

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 12, 2011, IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: TIMOTHY C. IRVINE, VICE PRESIDENT, AND STEVEN W. WEBER, MEMBER. 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 Clerk Rick Peoples and Ashley Hill of *The Marietta Times*.

Steve Miller, CompManagement, met with the Commissioners at 10:00 am.

Dawn Rauch, Community Action, and Michelle Hyer, Buckeye Hills, met with the Commissioners at 11:00 am.

President Cora Marshall joined the meeting, and assumed leadership of it, at 12:15 pm.

John Grosse, Stantec Consulting Engineer, joined the meeting at 12:15 pm.

COMMISSIONERS AGENDA May 12, 2011

9:00 Minutes
9:30 Terry Tamburini, Southeast Ohio Port Authority
10:00 Comp Management
10:30
10:45 Dawn Rauch, Urban Transit
11:00 Michelle Hyer, Buckeye Hills
12:00
12:15 Intergovernmental Agreement Signing
12:30 John Grosse, Stantec Consulting Engineer
1:00
1:30
2:00
2:30
3:00

OLD BUSINESS

Engineer Request to Dispose of Old Tax Map Copies

NEW BUSINESS

Approval of previous meeting's minutes
Bills from various departments
Resolution - Community Action Month
Resolution - Support of Knox County Commissioners
Minus Appropriation - Sheriff
Then & Nows
Travel - Auditor
Travel - Clerk of Courts
Travel - JFS
Travel - FCF
Travel - Engineer
Administration Contract - CDBG/Highland Ridge Waterline Extension
Buckeye Hills Project Review
Signature - CSEA Request
Signature - Delinquent Sewer Account Letters to Account Holders
Signature - Delinquent Sewer Account Letter to County Auditor
Engineer - 2011 Ford 4-Wheel Drive Truck Purchase Recommendation
Engineer - WAS-T-388-0018 SA Stephens Bridge Contract
CEBCO - Selection of Health and Wellness Coordinator

RE: AGENDA

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

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 a motion to dispense with the reading of the minutes from the Regular Meeting on May 5, 2011, and to approve them as submitted.

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

RE: RESOLUTION DESIGNATING COMMUNITY ACTION MONTH

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

Whereas, Ohio's Community Action Agencies were created when the Economic Opportunity Act was signed in 1964; and

Whereas, the Community Program Corporation of Washington-Morgan Counties, Ohio, has helped residents of Washington County become and stay self-sufficient over its forty-three year history as the designated Community Action Agency for Washington and Morgan Counties; and

Whereas, the Community Program Corporation of Washington-Morgan Counties, Ohio, has made an essential contribution to individuals and families in Washington County by providing them with innovative and cost-effective programs; and

Whereas, the Community Program Corporation of Washington-Morgan Counties, Ohio, meets ongoing needs for jobs that pay well and provide benefits, lifelong learning opportunities, affordable housing, reliable transportation, and stable social and household safety nets.

Now, therefore, be it resolved by the Board of Washington County Commissioners that the month of May 2011 is recognized and proclaimed as

Community Action Month in Washington County

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

RE: RESOLUTION IN SUPPORT OF KNOX COUNTY COMMISSIONERS

Mr. Weber moved and Mr. Irvine seconded a motion to table consideration of the request for a resolution supporting the Knox County Commissioners.

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

RE: MINUS APPROPRIATION

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following minus appropriation for the Sheriff's Department:

210-0395-53403 Continuing Education - \$ 360.00

A calling of the roll resulted in the following vote: Mr. Irvine aye, Mr. 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>
County Home	200-0630-5-4000	Marietta Office Supply	\$ 223.44
IT Department	100-0190-5-3000	Mancan	\$ 180.00

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

RE: TRAVEL REQUESTS

Mr. Weber and Mr. Irvine seconded a motion to approve the following requests 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 Logan for County Auditors' Association meeting; May 13, 2011.

CLERK OF COURTS

Brenda Wolfe: Four-day trip to Dayton for Ohio Clerk of Courts Association Summer Conference; June 14-17, 2011.

JOB AND FAMILY SERVICES

Tom Ballengee (and others): Three-day trip to Columbus for Ohio Job and Family Services Directors' Association Workshop; May 23-25, 2011.

ENGINEER

Bob Badger: One-day trip to Columbus for CEAO Board Meeting; June 9, 2011.

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

RE: ADMINISTRATION CONTRACT WITH BUCKEYE HILLS

Mr. Weber moved and Mr. Irvine seconded a motion to approve the CDBG Contract for the Delegation of Administrative Activities under a Community Development Block Grant from the Ohio Department of Development, for the Highland Ridge Waterline Extension, during the period April 1, 2011 through May 31, 2013, in the amount of \$6,700.00, as requested by Melissa Zoller, Development Director, Buckeye Hills-Hocking Valley Regional Development District, and to allow Ms. Marshall to sign the document.

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

RE: PROJECT REVIEW, FARSON STREET ROAD WIDENING PROJECT

Mr. Weber moved and Mr. Irvine seconded a motion to approve of the Farson Street Road Widening Project, and to allow Ms. Marshall to sign the Area Clearinghouse Transmittal, indicating "Clearance of the project should be granted.", as requested by Buckeye Hills-Hocking Valley Regional Development District.

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

RE: CSEA BENEFITS REQUEST

Mr. Weber moved and Mr. Irvine seconded a motion to approve the request of Barb Tergolina, CSEA Director, to offer the same level of benefits to non-bargaining members of the Washington County CSEA as are available to bargaining unit members. Specifically, she requested Articles 21, 22, and 24 of the Collective Bargaining Agreement between CSEA and Local 772B, Ohio Council 8, AFSCME, AFL-CIO, SERB Case Number 2011-MED-01-0011, effective April 1, 2011 through March 31, 2014, be approved for non-bargaining members of the CSEA.

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

RE: DELINQUENT SEWER ACCOUNTS

Mr. Weber moved and Mr. Irvine seconded a motion to approve letters to be sent to the following delinquent account holders, notifying them that their sewer accounts are extremely past due and that immediate payment must be made: Federal National Mortgage Association, American Home Mortgage Services.

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

RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS

Mr. Weber moved and Mr. Irvine seconded a motion to approve two letters to County Auditor Bill McFarland, certifying the delinquency of amounts on sewer accounts and requesting those amounts be added to property tax bills, in accordance with ORC 6117.02.

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

RE: PURCHASE OF 2011 FORD TRUCK

Mr. Weber moved and Mr. Irvine seconded a motion to approve the purchase of a 2011 4-wheel drive truck from Family Ford, for the amount of \$33,839.90, the lowest responsive and acceptable sealed bid received, as requested by Engineer Bob Badger.

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

RE: STEPHENS BRIDGE CONTRACT

Mr. Weber moved and Mr. Irvine seconded a motion to approve the contract with Tom Mayle & Sons Construction, Inc., for the superstructure replacement and abutment repair of the Stephens Bridge on Salem Township Road 388, in the amount of \$195,363.00, as recommended by Engineer Bob Badger.

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

RE: HEALTH AND WELLNESS COORDINATOR

Upon the request of Safety & Loss Coordinator Susan Burkhart, the Commissioners considered the assignment/appointment of a Wellness Coordinator for Washington County, primarily to coordinate and arrange healthy activities and/or programs for the benefit of County employees, and to work closely with the CEBCO Wellness Coordinator.

Mr. Weber moved and Mr. Irvine seconded a motion to assign the responsibility of Wellness Coordinator to Court Witschey, Cardio-Vascular Health Coordinator for the County, subject to the approval of his funding source and his supervisor.

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

RE: COMP MANAGEMENT

Steve Miller, representing CompManagement, reviewed with the Commissioners the historical and current Washington County Workers Compensation claims. CompManagement serves as the third party administrator for the County through CCAO. He indicated that while the rates are going up, the modifier is going down.

Although the County is currently administering drug tests to new employees, an additional 4% savings on Workers Comp premium could be realized by administering an ongoing random drug test, with all employees subject to it. Such a program might be difficult to implement, though, as there are union contracts in place that would need to be in agreement with the program.

The County is currently in a group rating program, and therefore it wouldn't be advisable to enter into a "deductible" program at this time. The County may, though, be invited to participate in a "retro" program. The County should weigh the benefits and costs before determining whether to be in a retro or group rating program.

Comp Management's annual fee for their services to the County is \$3,500.00. Mr. Miller reminded the Commissioners that the County's Bureau of Workers Compensation premium must be paid by May 15, 2011. He provided to the Commissioners materials that will assist in their decision-making when it is time to determine which BWC program is best for the County. That decision will need to be made by August 31, 2011.

RE: PURCHASE OF BUS FOR PUBLIC TRANSIT

Mr. Weber moved and Mr. Irvine seconded a motion to approve a resolution to authorize the purchase of one light transit less-than-30-foot bus for public transit under the 2010 Clean and Green Program through the State of Ohio, from Whitworth Bus Sales, Inc., under the State of Ohio's term contract number 248-10, as recommended by Dawn Rauch, Community Action.

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

RE: FTA APPLICATION LETTER OF ASSURANCE

Mr. Weber moved and Mr. Irvine seconded a motion to approve a letter of assurance to the U.S. Department of Labor, consenting to be financially and administratively responsible for the language incorporated in the Contract of Assistance, Grant #OH-95-X077, as recommended by Dawn Rauch, Community Action.

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

RE: CDBG FORMULA 2011 PROJECTS

Mr. Weber moved and Mr. Irvine seconded a motion to approve a priority list of Community Development Block Grant projects for 2011, subject to availability of funds, as follows:

- | | |
|---|-----------|
| 1. City of Belpre Sidewalks | \$ 30,000 |
| 2. Village of Matamoras Bldg. Rehab | \$ 10,700 |
| 3. Village of Lower Salem Handicap Ramp | \$ 16,000 |
| 4. LA Fire Dept Equipment | \$ 9,900 |
| 5. Watertown VFD Equipment | \$ 31,800 |
| 6. Little Muskingum VFD Equipment | \$ 17,700 |

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

RE: RESOLUTION IN SUPPORT OF KNOX COUNTY COMMISSIONERS

Upon the entry of President Cora Marshall to the meeting, Mr. Irvine moved and Mr. Weber seconded a motion to return to the table the Resolution of Support for the Knox County Commissioners.

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

Mr. Irvine moved and Mr. Weber seconded a motion to approve the following resolution, as requested by CCAO:

Whereas, the Knox County Commissioners and the Knox County Engineer have been engaged in litigation (*Stockberger et al. v. Henry*, Case No. 10CA000018, the Knox County Court of Appeals) to determine whether the Commissioners may require the Engineer to use motor vehicle and gas tax funds controlled by the Engineer to pay the Engineer Office's share of property and liability insurance costs; and

Whereas, this issue is an important one to all Ohio counties in this time of very difficult funding decisions; and

Whereas, the County Commissioners Association of Ohio (CCAO) has asked Washington County to join it in an amicus curiae brief requesting the Ohio Supreme Court to accept jurisdiction of the case, and this Board wishes to do so.

Now, therefore, be it resolved by the Board of Commissioners of Washington County, Ohio:

1. That Washington County agrees to join with CCAO to participate as amicus curiae in support of the Knox County Commissioners in the case of *Stockberger et al. v. Henry*, Case No. 10CA000018, Knox County Court of Appeals, urging the Ohio Supreme Court to accept jurisdiction of the case.
2. That it is understood that this participation will be at no cost to Washington County.
3. That this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

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

RE: INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF MARIETTA

Mr. Irvine moved and Mr. Weber seconded a motion to approve the Intergovernmental Agreement for Sanitary Sewer Services with the City of Marietta, allowing for the City to accept for treatment at its Wastewater Treatment Plant wastewater from areas within Washington County including, but not limited to, Devola, Oak Grove, and Reno, for a term of forty (40) years, beginning, May 12, 2011 or the date of Washington County's loan closing with USDA Rural Development on a loan applicable to this Agreement, which is later, as recommended by John Grosse, Consulting Engineer with Stantec Consulting Services, Inc., as more fully described in the Agreement on file in the Commissioners Office, and to allow Ms. Marshall to sign the document.

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

Ms. Marshall expressed her appreciation for all those who have worked for so long to bring this agreement to reality.

RE: CHANGE ORDER #1, RIVERVIEW SANITARY SEWER AND LIFT STATION

Mr. Irvine moved and Mr. Weber seconded a motion to approve Change Order #1 for the Riverview Sanitary Sewer and Lift Station Maintenance Project, for contractor Kendrick Excavating, Inc., to excavate additional rock, in the amount of \$14,213.00, as requested by John Grosse, Consulting Engineer with Stantec Consulting Services, Inc.

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

RE: WATER POLLUTION CONTROL LOAN FUND AGREEMENT

Mr. Irvine moved and Mr. Weber seconded a motion to approve the Water Pollution Control

Loan Fund Agreement between the Environmental Protection Agency of the State of Ohio, the Ohio Water Development Authority, and Washington County, for the Devola Lift State and Forcemain and Sanitary Sewer Rehabilitation Project, allowing the County to proceed with application to borrow \$1,552,041.00, as recommended by John Grosse, Consulting Engineer with Stantec Consulting Services, Inc., and to allow Ms. Marshall, President, to sign the document(s).

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

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 12:50 pm.

_____, President

_____, Vice President

_____, Member

_____, Clerk