

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON APRIL 14, 2016 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: RICK G. WALTERS, PRESIDENT, RONALD L. FEATHERS, VICE PRESIDENT, AND DAVID A. WHITE, MEMBER. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE PRESIDENT OF THE BOARD. MR. WALTERS LED THOSE ATTENDING IN THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

Also attending were Glen Pawloski, Mike Webber, Mike McCauley from Marietta City Council, Muskingum Township Trustees Gary Doan and Ken Schilling, and Clerk Rick Peoples.

**Washington County Commissioners
AGENDA
9:00 a.m., April 14, 2016**

9:00 Business Meeting
9:30 Glen Pawloski – Letter Pertaining to Devola Sewer
10:00 Public Hearing to Consider a Request to Vacate Unnamed Alley in Vincent
1:30 Jim Black, Southeastern Ohio Port Authority – Project Update
2:00 2nd CHIP Public Hearing

UNFINISHED BUSINESS

None

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Resolution – Vacating Unnamed Alley in Vincent
Additional Appropriation – Sheriff
Transfer – County General
Transfer – County Home
Transfer – Wireless 911
Transfer - MVGT
Then & Now's
Travel – Job and Family Services
Help Me Grow Forms, Family & Children First
Status Report for 2015 CDBG
Bid Recommendation for Courthouse Re-roofing Project
Quote Recommendation for Jail Flooring Replacement Project
Re-appointment to Behavioral Health Board of Directors
Appointments to Children Services Board of Directors
Engineer – Specifications and Bid Notice for 2016 Asphalt Paving Program
Engineer – Contract with Ohio-WV Excavating Company for McVey Bridge Replacement Project
Engineer – Change Order #1, Caywood Road Landslip Project

INFORMATION

2nd Public Hearing on CHIP Application, 2:00p.m., **Thursday**, April 14
Monthly Finance Committee Meeting, 10:00 a.m., **Tuesday**, April 19
Township Association Meeting, 6:30 p.m., **Thursday**, April 28, in Lowell

RE: AGENDA

Mr. Feathers moved and Mr. White seconded a motion to accept the agenda.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: APPROVAL OF MINUTES

Mr. White moved and Mr. Feathers seconded a motion to dispense with the reading and approve the minutes of the April 7, 2016 meeting.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: BILLS FOR PAYMENT

Mr. Feathers moved and Mr. Walters seconded a motion to approve the list of bills from various departments for payment, as prepared by the County Auditor.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: ADDITIONAL APPROPRIATION

Mr. Feathers moved and Mr. White seconded a motion to approve the following request for Additional

Appropriation:

Sheriff (Jail) 100-0381-51110 \$ 4,240.00

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: TRANSFERS

Mr. White moved and Mr. Feathers seconded a motion to approve the following requests for Transfer of funds:

<u>Department</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
County General	100-0100-51120	100-0140-51120	\$ 198.72
	100-0109-51120	100-0140-51120	\$ 94.78
	100-0109-51120	100-0170-51120	\$ 58.22
	100-0120-51120	100-0170-51120	\$ 3.78
	100-0120-51120	100-0202-51120	\$ 1.00
Wireless 911	200-0369-53401	200-0369-51120	\$ 71.00
MVGT	200-0540-54201	200-0540-51120	\$ 2,307.50
County Home	200-0630-54400	200-0630-51120	\$ 3,121.50

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: THEN & NOW'S

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

<u>Dept</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
Sewer	400-0113-53401	Wash. Co. Commissioners	\$ 4,392.00
Commissioners	100-0100-53000	GovDeals.Com	\$ 457.50
Commissioners	100-0100-53500	BSSI	\$ 104.00
Capital Projects	300-0599-55200	Marietta Times	\$ 398.40
CSEA	200-0730-53502	Clerk of Courts	\$ 520.46
Treasurer	100-0130-57400	Co. Treasurer's Assoc. of Ohio	\$ 2,128.56
Board of Dev. Disabilities	200-0620-53401	Wash. Co. Auditor	\$ 9,299.00
EMA	200-0315-53401	Wash. Co. Commissioners	\$ 161.00
EMA	200-0315-53000	Everbridge	\$ 15,081.91
Maintenance	100-0109-53000	Troy Cook	\$ 475.00

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: TRAVEL REQUESTS

Mr. Feathers moved and Mr. White 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 2016 and any and all amendments subsequent thereto:

JFS

Tom Ballengee, Candy Nelson, Matthew Joy, Tracie Francis, Terri Long, Laura Tornes, Judy Rutherford, Jessica Hill, Autumn Green: Two-day trip to Columbus to attend OJFSDA Annual Training Conference; May 12-13, 2016.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: HELP ME GROW, BRIDGE FUNDING

Mr. White moved and Mr. Feathers seconded a motion to approve a Grant Agreement with the Ohio Department of Developmental Disabilities for the fiscal year 2017 Help Me Grow Early Intervention: Evaluation and Assessment and Service Coordination program in Washington County, for the period April 1, 2016 through June 30, 2016, to allow Mr. Walters to sign the Agreement, and to approve a Standard Affirmation and Disclosure Form to accompany the Grant Agreement, and to allow Mr. Walters to sign the Form, as prepared and requested by Cindy Davis, Washington County Family & Children First.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: STATUS REPORT, CDBG

Mr. Feathers moved and Mr. White seconded a motion to approve a Status Report for Community Development Block Grant (CDBG) B-F-15-1CY-1, and to allow Mr. White to sign the Report, as prepared by Michelle Hyer, Buckeye Hills-Hocking Valley Regional Development District.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: BID RECOMMENDATION, COURTHOUSE RE-ROOFING PROJECT

Mr. Feathers moved and Mr. White seconded a motion to approve the recommendation of Project Engineer David Haught (DLH Design) to accept the bid from Tri-State Roofing, in the amount of \$229,460.00, the apparent low bid of three sealed bids opened April 7, 2016, for the Courthouse Re-roofing Project.

Commissioner White said this bid is higher than budgeted for, but lower than the Project Engineer's estimate. Mr. Feathers said the work needs to be done this year due to condition and age of the existing roof on the Courthouse, and unfortunately this higher-than-anticipated cost will impact other planned use of Capital Project funds.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: QUOTE RECOMMENDATION, JAIL FLOORING PROJECT

Mr. White moved and Mr. Feathers seconded a motion to accept the quote from Lang's Flooring for the repair and/or replacement of flooring in the Washington County Jail, in the amount of \$15,076.75, one of three quotes received for the project, as recommended by Major Brian Schuck of the Sheriff's Department.

Commissioner Feathers reported quotes received were:

Conceptual Eyes	\$ 14,311.35
Lang's Flooring	\$ 15,076.75
Weiser & Cawley	\$ 18,832.60

He said the quote from Lang's Flooring was accepted because:

Lang's Flooring has provided good service to the County in the past.
Lang's Flooring has worked in the Sheriff's restricted areas in the past.
Lang's Flooring's product is of high quality and is readily available.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: RE-APPOINTMENT TO BEHAVIORAL HEALTH BOARD

Mr. White moved and Mr. Feathers seconded a motion to re-appoint Jack Van Kuiken to the Washington County Behavioral Health Board of Directors for the period July 1, 2016 through June 30, 2020, as recommended by David Browne, Executive Director, Washington County Behavioral Health Board.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: APPOINTMENTS TO CHILDREN SERVICES BOARD

Mr. Feathers moved and Mr. White seconded a motion to appoint Flite Freimann and Laura Pytlik to the Washington County Children Services Board of Directors for the period April 14, 2016 through December 31, 2019.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: 2016 ASPHALT PAVING PROGRAM

Mr. White moved and Mr. Feathers seconded a motion to approve the specifications and bid notice for the 2016 Asphalt Paving Program, as prepared and requested by County Engineer Roger Wright.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: CONTRACT WITH OHIO-WV EXCAVATING COMPANY

Mr. Feathers moved and Mr. White seconded a motion to approve a contract with Ohio-WV Excavating Company, in the amount of \$89,345.40, to replace McVey Bridge, as prepared and requested by County Engineer Roger Wright.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

RE: CHANGE ORDER #1, CAYWOOD ROAD LANDSLIP PROJECT

Mr. White moved and Mr. Feathers seconded a motion to approve Change Order #1 for the Caywood Road Landslip Project, contractor Bob Lane's Welding, adding \$3,693.15 to the original contract amount of \$7,857.00, for a new contract amount of \$11,550.15, due to unanticipated replacement of

existing piling, as prepared and requested by County Engineer Roger Wright.

RE: COMMENTS FROM VISITORS

Children Services Board Member Mike Webber expressed his appreciation to the Commissioners for today's appointments to the Children Services Board.

Muskingum Township Trustee Ken Schilling informed the Commissioners his township has applied for a \$27,800 grant to replace and/or repair signage throughout Muskingum Township. He said the Ohio Department of Transportation has determined the township to be high risk for accidents, and has demonstrated drastic reductions in accidents throughout the State by installation of improved signage. Mr. Schilling said if the grant is approved, Muskingum Township will likely be able to give up to one hundred existing signs to other townships. Mr. Schilling also noted the Trustees are in the process of upgrading the Muskingum Township website.

RE: GLEN PAWLOSKI

Devola resident Glen Pawloski distributed the following documents to the Commissioners pertaining to the proposed Devola sewer project:

- Letter dated August 4, 2015 from Ohio EPA Director to Washington County Commissioners issuing modified Final Findings and Orders.
- Letter dated August 31, 2015 from Informal Ad-hoc Group for Reasonable Water Solution to President of Washington County Board of Health and Washington County Board of Health Members requesting them to "disinvite any continued OEPA targeted study of Devola septic tanks" and to terminate the Devola Phase 2 Sewer Project.
- Letter dated November 18, 2015 from Washington County Assistant Prosecuting Attorney Nicole Tipton Coil to Tiffani Kavalec and Peter Simcic of the Ohio EPA requesting legal authority of the EPA's apparent conclusion that "all existing dry wells are now illegal".
- Letter dated December 9, 2015 from Peter Simcic of the Ohio EPA to Washington County Assistant Prosecuting Attorney Nicole Tipton reaffirming the EPA's determination that "dry wells may not be used for discharge by a sewage treatment system", and Ohio Revised Code 3718.023(B) does not include a "grandfather" clause for existing dry wells.
- E-mail dated February 29, 2016 from President of Washington County Board of Health to Aaron Pennington of the Ohio EPA stating his opinion that (1) Ohio EPA is "causing a rift between the WCBOH (Washington County Board of Health) and the WCHD (Washington County Health Department employees by dispensing misinformation ... and stimulating (stirring) public health fear and confusion", (2) Ohio EPA must use "reasonable cost/benefit analysis and not implement costly, punishing, unreasonable regulations", and (3) there is "no justification for the targeting or elimination of all drywells".
- Letter dated March 25, 2016 from the Ohio EPA Director to President of Washington County Board of Health informing him the September 9, 2012 Director's Final Findings and Orders remain "in full force and effect" and "cannot be unilaterally terminated, especially by the Washington County Board of Health, who is not considered the Respondent to the Orders", and the Ohio EPA intends to move forward with collecting samples in the Washington County communities of Devola, Oak Grove and Reno.
- Copy of EPA document 909-F-01-001 dated April 2001 titled "*Seepage Pits May Endanger Ground Water Quality*".

Mr. Pawloski expressed his concern that Devola homeowners should not be forced to incur debt of \$19,000 to \$24,000 to tie into a new sewer system when their septic systems are effective and in good working order. He said the exorbitant cost does not warrant the little-to-no gain a sewer system might provide over a septic system. Mr. Pawloski said he believes the local Board of Health has done all it can do to avoid this mandate from the Ohio EPA, and it is again up to the Commissioners, as "respondent" to the Director's Final Findings and Orders, to terminate those Findings and Orders.

Mr. Pawloski said he is aware the local Health Commissioner has been publicly recognized for his enthusiastic efforts to move forward with testing of septic systems in Devola, Oak Grove and Reno. He noted his concern that because of this Washington County may earn an undesirable reputation around the State.

Agreeing with Assistant Prosecutor Nicole Coil that new Findings and Orders must be offered that are both reasonable and economically appropriate, Mr. Pawloski asked the Commissioners to write a letter to the Ohio EPA requesting termination and dismissal of the original Findings and Orders.

Commissioner Feathers noted the original Findings and Orders were accepted by the County several years ago. He said the EPA has issued Modified Findings and Orders, but they haven't yet been accepted by the County

Mr. Pawloski said he and many others believe the recent installation of a new water treatment system in Devola has adequately addressed the concerns of the Ohio EPA, and Devola homeowners should not be forced into a "life changing economic hardship" for no good reason. He noted the significant changes that have occurred since 2012 which, he said, have not been taken into account by the EPA. He urged the Commissioners to do whatever is in their power to not allow the EPA to conduct additional testing in Devola.

Commissioner White reiterated the fact that the original Director's Final Findings and Orders are still in effect, but the modified Findings and Orders remain in negotiation.

RE: PUBLIC HEARING ON REQUEST TO VACATE UNNAMED ALLEY IN VINCENT

The Clerk noted a request had been received from James T. Rhodes to vacate an unnamed alley in Vincent, Barlow Township, with a petition signed by 24 Washington County residents. He said public notice was made, and public viewing was held at the site. The Clerk noted the County Engineer, 911 Coordinator, Barlow Township Trustees, and neighboring property owners were notified of the request. He reported no objections were received.

At 10:00 a.m. President Walters welcomed those attending the Public Hearing to consider this request to vacate an unnamed alley in Vincent. He invited comments on the request. No comments were made. Commissioner White reported there were no comments received at the Public Viewing conducted April 12.

Mr. White moved and Mr. Feathers seconded a motion to approve a request to vacate an unnamed alley in Vincent, Barlow Township, legally described as follows:

The following is the general route and termini of said road:

Beginning at ⁴

Situated in the State of Ohio, County of Washington, Township of Barlow, First Addition to Village of Vincent and being more fully described as follows:

Beginning at the Southeast corner of Lot No. 19 of the First Addition to the Village of Vincent as recorded in Plat Book No. 1 at Page 70 of the Plat Book Records of Washington County, Ohio,

Thence North along the east line of Lot Nos. 19, 18, 4, and 3, a distance of 434.56 feet to the Northeast corner of Lot No. 3;

Thence East along an unnamed alley distance of 10.56 feet to the Northwest corner of Lot No. 52;

Thence South with the West line of Lot Nos. 52, 49, 48, and 45 to the Southwest corner of Lot No. 45;

Thence West along the North line of Second Street a distance of 10.56 feet to the place of beginning.

Said vacation has a length of 434.56 feet and a width of 10.56 feet.

This description was prepared by the Washington County Engineer's Office.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed.

At 10:30 a.m. President Walters excused himself from the remainder of the meeting.

RE: SOUTHEASTERN OHIO PORT AUTHORITY

Jim Black, Executive Director of the Southeastern Ohio Port Authority, updated the Commissioners on a number of projects and initiatives, as follows. Also attending was Melissa Zoller from Buckeye Hills-Hocking Valley Regional Development Center.

- Ingenuity Center: Grae-Con Construction has signed a five-year lease, with option to purchase. Grae-Con is expanding its presence in Washington County with this lease. Grae-Con will manufacture products in the facility. Job requirements of Ingenuity Center grant will be met in a timely manner. Grae-Con is obligated to pay \$500,000 to State if job requirement is not met.
- Oriana House: Site is not yet determined, but interest in locating in Washington County remains.
- Route 7 Sewer: Engineering is complete; funding is being secured. Project start date is projected to be July 1, 2017. Project cost is \$3.2 M, including \$250,000 in engineering costs. Six businesses are scheduled to tie in. Project completion will enhance marketability of State Route 7 properties.
- O'Neill Center: Transfer of property from City to O'Neill Center should be completed in May 2016.

Commissioner Feathers thanked Mr. Black for the good work the Port Authority is accomplishing, and congratulated him on the lease of the Ingenuity Center.

RE: PUBLIC HEARING, 2016 CHIP APPLICATION

At 2:00 p.m. Vice President Feathers welcomed those attending the 2nd Public Hearing on the 2016 Community Housing Impact and Preservation (CHIP) Grant application for Washington County. Attending were Dawn Rauch and Kenneth Vigneron from Washington-Morgan Community Action Program, Darlene Lukshin from OSU Extension, Commissioners David White and Ronald Feathers, and Clerk Rick Peoples. Mr. Feathers asked Ms. Rauch to lead the Hearing.

Ms. Rauch said the application is for \$800,000, shared by Washington County (\$450,000) and the City of Belpre (\$350,000). She said intended use of funds will remain as they are this year. No comments were received from those attending the Public Hearing.

Mr. White moved and Mr. Feathers seconded a motion to approve a Resolution to submit an application with the Ohio Development Services Agency for a grant to conduct a Community Housing Impact and Preservation (CHIP) Program in Washington County during the period September 1, 2016 through December 31, 2018.

A calling of the roll resulted in the following vote: Ronald Feathers aye, David White aye. Motion passed.

Mr. White moved and Mr. Feathers seconded a motion to approve a Community Housing Impact and Preservation (CHIP) Fair Housing Contract with the Washington County OSU Extension Office during the period September 1, 2016 through December 31, 2018, for the sum of \$5,000.00.

A calling of the roll resulted in the following vote: Ronald Feathers aye, David White aye. Motion passed.

Mr. White moved and Mr. Feathers seconded a motion to approve a letter to the Ohio Development Services Agency committing \$5,000 of the 2016 CHIP HOME Program request to Fair Housing and \$37,518 to private rehabilitation.

A calling of the roll resulted in the following vote: Ronald Feathers aye, David White aye. Motion passed.

Mr. White moved and Mr. Feathers seconded a motion to approve assignment of the 2016 CHIP Agreement oversight and administration to Washington-Morgan Community Action Program, during the period September 1, 2016 through December 31, 2018, contingent upon award of the grant to Washington County, and to allow Mr. Feathers to sign the Agreement.

A calling of the roll resulted in the following vote: Ronald Feathers aye, David White aye. Motion passed.

Mr. White moved and Mr. Feathers seconded a motion to approve an Environmental Review Documentation and Certification Form for General Administration, Fair Housing and Planning for the Community Housing Impact and Preservation (CHIP) Program in Washington County in Program Year 2016, and to allow Mr. Feathers to sign the Form.

A calling of the roll resulted in the following vote: Ronald Feathers aye, David White aye. Motion passed.

RE: ADJOURNMENT

Mr. White moved and Mr. Feathers seconded a motion to adjourn.

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 2:15 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk