

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JUNE 16, 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 attending were Clerk Rick Peoples and visitor Jack Brum.

In addition to their appointments below, the Commissioners at some time throughout the day met with:

Prosecutor Jim Schneider and Sheriff Larry Mincks
Carol McKittrick and Steve Herron from the Humane Society
Assistant Dog Warden Howard Hamrick
Buildings and Grounds Superintendent Tim Marty

COMMISSIONERS AGENDA

June 16, 2011

9:00 Minutes
9:30 Kathy Gramkow, WIA
10:00
10:30
11:00
12:00
1:00
1:30
2:00
3:00

OLD BUSINESS

Engineer Request to Dispose of Old Tax Map Copies
Copier - Lease Agreement - FCF
Disposition of 1990 Ford Ambulance

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Transfer - Probate/Juvenile
Then & Nows
Travel - FCF (2)
Travel - RSVP
Travel - CSEA
Permissive Sales Tax Request
Annex Roof Project Contract Administration
Area 15 WIB & Youth Council Member Terms Expiring
CSEA - IV-D Contract Approval
Engineer - Contracts, Bob Lane's Welding (2)
Engineer - Contract, Burt Building & Supplies
Engineer - Contracts, Larry Lang Excavating (3)
Engineer - WAS-C-33-0167 GR Knowlton Bridge Contract

UPCOMING EVENTS

Tuesday, June 21 -CCAO/CEAO Quarterly Meeting
Monday, July 4 - Holiday (Independence Day)
Thursday, July 7 - Regular Meeting in Lower Salem
Tuesday, July 26 - Joint Meeting , Economic Development, Caldwell

RE: AGENDA

Mr. Irvine moved and Mr. Weber seconded a motion to accept the agenda, with the following amendment:

Add: Additional Appropriations - Homeland Security

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 Regular Meeting on June 9, 2011, 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: ADDITIONAL APPROPRIATION

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

| | | |
|----------------|------------------|--------------|
| 215-0866-53000 | Contract Service | \$ 19,347.93 |
| 215-0866-55200 | Equipment | \$ 58,043.79 |

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

RE: TRANSFERS

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

| <u>From</u> | <u>To</u> | <u>Amount</u> |
|-----------------------|----------------|---------------|
| County General | | |
| 100-0101-51120 | 100-0330-53102 | \$ 1,500.00 |

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> |
|---------------|-----------------|------------------|---------------|
| Engineer | 200-0540-5-3502 | Simplex Grinnell | \$ 476.00 |
| Commissioners | 200-0364-5-3000 | AT & T | \$ 6,499.55 |
| County Home | 200-0630-5-4000 | Omnicare | \$ 6,460.95 |

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. Weber moved 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:

Family & Children First

Cindy Davis: One-day trip to Columbus for Ohio Children's Trust Fund Stakeholders Meeting on June 27, 2011; estimated expense \$115.00.

Terri McGoye, Royetta Cline, Melissa Cox, Gina Messer: One-day trip to Columbus for a conference on June 30, 2011; estimated expense \$130.00.

RSVP

Lisa Valentine: One-day trip to Worthington to attend Ohio RSVP Directors' Association Meeting on June 17, 2011.

CSEA

Barb Tergolina: One-day trip to Woodsfield for Subrecipient vs. Vendor Determination Meeting on June 22, 2011.

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 SALES TAX FUNDS

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

Liberty Township \$10,000 Road Materials & Hauling

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

RE: CONTRACT ADMINISTRATION, ANNEX ROOF PROJECT

Mr. Irvine moved and Mr. Weber seconded a motion to enter into agreement with Vargo, Cassady, Ingham, and Gibbs Architects, Inc., to provide contract administration services for the Annex Re-roofing Project on an hourly rate basis, not to exceed \$2,900.00, as recommended by Tim Marty, Maintenance Supervisor.

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

RE: AREA 15 WORKFORCE INVESTMENT BOARD AND YOUTH COUNCIL APPOINTMENTS

Mr. Irvine moved and Mr. Weber seconded a motion to table the request from Larry D. Hivnor to approve the suggested appointments and re-appointments to the Area 15 Workforce Investment Board and Youth Council, pending further discussion about the list of names.

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

RE: IV-D CONTRACT APPROVAL

Mr. Irvine moved and Mr. Weber seconded a motion to approve the IV-D contract between Washington County Child Support Enforcement Agency and Washington County Common Pleas Court, Juvenile Division, for the period July 1, 2011 through June 30, 2012, in the amount of \$44,492.71, as recommended by Barb Tergolina, Director, Child Support Enforcement Agency.

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

RE: CONSTRUCTION CONTRACTS

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following contracts, as recommended by County Engineer Bob Badger:

Bob Lane's Welding, \$14,514.00, landslip repair on County Road 11
Bob Lane's Welding, \$14,704.00, landslip repair on County Road 17
Burt Building and Supplies, \$22,450.00, construction of storage building
Larry Lang Excavating, \$11,708.98, landslip repair on County Road 333
Larry Lang Excavating, \$12,539.74, landslip repair on County Road 9
Larry Lang Excavating, \$4,365.59, landslip repair on County Road 133

And to sign the contract prepared, and previously approved, for Ohio-West Virginia Excavating Company for the superstructure replacement of the Knowlton Bridge on County Road 33 for a sum of \$122,388, 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: VISITOR COMMENTS

Ms. Marshall welcomed Jack Brum and invited his comments. He first requested a moment of silence, recognizing the recent loss of former Washington County Commissioner Sam Cook and former Sheriff's Department employees Lisa Koon and Steve Lynch.

Mr. Brum referenced a recent article in *The Columbus Dispatch*, which described a SWAT Team training that involved many counties, including Washington County. He noted that a helicopter was used in the training, but that it wasn't provided by Washington County because Washington County no longer has possession of a helicopter. He considers the use of a helicopter critical in an emergency situation, and is disappointed that the Washington County Sheriff no longer has possession of one.

Mr. Brum then commented that it was recently revealed that Marietta City Schools uses an "outside" legal firm to represent the Board of Education and Administration in legal matters, rather than the Marietta City Law Director. The firm of Downes Fishel Hass Kim, LLP, Attorneys at Law, is a major proponent of Senate Bill 5 and, according to another article in *The Columbus Dispatch*, was "let go" by Mahoning County because of that. Mr. Brum noted that Washington County uses them in legal matters, and suggested it might be bad public relations to continue the relationship with that firm if Senate Bill 5 is on the ballot in November. Mr. Brum also noted that the County has paid between \$7,000 and \$8,000 to the firm from January 1 through March 31, 2011.

Mr. Brum indicated that upon his request, and that of Chris Forshey, for a copy of the resolution and/or contract approving the services of Downes Fishel Hass Kim, LLP, Attorneys at Law, for the Washington County Sheriff's Department, he was told there is no such resolution. Ms. Marshall thanked Mr. Brum for bringing this to the Board's attention, and stated that more information is needed before an appropriate response can be offered as to whether it is legal for the County to use the services of an "outside" law firm without entering into a contractual relationship with that firm.

RE: WORKFORCE INVESTMENT

Kathy Gramkow, Community Action, updated the Commissioners on anticipated funding for Workforce Investment. There apparently will be an approximate \$40,000 reduction in Area 15 Formula Allocation for Washington County, with a reduction of approximately \$200,000 to Area 15. She indicated that the County's reduction appears to be less than that of other Ohio counties. Mr. Irvine asked how much of these Workforce Investment Act funds are used for administrative expenses. After much review of the Budget-to-Actual report, it appears that approximately 50% of the allocation is used for salaries, benefits, and other administrative expenses. Review of the financial activity of local WIA funds continues, as there is question about some of the line items on the report. Kathy noted that all of the funds awarded to Washington County are used, unlike other counties that routinely have funds remaining at the end of the fiscal year.

RE: EXECUTIVE SESSION

Mr. Weber moved and Mr. Irvine seconded a motion to enter into Executive Session to discuss personnel matters relating to the dismissal of a public employee, and to invite Administrator Paul Cunningham and Clerk Rick Peoples to the session.

A calling of the roll resulted in the following vote: Cora Marshall aye, Timothy Irvine aye, Steven Weber aye. Motion passed, and the Commissioners entered Executive Session at 10:18 a.m.

The Commissioners returned to Regular Session at 10:40 a.m.

RE: OPERATION OF THE DOG WARDEN'S OFFICE

The Commissioners discussed with Carol McKitrick and Steve Herron, both representing the Humane Society of the Ohio Valley, the availability of their staff to temporarily assist in the operations of the Dog Warden's office. As they have done in the past, they offered to provide assistance on an as-needed basis, with compensation on an hourly basis yet to be determined. Cell phones will be used to communicate. Mr. Herron indicated that he will provide to the Commissioners a proposal for an hourly rate and a list of the fees they regularly charge for all the services they provide.

RE: TERMINATION OF ASSISTANT DOG WARDEN

Mr. Weber moved and Ms. Marshall seconded a motion to terminate Howard Hamrick as Assistant Dog Warden, who is currently in a probationary period of employment, effective at 4:00 p.m. on Friday, June 17, 2011.

Calling of the roll resulted in the following vote: Cora Marshall aye, Steven Weber aye. Mr. Irvine abstained. Motion passed.

RE: EXECUTIVE SESSION

Mr. Weber moved and Mr. Irvine seconded a motion to enter into Executive Session to discuss collective bargaining matters. Invited to attend the session were Sheriff Larry Mincks, Prosecutor Jim Schneider, Administrator Paul Cunningham, and Clerk Rick Peoples.

A calling of the roll resulted in the following vote: Cora Marshall aye, Timothy Irvine aye, Cora Marshall aye. Motion passed, and at 11:10 a.m. the Commissioners entered Executive Session.

The Commissioners returned to Regular Session at 11:25 a.m.

RE: PROPOSALS FOR WIRELESS BROADBAND NETWORK PROJECT

The one sealed proposal to provide wireless Internet services for the Washington County Wireless Broadband Network Project, from Diamondback Technology Solutions/CONXX, Inc., was opened at 2:20 p.m. The proposal was forwarded to IT Director Eric Skomra for review and recommendation.

At 2:30 p.m. Ms. Marshall excused herself from the remainder of the meeting.

RE: NOTICE OF TERMINATION

Mr. Weber read the following letter to Howard Hamrick, Assistant Dog Warden:

June 16, 2011

Howard Hamrick
Part-Time Assistant Dog Warden
10165 Grantsville Rd
Little Hocking, OH 45742

RE: Notice of Termination

Dear Howard:

We have determined that it is in the best interest of Washington County to terminate your probationary employment. This termination is effective at 4:00 pm on Friday, June 17, 2011.

This action is taken in accordance with Washington County Personnel Policy 3.13, which provides that probationary employment may be terminated with or without cause.

We are considering other options of providing those services that must be provided by the Dog Warden's Office.

Sincerely,

WASHINGTON COUNTY COMMISSIONERS

/s/ Cora A. Marshall
/s/ Timothy C. Irvine
/s/ Steven W. Weber

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 3:10 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk