

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

Also in attendance were Clerk Rick Peoples, Karen Doan, and Bruce Kelbaugh.

Dan Hartman joined Bruce Kelbaugh in meeting with the Commissioners at 9:30 am.

Darlene Lukshin (OSU Extension), County Auditor Bill McFarland, and County Administrator Paul Cunningham arrived at 10:00 am to discuss the Duck Creek Watershed Project status.

At 11:00 am Jody Rauch (OSU Extension) and the Commissioners met with Mary Bayless, Debbie Earich, John Higgins, Melissa Hawes, and Candy Nelson to discuss EFNEP.

John Grosse met with the Commissioners at 11:50 a.m. to discuss county sewer projects.

County Treasurer Dorothy Peppel met with the Commissioners at 1:30 pm.

### **COMMISSIONERS AGENDA March 24, 2011**

9:00 Minutes  
9:30 Bruce Kelbaugh, FCIOO  
10:00 Duck Creek Watershed Project Discussion  
10:30  
11:00 Jody Rauch - EFNEP  
11:30  
12:00  
12:30  
1:00  
1:30 Dorothy Peppel  
2:00  
2:30  
3:00

#### **OLD BUSINESS**

Revision of Washington County Subdivision Regulations

#### **NEW BUSINESS**

Approval of previous meeting's minutes  
Bills from various Departments  
Resolution - Establish Fund CDBG 2011  
Resolution - State of Ohio Enterprise Zone Program  
Resolution - Reimbursement  
Additional Appropriation - Dog & Kennel  
Transfer - EMA  
Then & Nows  
Travel - Commissioners (2)  
Travel - Dog Warden  
Travel - JFS  
Travel - Clerk of Courts  
Township Permissive Sales Tax Request  
Southeast Ohio Regional Quarterly CCAO/CEAO Meeting  
Subgrant Award - DLEF Funds  
Letter to Children Services Board President  
Letter to Kinetic Networking  
Washington County Home - HIPAA Agreement  
Sheriff Department - Justice Assistance Grant  
CDBG - Drawdown  
Pooled Funding - Drawdown  
Key Request - Washington County Mutual Fire Protection  
Engineer - Permissive Tax Request  
Engineer - Root Bridge Pier Repair  
Architect Contract for Annex Roof Replacement Project  
Executive Session

**RE: AGENDA**

The Clerk requested the agenda be amended as follows:

1. Add Travel Request, County Home.
2. Add Request to Purchase Used Truck, County Engineer.
3. Delete Letter to Kinetic Networking.

Mr. Irvine moved and Mr. Weber seconded a motion to accept the agenda as amended.

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

**RE: MINUTES**

Mr. Weber moved and Mr. Irvine seconded a motion to dispense with the reading of the minutes from the March 17, 2011 meeting, and to approve them as submitted.

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

**RE: RESOLUTION TO CREATE FUND CDBG 2010**

Mr. Irvine moved and Mr. Weber seconded a motion to adopt the following resolution:

*WHEREAS*, the fund established for the 2011 CDBG FUNDS was established as account: 210-0823 2011 CDBG;

*WHEREAS*, the funds are actually 2010 CDBG FUNDS instead of 2011 CDBG Funds;

*NOW, THEREFORE BE IT RESOLVED*, by the Board of Washington County Commissioners to hereby change the name of Fund 210-0823 2011 CDBG to Fund 210-0823 2010 CDBG.

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

**RE: ENTERPRISE ZONE PROGRAM RESOLUTION**

Mr. Irvine moved and Mr. Weber seconded a motion to adopt the following resolution:

*WHEREAS*, in order to encourage and promote the creation of employment and investment opportunities within Washington County, the Board of Commissioners of Washington County sponsors the State of Ohio's Enterprise Zone program; and

*WHEREAS*, an integral part of the Enterprise Zone Program is the annual review of those Agreements entered into by the local public partners and private businesses committed to the creation of job and investment opportunities within Washington County: and

*WHEREAS*, consistent with State law Washington County has caused to be created a Tax Incentive Review Council for the purpose of reviewing Enterprise Zone Agreements and recommending an appropriate course of action to the Board of Commissioners with regard to continuance, modification, or termination of the aforementioned Agreements; and

*WHEREAS*, the Tax Incentive Review Council assigned review responsibility has conducted its responsibilities for the period January 1, 2010 until December 31, 2010; and

*WHEREAS*, the Tax Incentive Review Council recommends that Agreements monitored during the review and reporting period be continued without modification, these to include Agreements with:

Columbus Southern Power Company  
Dimex Corporation and Gladstone Companies (formerly Dimex LLC)  
Miller Real Estate Development Company  
Ohio Valley Alloy Services, Inc.  
Duke Energy Ohio, Inc.

*BE IT RESOLVED* by the Board of Commissioners of Washington County to receive and accept the recommendations of the Washington County Tax Incentive Review Council and to hereby continue the above identified Agreements.

*BE IT FURTHER RESOLVED* that all Agreements with NOVA chemicals continue to be terminated.

A calling of the roll resulted in the following vote: Cora Marshall aye, Timothy Irvine aye,

Steven Weber aye. Motion passed.

**RE: REIMBURSEMENT OF EXPENSE RESOLUTION**

Mr. Weber moved and Mr. Irvine seconded a motion to adopt the following resolution:

*WHEREAS*, the Washington County IT Director held a meeting at 12:00 P.M., November 18, 2010 with Elected Officials and employees to demonstrate the new Google Apps and to have any questions answered by Google Representatives,

*WHEREAS*, the Washington County Commissioners deemed it convenient and provided lunch to those that were in attendance as the meeting was at 12:00 P.M. and;

*NOW, THEREFORE BE IT RESOLVED*, the Board of Washington County Commissioners hereby authorize reimbursement totaling \$232.34 to Eric Skomra for the purchase of food from Domino's Pizza for the meeting held on November 18, 2010 at 12:00 p.m. for the convenience of the Elected Officials and employees who attended the demonstration on the new Google Apps program the County will be converting to in the near future.

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

**RE: ADDITIONAL APPROPRIATION**

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

\$ 3,000.00 Dog & Kennel 200-0720-53400 Contract Services

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

**RE: TRANSFER**

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

<u>COUNTY GENERAL</u>	<u>FROM</u>	<u>TO</u>
\$ 10,000.00	100-0101-57100	200-0315-49100

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

**RE: THEN AND 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>
A Sheriff Department	200-0386-5-7400	Pine Grove Kennel	\$ 3,000.00
Sheriff Department	100-0384-5-3403	Wash. State Comm. College	\$ 1,218.50
DJFS	200-0720-5-9000	Marco Rentals	\$ 500.00
Decatur Township	100-0565-5-3000	Shelly Materials	\$ 2,000.00
Auditor	200-0122-5-3400	Barry R. Ankney, Inc.	\$ 4,590.00

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

**RE: TRAVEL REQUESTS**

Mr. Irvine moved and Mr. Weber 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:

EMA

Jeff Lauer: One-day trip to Caldwell, Duck Creek Watershed meeting; March 31, 2011.

COMMISSIONERS

Tim Irvine, Steve Weber: One-day trip to Columbus; Ohio Council of County Officials Seminar and Legislative Luncheon; March 16, 2011.

Cora Marshall, Timothy Irvine: One-day trip to Columbus; CORSA meeting; March 25, 2011.

DOG WARDEN

Greg Sturm: One-day trip to Caldwell; meeting with Noble County Commissioners; April 7, 2011.

JFS

Tom Ballengee: One-day trip to Tuscarawas County; Canton District Directors' Meeting; April 5, 2011.

CLERK OF COURTS

Brenda Wolfe: Two-day trip to Columbus; Ohio Clerk of Courts Association executive meeting and spring education seminar; April 20/21, 2011.

COUNTY HOME

Ted Williams: Four-day trip to Columbus; Ohio County Home Association Annual Conference; March 27-30, 2011.

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

**RE: TOWNSHIP PERMISSIVE SALES TAX REQUEST**

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

Fearing Township	\$ 2,000.00	Various Vendors
------------------	-------------	-----------------

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

**RE: SOUTHEAST OHIO REGIONAL QUARTERLY CCAO/CEAO MEETING**

Coordinated by Safety/Loss Control Coordinator Susan Burkhart, the Southeast Ohio Regional Quarterly County Commissioners Association of Ohio (CCAO)/County Engineers Association of Ohio (CEAO) Meeting is being planned for June 21 in Marietta. The tentative schedule includes dinner at the Country Club, optional golfing and tours, and appropriate meeting agenda items.

**RE: SUBGRANT AWARD AGREEMENT, DLEF**

Mr. Weber moved and Mr. Irvine seconded a motion for Ms. Marshall to sign the Subgrant Award Agreement for Subgrant Number 2010-DL-LEF-5852 for the RIP Dutch & Barney Project, award amount of \$13,949.86, as requested by Sheriff Larry Mincks.

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

**RE: LETTER TO CHILDREN SERVICES BOARD PRESIDENT**

Mr. Irvine moved and Mr. Weber seconded a motion to send a letter of appreciation to Gregg M. Emrick, President, Washington County Children Services Board, for recent conversations with the Commissioners about how the two boards can work together to become more efficient and cost-effective in their use of County funds, while maintaining quality services for the children and citizens of the County.

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

**RE: ACCUMED HIPAA AGREEMENT**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the AccuMed HIPAA Business Associate Agreement on behalf of the Washington County Home.

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

**RE: SUBGRANT AWARD AGREEMENT, JAG**

Mr. Irvine moved and Mr. Weber seconded a motion for Ms. Marshall to sign the Subgrant Award Agreement for Subgrant Number 2010-JG-LLE-5147 for the Computer Grant Project, award amount of \$15,000.00, as requested by Sheriff Larry Mincks.

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

**RE: CDBG DRAWDOWN**

Mr. Irvine moved and Mr. Weber seconded a motion to allow Ms. Marshall and Mr. Irvine to sign a request to the Office of Housing and Community Partnerships for drawdown in the amount of \$10,520.00 for the Riverview Lift Station and Force Main Project, as requested by Michelle Hyer, Buckeye Hills-Hocking Valley Regional Development District.

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

**RE: POOLED FUNDING AGREEMENTS**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the two Pooled Funding Agreements presented by Washington County Family & Children First Council.

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

**RE: REQUEST FOR KEY, WASHINGTON COUNTY MUTUAL FIRE PROTECTION ASSOCIATION**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the request from Mike Lee, President of the Washington County Mutual Fire Protection Association, to issue a key for the Colegate Drive County Garage to Jennifer Lauer, Association Secretary/Treasurer.

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

**RE: REQUEST FOR PERMISSIVE TAX FUNDS, CITY OF MARIETTA**

Mr. Irvine moved and Mr. Weber seconded a motion to approve the request from the City of Marietta for Permissive Tax Funds in the amount of \$32,089.00 for use in the Greene Street Safety Improvements Project.

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

**RE: NOTICE OF COMMENCEMENT OF PUBLIC IMPROVEMENT, ROOT BRIDGE REPAIR**

Mr. Irvine moved and Mr. Weber seconded a motion to approve the Notice of Commencement of Public Improvement for the Root Bridge Pier Project, and to allow Ms. Marshall to sign the document, as requested by County Engineer Bob Badger.

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

**RE: CONTRACT FOR ARCHITECTURAL SERVICES, COURTHOUSE ANNEX RE-ROOFING PROJECT**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the contract with Vargo, Cassidy, Ingham & Gibbs Architects, Inc., for services to prepare the bid package for the courthouse annex re-roofing project, not to exceed \$5,500.00.

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

**RE: REQUEST TO PURCHASE USED TRUCK, WASHINGTON COUNTY ENGINEER**

Mr. Weber moved and Mr. Irvine seconded a motion to approve County Engineer Bob Badger's request to purchase a used 2007 GMC Sierra SL pickup truck from Pioneer Chevrolet-Cadillac of Marietta for use by the County Highway Department, for the amount of \$15,500.00.

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

**RE: OFF-SITE COMMISSIONERS MEETING**

The regular meeting of the Washington County Commissioners on April 21, 2011 will be held at 6:00 pm in the library of the New Matamoras Elementary School.

**RE: REQUEST FOR DEFIBRILLATOR TRAINING**

Karen Doan, Clerk of Courts office, requested the Commissioners to offer training to interested County employees to learn the appropriate use of the defibrillator located on the third floor of the courthouse. She commented this piece of equipment can be a lifesaver, but people aren't comfortable using it if they haven't been instructed on how to use it. She suggested that the Commissioners arrange times during work hours for this safety training, encouraging participation by as many as possible.

Ms. Marshall indicated that the Commissioners are working with Safety/Loss Control Coordinator Susan Burkhart, Sheriff Larry Mincks, and Maintenance Supervisor Tim Marty to proceed with this training, and thanked Ms. Doan for her interest in providing a safe environment for the courthouse staff and visitors.

**RE: FEDERAL CREEK INDIAN ORGANIZATION OF OHIO GRANT APPLICATION**

Bruce Kelbaugh and Dan Hartman informed the Commissioners that they are in the process of applying for a grant in the amount of \$1,500,000 (\$500,000/year for three years) from the Administration for Native Americans, on behalf of the Federal Creek Indian Organization of Ohio (FCIOO). The proposal calls for the creation of a "First Ohioans Solar Energy" business plan, the training of Cutler-area Native Americans in the solar energy field, and the eventual application of solar energy equipment in non-profit agency facilities and residences of elderly county citizens. Successful grant application and project follow-through could be of significant benefit to the County, and unique in the nation. As the grant requires a \$100,000 cash/in-kind match, Mr. Hartman as grant-writer for the project is considering using Pell Grants awarded to program participants and will likely request CDBG funds as well. He indicated they are currently lacking about \$30,000 of the \$100,000 needed.

**RE: DUCK CREEK WATERSHED PROJECT**

Darlene Lukshin of the OSU Extension Office updated the Commissioners and others on the status of the Duck Creek Watershed Early Warning Project, and the process for funding.

**RE: EFNEP**

Jody Rauch of the OSU Extension Office met with the Commissioners and representatives of other County departments to determine a plan to attract more participants to the Expanded Food Nutrition Education Program (EFNEP).

**RE: COUNTY SEWER PROJECTS**

John Grosse of Stantec Consulting Services, Inc., updated the Commissioners on County sewer projects. He requested consideration of the following:

- Change Orders 1, 2, and 3 for the Riverview Rehabilitation and Lift Station Project, in the amounts of \$8,540.00, \$6,040.00, and \$10,520.00 respectively, as requested by Larry Lang Excavating
- Partial Payment Estimate/Estimate of Work Complete #3 from Larry Lang Excavating for the Washington County Lift Station Improvements Project, in the amount of \$31,879.00
- Disbursement Request #4 for the Sanitary System Improvements and I/I Reduction Project, in the amount of \$23,590.46

In the absence of Mr. Irvine, and with the understanding that appropriate retainage will be withheld, Mr. Weber moved and Ms. Marshall seconded a motion to approve these items, authorizing Ms. Marshall to sign the Change Orders and Partial Payment Estimate, and Ms. Marshall and Mr. Irvine to sign the Disbursement Request.

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

**RE: EXECUTIVE SESSION**

Mr. Irvine moved and Mr. Weber seconded a motion to enter Executive Session to discuss personnel matters relating to compensation of public employees, and to invite County Administrator Paul Cunningham and Clerk Rick Peoples to attend.

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

At 12:10 p.m. the Commissioners entered Executive Session.

At 12:15 p.m. the Commissioners returned to Regular Session.

**RE: PUBLIC DEPOSITORY OF ACTIVE FUNDS**

Clerk Rick Peoples informed Commissioners Irvine and Weber, Treasurer Dorothy Peppel, and Administrator Paul Cunningham of his review of sealed bids from area financial institutions to serve as the public depository of active funds beginning May 1, 2011. Ms. Peppel will consider the information and recommend to the Commissioners a depository, as required by Section 135.33 of the Ohio Revised Code.

**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 1:55 pm.

\_\_\_\_\_, President

\_\_\_\_\_, Vice President

\_\_\_\_\_, Member

\_\_\_\_\_, Clerk