills-Hocking Valley Regional Development District and Michael Fleeman of Fleeman Construction met with the Commissioners at 10:00 am.

At 10:30 am, Darlene Lukshin, OSU Extension Office, Jeff Lauer, County EMA Coordinator, and Bob Badger, County Engineer, met with the Commissioners, Administrator, and Clerk for a conference call pertaining to the Duck Creek Early Flood Warning System Project.

John Grosse, Stantec Engineer, met with the Commissioners to discuss the Devola Sewer Rehabilitation Project.

The following interested parties joined the meeting at 3:00 pm for a road vacation request:

Leonard Hamilton, Gary Miller, Gale DePuy, David Lauer, Greg Martin, Angela Greathouse, James Addison, Tom Thompson, and DeVela Clark.

IT Director Eric Skomra and County Administrator Paul Cunningham joined the meeting at 1:30 pm for the HP Financing Lease Agreement discussion.

COMMISSIONERS AGENDA February 24, 2011

9:00 Minutes
9:30
10:00 Michelle Hyer, Buckeye Hills-Hocking Valley Regional Dev. Dist.
10:30 Jeff Lauer & Darlene Lukshin, Duck Creek Conference Call
11:00
11:30
12:00
12:30
1:00
1:30
2:00
2:30
3:00 Public Hearing - Request to vacate portion of Lawrence TR 380 (Smith Rd.)

OLD BUSINESS

State Route 124 Re-naming and Numbering

NEW BUSINESS

Approval of previous meeting's minutes
Bills from various departments
Resolution - Water Pollution Control Loan Fund Agreement
Additional Appropriation - Commissioners
Additional Appropriation - Sheriff
Transfer - Sheriff
Then & Nows
Travel - Auditor
Travel - FCF
Township Permissive Sales Tax Requests
FCF - New Pay-in Procedure
Agreement - FCF with Verizon Wireless
Safety/Loss Control - Lactation Break Policy
Pooled Funding - FCF
WIA Letters of Support
Signature - Reverse for Sewer Delinquent Tax Assessments

RE: AGENDA

Mr. Irvine moved and Mr. Weber seconded a motion to approve the agenda with the following amendments:

1. Remove WIA Letters of Support
2. Add Devola Lift Station Loan Application

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: MINUTES

Mr. Weber moved and Mr. Irvine seconded the motion to dispense with reading the minutes of the February 17, 2011 meeting and accept them as presented.

A calling of the roll resulted in a unanimous vote of yes. Motion passed.

RE: PAYMENT OF BILLS

Mr. Weber moved and Mr. Irvine seconded a motion to approve the payment of bills from various departments.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: WATER POLLUTION CONTROL LOAN FUND AGREEMENT

Mr. Weber moved and Mr. Irvine seconded a motion to adopt the following resolution, as requested by John Grosse, Stantec Engineer and Sanitary Engineer for Washington County:

***Whereas**, the Washington County Board of Commissioners seek to upgrade its existing wastewater facilities; and*

***Whereas**, the Washington County board of Commissioners intend to apply for Water Pollution Control Loan Fund (WPCLF) for the planning, design and construction of the wastewater facilities; and*

***Whereas**, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,*

***Be it resolved**, by the Board of Commissioners of Washington County, Ohio:*

Section 1. That Timothy C. Irvine, Vice-President, be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and construction of wastewater facilities on behalf of the Board of Commissioners of Washington County, Ohio.

Section 2. That the dedicated source of repayment will be wastewater service charges.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: ADDITIONAL APPROPRIATIONS

Mr. Irvine moved and Mr. Weber seconded a motion to appropriate additional funds as follows:

\$ 67,555.00	Comm.	210-0846-55200	Equipment
\$ 7,396.67	ARRA	210-0387-57200	Advances Out

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: TRANSFERS

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following transfers:

<u>SHERIFF</u>	<u>FROM</u>	<u>TO</u>
\$ 7,396.67	210-0387-57200	100-0384-49200

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: THEN & NOW'S

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following Then & Now's:

<u>Dept</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
MR/DD	215-0622-5-3000	RHDD Inc.	\$ 490.35
MR/DD	215-0622-5-3000	Lynn Corpman Service	\$ 1,071.00
MR/DD	215-0622-5-3000	Havar Inc.	\$ 1,089.49
MR/DD	215-0620-5-3000	B & L Agency, LLC	\$ 1,535.04
MR/DD	215-0620-5-3000	Gail Rymer & Associates	\$ 600.00
MR/DD	215-0622-5-3000	Success Services	\$ 357.00
JFS	200-0720-5-7400	City of Marietta Water Dept.	\$ 265.57
JFS	200-0720-5-3400	Gail Rymer, Ph. D.	\$ 750.00
JFS	200-0720-5-9000	Wash State Comm. College	\$ 142.00
Commissioners	200-0363-5-7400	Neil Lane	\$ 500.00
JFS	200-0720-5-7400	City of Marietta Water Dept	\$ 265.57
Commissioners	210-0826-5-5000	Sign Source	\$ 563.00

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: TRAVEL REQUESTS

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following request for reimbursement of expenses for training and travel pursuant to the policies and procedures and in compliance with the Annual Appropriations for Fiscal Year 2011, and any and all amendments subsequent thereto:

Auditor

Bill McFarland: One-day trip to Columbus, Ohio Council of County Officials Seminar and Legislative Luncheon, March 16, 2011, use of county vehicle.

FCF

Terri McGoye: Two one-day trips to Athens, Help Me Grow child services, February 23 and March 10, 2011, total estimated expense \$84.00.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: TOWNSHIP PERMISSIVE SALES TAX REQUESTS

Mr. Irvine moved and Mr. Weber seconded a motion to approve the requests for use of Permissive Sales Tax funds by the following townships:

Liberty Township	\$10,000	Various Vendors
Salem Township	\$15,000	Various Vendors

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: NEW PAY-IN PROCEDURE FOR FAMILY & CHILDREN FIRST

Mr. Weber moved and Mr. Irvine seconded a motion to approve the new pay-in procedure requested by Washington County Family & Children First and recommended by County Administrator Paul Cunningham.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Steven Weber aye. Motion passed.

RE: VERIZON WIRELESS CONTRACT FOR FAMILY & CHILDREN FIRST

Mr. Weber moved and Mr. Irvine seconded a motion to approve an agreement with Verizon Wireless to provide wireless services and products to Washington County Family & Children First, reducing the monthly expense for such services and products by an estimated \$35 to \$40 per month, with no length of agreement required.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: AMENDMENT TO PERSONNEL POLICY MANUAL

Mr. Weber moved and Mr. Irvine seconded a motion to approve an amendment to the County's Personnel Policy Manual, as requested by Safety/Loss Control Program Director Susan Burkhart. The amendment adds Section 4.04(E), which addresses lactation breaks and is in accordance with U.S Department of Labor requirements. The new Section 4.04(E) is as follows:

Upon request, employees will be provided with a reasonable amount of break time for purposes of expressing breast milk for up to one year after the birth of a child. The employee will be provided with an appropriate space (such as an office or private area, but not a

bathroom) that is shielded from view and free from intrusion from co-workers and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee. To the extent additional time is needed, such additional time shall be unpaid. Employees requesting a lactation break should make arrangements in advance with their supervisor.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: POOLED FUNDING REQUEST, FAMILY & CHILDREN FIRST

Mr. Weber moved and Mr. Irvine seconded a Pooled Funding Agreement for Washington County Family & Children First for the amount of \$1,840.00.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: REVERSE DELINQUENT SEWER ACCOUNT TAX ASSESSMENTS

Mr. Irvine moved and Mr. Weber seconded a motion to send a letter to the Washington County Auditor requesting the removal of the following names from the list of sewer accounts previously certified as being delinquent: Sarah Carpenter, William Hendricks, Jeff Treadway, Kimberly Hammond.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: PRE-CONSTRUCTION CONFERENCE, BUCKEYE HILLS

Michelle Hyer of Buckeye Hills-Hocking Valley Regional Development District conducted a pre-construction conference for the CDBG Formula 2010 Little Muskingum Volunteer Fire Department project, with contractor Michael Fleeman from Fleeman Construction attending.

Mr. Irvine moved and Mr. Weber seconded a motion to sign the Notice of Award, the Contract, and the Notice to Proceed for the project with Fleeman Construction in the amount of \$15,516.50.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

Mr. Irvine then moved and Mr. Weber seconded a motion to sign the Notice of Award, the Contract, and the Notice to Proceed for the CDBG Formula 2010 Village of Matamoras project, for Burt Buildings and Supplies in the amount of \$3,659.06, and to approve Change Order #1 for the project in the amount of \$66.00, a result of increased price of materials.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: DUCK CREEK EARLY WARNING SYSTEM

Darlene Lukshin facilitated a conference call for the Commissioners and other participating partners in the Duck Creek Early Flood Warning Project. Also attending the call with the Commissioners were Bob Badger, County Engineer, Jeff Lauer, County EMA Coordinator, County Administrator Paul Cunningham, and Clerk Rick Peoples.

The purpose of the call was to provide an update on the project and to determine how to best proceed with securing those funds previously committed so that the implementation phase can begin.

John Yeager informed the group that signed copies of the official project documents are now being forwarded to participants, and should be received by them by the end of this week. He requested that both Noble and Washington Counties provide teams of 3 or 4 people to serve as Project Coordination Teams (PCT). Darlene will provide those names representing Washington County.

Mr. Yeager discussed the many forms required to be completed for the project, and the method of securing equipment. He indicated that the Ohio EPA will be asked to do work on the project, thereby likely reducing the total project cost and, in turn, the cost to each County.

There is some question as to ownership of equipment after installation and responsibility for insurance coverage. All parties agreed that County Auditors, insurance representatives, County Prosecutors, and others should be involved in this discussion, and that a written understanding is necessary.

Mr. Yeager then shared a Powerpoint presentation he had prepared for the project, including the process of funding and the "path forward". He and others indicated that once equipment is secured the actual installation will take a very short time. The only problem, which could be significant, is the manufacture and receipt of equipment, likely to be delayed due to the large number of similar orders now being filled by vendors. If, however, the project remains on schedule, installation of equipment should be completed in October/November 2011, and the

project would be considered complete in January 2012.

Quarterly updates will begin in March and subsequent conference calls will be scheduled.

RE: WATER POLLUTION CONTROL LOAN FUND CONSTRUCTION APPLICATION

Mr. Irvine moved and Mr. Weber seconded a motion to proceed with application to the Ohio EPA for a Water Pollution Control Loan in the amount of \$1,944,662.00 for the Devola Lift Station and Forcemain and Sanitary Sewer Rehabilitation Improvements project. If approved, the loan is for a term of twenty (20) years. Mr. Grosse explained the need for the project to move forward.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

RE: HEARING ON REQUEST TO VACATE PORTION OF LAWRENCE TWP RD 380

A public hearing to consider the request to vacate a portion of Lawrence Township Road 380 (Smith Road) was conducted at 3:00 pm. The Commissioners had received a Public Road Petition on December 29, 2011 requesting that 0.215 miles of Lawrence Township Road 380, with a right of way width of 40 feet, be vacated. The Commissioners, County Engineer, and interested parties viewed the road on February 22, 2011.

Mr. Irvine invited all guests to express their opinion on the matter of vacating the road.

Petitioners Greg Martin, Martha Martin, and Angela Greathouse indicated they are upset that people park near the entry to the road, blocking access to their properties (or properties of relatives). Four-wheel and other vehicles continually utilize their properties along the road in question. Calls of complaint to the County Sheriff have not stopped the activity on and near Township Road 380. They request the County Commissioners to vacate the road so that it becomes their property and they can take appropriate action to prevent people from using it.

Others in attendance objected to the County vacating the road, including representatives from the Wayne National Forest who revealed that public access to a portion of Wayne National Forest would be prevented if the road was vacated, thus denying opportunity for hunting, recreation, and timber removal. The only access to this portion of Wayne Nation Forest is via Lawrence Township Road 380. They indicated that the loss of access would negatively affect the value of the public land and would not be in the public's best interest.

Mr. Irvine informed hearing attendees that the Commissioners had received two letters objecting to the road vacation, one from DeVela Clark, District Ranger for Wayne National Forest, and one from County Engineer Robert Badger. Mr. Badger, in his letter, recommended that, if the road is not vacated, the Lawrence Township Trustees place the portion of Township Road 380 on official non-maintained status, in accordance with ORC 5571.20.

Mr. Irvine moved and Mr. Weber seconded a motion to not vacate the portion of Lawrence Township Road 380 (Smith Road) petitioned for such action on December 2, 2010.

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. Weber aye. Motion passed.

Mr. Irvine and Mr. Weber thanked all for their participation in the process, and suggested that the petitioners consider other means of addressing the situation, such as posting of "no trespassing" signs, conversation with the County Sheriff, and installation of fence on private properties.

RE: ADJOURNMENT

Mr. Irvine moved and Mr. Weber seconded a motion to adjourn.

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 3:17 pm

_____, President

_____, Vice President

_____, Member

_____, Clerk

