

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON AUGUST 18, 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. 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 Administrator Paul Cunningham, Engineer Bob Badger, County resident Jack Brum, and Clerk Rick Peoples.

COMMISSIONERS AGENDA

August 18, 2011

9:00 Minutes

9:30 Pre-Construction Mtg. - Fearing Twp. CDBG Project

10:00 Alison Cauthorn (re: Buckeye Energy proposal)

11:00 State Auditors

11:30 Tom Ballengee, JFS

12:00

1:00 Budget Commission - Tax Budget Hearing

UNFINISHED BUSINESS

Engineer Request to Dispose of Old Tax Map Copies

Auditor of State LEAP Fund Proposal

Buckeye Energy Aggregation Agreement

NEW BUSINESS

Approve Agenda

Approval of previous meeting's minutes

Bills from various departments

Resolution - Moment of Remembrance of the 10th Anniversary of Sept 11th

Additional Appropriation - Sheriff (2)

Additional Appropriation - WCBDD

Additional Appropriation - Municipal Ct.

Additional Appropriation - Probate/Juvenile

Transfer - 911

Transfer - Auditor

Transfer - Sheriff (2)

Transfer - Veterans

Then & Nows

Travel - Commissioners

Travel - JFS

Requests for Permissive Sales Tax (3)

Contract Approval - IV-D Contract CSEA

Contract Approval - C.E. Strock Consulting

Group Health Ins. & Prescription Drug Benefits RFP

Engineer - Change Order #1, Co. Rd. 12-0093 Landslip Repair

Signature - Removal of Delinquent Sewer Account Tax Assessments

Fearing Twp. CDBG Project - Contract Award, and Notice to Proceed

RE: AGENDA

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

Add: Paul Cunningham

Change: Commissioners' Travel from (1) to (2)

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

RE: APPROVAL OF MINUTES

Mr. Weber moved and Mr. Irvine seconded a motion to dispense with the reading of the August 11, 2011 minutes, and 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. Irvine moved and Mr. Weber 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 RECOGNITION ANNIVERSARY OF 9/11 ATTACKS

Mr. Irvine moved and Mr. Weber seconded a motion to adopt the following resolution, in response to a request from U.S. Senator Frank Lautenberg (New Jersey), recognizing the tenth anniversary of the terrorist attacks on September 11, 2001, and encouraging Washington County residents to observe a moment of silence at 1:00 pm on Sunday, September 11, 2011:

WHEREAS, the Board of Commissioners of Washington County, Ohio expresses its support of the United States Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of Washington County:

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the Board of Commissioners of Washington County calls upon all of the people and institutions of Washington County to observe a moment of remembrance on September 11, 2011; and

BE IT FURTHER RESOLVED that the Board of Commissioners of Washington County encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable, ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

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

RE: ADDITIONAL APPROPRIATIONS

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

100-0384-53000	Contract Service	\$ 9,022.25
100-0384-51001	Salaries (NADDI OT)	\$ 5,000.00
200-0620-53500	Contract Repair	\$ 50,000.00
200-0350-53500	Alcohol Monitoring	\$ 10,000.00
215-0344-51001	Salaries	\$ 16,700.00
215-0344-51101	Medicare	\$ 225.00
215-0344-51102	PERS	\$ 2,740.00
215-0344-58203	Secure Detention	\$ 21,850.00
215-0344-58205	Education Services	\$ 1,250.00
215-0344-58210	Recreation	\$ 1,000.00
215-0344-58217	Clinical Assessments	\$ 7,500.00

A calling of the roll resulted in the following vote: Cora Marshall aye, 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>From</u>	<u>To</u>	<u>Amount</u>
200-0364-55200	200-0364-53000	\$ 20,000.00
100-0510-53000	100-0510-54000	\$ 200.00
100-0384-57800	100 0384 53000	\$ 5,877.75
100-0381-54200	100-0381-54000	\$ 13,700.00
100-0701-54000	100-0700-57401	\$ 5,000.00
100-0701-53000	100-0700-57401	\$ 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. Irvine moved and Mr. Weber seconded a motion to approve the following Then & Now's:

<u>Dept</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
Common Pleas Ct.	100-0209-5-3000	William Adams	\$ 475.00
Common Pleas Ct.	100-0209-5-3000	Shoshanna Brooker	\$ 332.50
Common Pleas Ct.	100-0209-5-3000	Barbara Danford	\$ 451.25
JFS	200-0720-5-3400	Lowe's	\$ 1,908.00
Auditor	100-0120-5-3000	Quality Sales & Service	\$ 395.00
Commissioners	100-0101-5-3400	Eric Fowler	\$ 104.00
Family & Children First	602-2033-5-5204	Channing Bete Co.	\$ 199.80

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:

Commissioners

Cora Marshall: One-day trip to New Lexington to attend RC & D Meeting on August 18, 2011.

Cora Marshall: One-day trip to Ironton to tour a Rumpke facility on August 19, 2011.

Job & Family Services

Tom Ballengee: One-day trip to Coshocton County to attend a Canton District Directors Meeting on September 6, 2011.

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

RE: REQUESTS FOR PERMISSIVE SALES TAX

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

Marietta Township	United Sealing, Inc.	\$ 24,582.65
Independence Township	Grimes Sand & Gravel	\$ 3,000.00
Independence Township	Shelly Materials	\$ 3,700.00

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

RE: CSEA IV-D CONTRACT

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, General Division, to provide magistrate services during the period July 1, 2011 to June 30, 2012, at the unit rate of \$85.61, as requested by Barb Tergolina, CSEA Director.

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

RE: URBAN TRANSIT CONTRACT FOR MARKETING SERVICES

Mr. Irvine moved and Mr. Weber seconded a motion to approve the contract with C.E. Strock Consulting for marketing the Washington County Urban Transit System, specifically the Community Action Bus Line (CABL), for an amount not to exceed \$8,070.00, terminating December 15, 2011, and to allow Ms. Marshall to sign the contract, as requested by Dawn Rauch, Community Action.

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

RE: GROUP HEALTH INSURANCE RFP

Mr. Weber moved and Mr. Irvine seconded a motion to approve the Request for Proposal (RFP) for soliciting interest in providing group health insurance and prescription drug coverage to employees of Washington County for the year beginning January 1, 2012, subject to review by Safety/Loss Coordinator Susan Burkhardt, and changes recommended by her.

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

RE: CHANGE ORDER #1, CR 12-0093 LANDSLIP REPAIR PROJECT

Mr. Irvine moved and Mr. Weber seconded a motion to approve Change Order #1 for the County Road 12-0093 Landslip Repair Project, contractor Larry Lang Excavating, Inc., adding \$9,210.24 to the contract amount, bringing the new contract total to \$22,332.09, 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: REVERSAL OF DELINQUENT SEWER ACCOUNT CERTIFICATIONS

Mr. Weber moved and Mr. Irvine seconded a motion to approve sending a letter to County Auditor Bill McFarland requesting that he remove the following names from the previously certified delinquent sewer account holder list, as they have made payment on their accounts: Brian & Rhoda Steele, Angela Parker, Mike Higgins.

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

RE: FEARING TOWNSHIP CDBG PROJECT CONTRACT

Mr. Irvine moved and Mr. Weber seconded a motion to approve a contract with Axis Electric LLC for the Fearing Township Community Development Block Grant (CDBG) Project for the amount of \$31,123.00, the Notice of Award for the project, and the Notice to Proceed for the project, as recommended by Melissa Zoller, 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: PUBLIC COMMENT

Washington County resident Jack Brum asked the Commissioners what action they've taken as a result of his concerns that the Sheriff's Department is requiring strip searches of all incoming inmates at the County Jail.

Mr. Irvine stated that the Commissioners have reviewed the documents provided by Mr. Brum, and have forwarded them to the County Prosecutor and the County Sheriff for their review and appropriate action, if any. Ms. Marshall commented that questions of departmental policies and procedures should go directly to the department, as recommended by the County Prosecutor, so that an appropriate response can be made in both an accurate and timely manner.

Mr. Brum thanked the Commissioners for sharing the information with the Prosecutor and Sheriff, and suggested that they also consult with CORSA.

RE: PRE-CONSTRUCTION MEETING, FEARING TOWNSHIP CDBG PROJECT

Joining the Commissioners for the Fearing Township CDBG Project Pre-Construction meeting were Missy and Jason White of Axis Electric LLC, Bret Allphin and Melissa Zoller of Buckeye Hills-Hocking Valley Regional Development District, and Clerk Rick Peoples.

Ms. Zoller reviewed all documents in the contractor's packet, and requested that Melissa White, President of Axis Electric LLC, sign the Contract, the Notice of Award, and the Notice to Proceed. She specifically reviewed the pay requests, timesheets, interview forms, and working hours on the job site. Identified as the Prevailing Wage Coordinator for the job was Commissioner Irvine. Ms. Zoller noted that the project completion date is October 31, 2011.

RE: BUCKEYE ENERGY PROPOSAL

Assistant Prosecutor Alison Cauthorn discussed with the Commissioners and Administrator Cunningham the proposal to provide electric aggregation services to the County by Buckeye Energy Brokers, Inc. She noted that, at a minimum, the contract language relating to mutual release of liability must be changed. She also shared her concerns that:

- It is not apparent in the contract how Buckeye Energy is compensated for their services.
- The contract would be void if the question on the November ballot is not approved.
- It is not appropriate for the County to use public funds to directly or indirectly compensate Buckeye Energy to promote passage of the question on the ballot.
- She believes the Commissioners should not enter into such an agreement before the voters have the opportunity to render their opinion as to whether the electric aggregation project will move forward.
- The Commissioners should seek a competitive bid for the services proposed by Buckeye Energy, to demonstrate to County residents that they are getting the best services available.

Ms. Cauthorn indicated that she is aware that other public entities have entered into comparable agreements, and that some were satisfied but others felt they should have waited until after the election to enter into contract for such services. She recommended that the Commissioners not sign the contract at this time and that they invite Buckeye Energy representatives to their August 25 meeting to answer questions about their proposal. She also recommended that proposals from other brokers be solicited.

RE: EXECUTIVE SESSION

Mr. Weber moved and Mr. Irvine seconded a motion to enter into Executive Session to discuss the financial condition audit of Washington County by the Auditor of State, matters which are appropriately not available to the public until the audit is complete and reviewed, and to invite State Auditor Representatives Doug Heiss and Jennifer Schenkel, Administrator Paul Cunningham, and Clerk Rick Peoples to attend 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 11:05 a.m.

The Commissioners returned to Regular Session at 11:17 a.m.

RE: TRUCK PURCHASE FOR DOG WARDEN USE

Mr. Weber moved and Mr. Irvine seconded a motion to purchase a 2011 F150 Ford Pick-up Truck from Middletown Ford Dealership, using the State of Ohio Purchasing Program (state contract), for the amount of \$22,328.50, for use by the Dog Warden.

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

RE: REQUEST FOR SENIOR LEVY FUNDS

Mr. Weber moved and Mr. Irvine seconded a motion to approve the request from the Matamoras Senior Citizens for additional Senior Levy Funds in the amount of \$119.00 to purchase a work table.

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

RE: EXECUTIVE SESSION

Mr. Irvine moved and Mr. Weber seconded a motion to enter Executive Session to review collective bargaining strategy and status of negotiations, and to invite Ken Edsall of CNA, Tom Ballengee of Washington County Job & Family Services, Administrator Paul Cunningham, and Clerk Rick Peoples to attend 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 11:25 a.m.

The Commissioners returned to Regular Session at 11:43 a.m.

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 11:45 a.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk

