

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 23, 2012 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: TIMOTHY C. IRVINE, PRESIDENT, CORA A. MARSHALL, VICE PRESIDENT, AND MEMBER 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 Charlotte Nichols, William Rudinsky, Nora Peters, John Peters, Robert Martin, Chris Forshey, Administrator Paul Cunningham, and Clerk Rick Peoples.

COMMISSIONERS AGENDA

February 23, 2012

9:00 Minutes
9:30 William Rudinsky
10:00 Bid Opening - Ewing Buses
10:30 Terry Tamburini, SEOPA
2:00 Barb Tergolina, CSEA
2:30 Conference Call with Joseph Robertson, Ross Sinclair & Associates

UNFINISHED BUSINESS

EMA Memo of Understanding
Vacate Portion of Decatur Township Rd. 86

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Resolution, Local Workers for Utica Shale Projects
Additional Appropriation - Urban Transit
Additional Appropriation - Sheriff
Additional Appropriation - Sewer
Then & Now's
Travel - RSVP
Travel - JFS
Travel - FCF
Appointment of Scott MacDonald to Planning Commission
Appointments of Integrating Committee Member and Alternate
Vehicle Transfer Request to Washington County Fair Board
Equipment Maintenance Agreement with Stephen Campbell & Assoc.
Project Review, Tri-County Career Center
Agreement between EMA and LEPC
Agreement between Sheriff and Fraternal Order of Police, Ohio Labor Council
CDBG Grant Agreement, Ingenuity Center
Request from Larry Fouss Construction for Extension on Sewer Hook-up
Engineer - Bid Packages for Purchase of Asphalt, Aggregates, and Liquid Bituminous

INFORMATION

Relay for Life Fundraiser, Spaghetti Lunch, 2nd Floor of Courthouse, Wed., March 7
Regular Meeting in Macksburg, 6:00 p.m., Thursday, March 15

RE: AGENDA

Ms. Marshall moved and Mr. Weber seconded a motion to accept the agenda, with the following amendments:

Add: Engineer - Contract with Lang Flooring, Inc.
Delete: 2:00 Meeting with Barb Tergolina

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

RE: APPROVAL OF MINUTES

Mr. Weber moved and Ms. Marshall seconded a motion to dispense with the reading of the February 16, 2012 minutes, and approve them as submitted.

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

RE: PAYMENT OF BILLS

Mr. Weber moved and Ms. Marshall 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, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: RESOLUTION, LOCAL WORKFORCE FOR UTICA SHALE PROJECTS

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

***WHEREAS**, the Utica Shale natural gas resource is one of the largest natural resource finds in recent years and Washington County workers, citizens and businesses should benefit from the natural resources of their county and their state; and*

***WHEREAS**, the drilling, transporting and processing of the gas from wells using hydraulic fracturing and horizontal drilling, including those utilized for the capture of gas from Utica Shale, may result in billions of dollars' worth of gas being harvested and may require the investment of billions of dollars in this region; and*

***WHEREAS**, billions of dollars may be spent on construction related to Utica Shale and employment opportunities created from Utica Shale activities should go to local workers and businesses first; and*

***WHEREAS**, a recent study by the Ohio Oil & Gas Energy Education Program projects Utica Shale development could help create and support 200,000 jobs over the next five years; and*

***WHEREAS**, the Board of Commissioners of Washington County finds the current unemployment rates in this County and in the State reflect the loss of many good-paying manufacturing jobs in recent years; and*

***WHEREAS**, the Board of Commissioners of Washington County finds that the employment of residents from the local area for the drilling, transporting and processing of the gas from Utica Shale could have a very positive impact on Washington County's rate of unemployment.*

***NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Washington County supports the employment of local workers and contractors to the maximum extent possible for the construction of facilities utilized in the drilling, transporting and processing of gas from wells using hydraulic fracturing and horizontal drilling and calls on all companies to hire local workers; and*

***BE IT FURTHER RESOLVED** that the Board of Commissioners of Washington County requests that companies engaged in the above-mentioned activities notify the Board of Commissioners should a lack of qualified contractors or workers exist, thus allowing for the opportunity to assist in providing a skilled labor force to the fullest extent possible.*

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

RE: ADDITIONAL APROPRIATIONS

Mr. Weber moved and Ms. Marshall seconded a motion to approve the following requests for additional appropriations:

Urban Transit	215-0840-57400	State Grant Expenses	\$ 172,429.00
Sewer	400-0113-53000	Contract Services	\$ 37,000.00
Sales Tax	100-0384-55200	Equipment Replacement	\$ 40,000.00

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

RE: THEN & NOW'S

Ms. Marshall 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>
Sheriff's Department	100-0384-5-4000	Optics Planet	\$ 1,842.12
County Home	200-0630-5-3000	Interim Healthcare	\$ 101.25
Commissioners	215-0840-5-7400	Washington-Morgan CAP	\$ 28,637.00
MR/DD	200-0620-5-7403	Brittany Smith Betts	\$ 108.27
DJFS	200-0720-5-7400	Jani Source	\$ 243.38
MR/DD	210-0621-5-3000	Athens County Board of DD	\$ 12,246.09
Sheriff's Department	100-0384-5-4000	Gall's	\$ 931.89
Commissioners	200-0703-5-3000	Western Wash. Co. Senior Citizens	\$ 11,647.00

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

RE: TRAVEL REQUESTS

Ms. Marshall moved and Mr. Weber 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 2012 and any and all amendments subsequent thereto:

RSVP

Lisa Valentine: Two-day trip to Columbus to attend training; May 10 and 11, 2012.

JFS

Candy Nelson: One-day trip to Muskingum County to attend a Forms Group Meeting; March 19, 2012.

FCF

Jon Higgins: One-day trip to Noble County Correctional Institute to pick up donated afghans; February 23, 2012.

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

RE: APPOINTMENT OF SCOTT MACDONALD TO PLANNING COMMISSION

Mr. Marshall moved and Mr. Weber seconded a motion to appoint Scott MacDonald to the Planning Commission, for the term beginning immediately and extending through January 31, 2013, replacing former Commission member Richard Daniell.

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

RE: APPOINTMENT TO DISTRICT 18 INTEGRATING COMMITTEE

Mr. Weber moved and Ms. Marshall seconded a motion to appoint Commissioner Marshall to the District 18 Ohio Public Works Integrating Committee, and Commissioner Irvine as Alternate, for the three-year term beginning May 21, 2012.

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

RE: VEHICLE TRANSFER REQUEST

Mr. Weber moved and Ms. Marshall seconded a motion to approve the transfer of a 1963 Dodge truck, VIN 641260, from the Sheriff's Department to the Washington County Fair Board, as it is no longer of any use to the County, as requested by the Washington County Sheriff and approved by the Washington County Prosecutor.

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

RE: EQUIPMENT MAINTENANCE AGREEMENT WITH STEPHEN CAMPBELL & ASSOCIATES

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Guaranteed Maintenance Service Agreement with Stephen Campbell & Associates, Inc., for one Reliant Recorder and one UPS Power Supply, in the amount of \$2,600.00, for the period April 1, 2012 through March 31, 2013, and to allow Mr. Irvine to sign the Agreement, as recommended by Rich Hays, 911 Coordinator.

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

RE: AGREEMENT BETWEEN EMA AND LEPC

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Agreement between the Washington County Emergency Management Agency (EMA) and the Washington County Local Emergency Planning Committee (LEPC), for EMA to provide administrative and program support to LEPC during the period January 1, 2012 through December 31, 2012, in the amount of \$24,500.00, and to allow Mr. Irvine to sign the Agreement, as recommended by EMA Director Jeff Lauer.

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

RE: AGREEMENT BETWEEN SHERIFF AND FRATERNAL ORDER OF POLICE

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Agreement between the Washington County Sheriff's Office and the Fraternal Order of Police, Ohio Labor Council,

Inc., through January 31, 2014, subject to approval by the County Prosecutor, as requested by Sheriff Larry Mincks.

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

RE: ARC GRANT FOR INGENUITY CENTER

Ms. Marshall moved and Mr. Weber seconded a motion to approve the State of Ohio Appalachian Regional Commission (ARC) Grant Agreement in the amount of \$250,000.00 for the Ingenuity Center project of the Southeastern Ohio Port Authority, and to allow Ms. Marshall to sign the Agreement.

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

RE: AREA CLEARINGHOUSE TRANSMITTAL, TRI-COUNTY CAREER CENTER PROJECT

Ms. Marshall moved and Mr. Weber seconded a motion to table the Area Clearinghouse Transmittal project review for the Tri-County Career Center project, as presented by Buckeye Hills-Hocking Valley Regional Development District.

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

RE: REQUEST FROM LARRY FOUSS CONSTRUCTION FOR CONTRACT EXTENSION

Ms. Marshall moved and Mr. Weber seconded a motion to approve the request for extension to March 31, 2012 the contract completion for Larry Fouss Construction, Inc., to hook up sewer at the home of Sherry Rice, and two additional residences, as requested by Larry Fouss.

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

RE: BID PACKAGES FOR PURCHASE OF ROAD MATERIALS

Mr. Weber moved and Ms. Marshall seconded a motion to approve the bid packages for the purchase of road repair materials, including asphalt, aggregates, and liquid bituminous, as requested by County Engineer Bob Badger.

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

RE: CONTRACT WITH LANG'S FLOORING, INC.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the contract with Lang Flooring, Inc., in the amount of \$4,313.65, to replace the flooring in the County Engineer's meeting room and garage hallway, as requested by County Engineer Bob Badger.

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

RE: COMMENTS FROM VISITORS

Washington County resident Charlotte Nichols asked the Commissioners why only one of her recent two animal claims was approved. She explained that she had paid more than \$1,000 for one of the animals, and \$3,200 for the other. The cows can no longer be "show" cows due to damage that was done by dog(s), and she asked the Commissioners to reconsider their decision to compensate for only one. Mr. Irvine indicated that he will discuss this with the Dog Warden.

Washington County resident Chris Forshey thanked Mr. Irvine for responding to his earlier question of the status of county-purchased and owned equipment installed in helicopters once used by the Sheriff's department. He commented his understanding is that the sixteen pieces of equipment, worth more than \$20,000, are being returned to Washington County from Marion County. Mr. Forshey then inquired about the status of the AR-15 rifle that was on the Sheriff's department inventory listing in 2008 but is now apparently missing. Mr. Irvine said that, according to the Sheriff, there is an ongoing investigation into the missing rifle. Mr. Forshey indicated it is his understanding that the Commissioners are responsible for County-owned property, even though the departmental inventory listings are not compiled by them. Mr. Irvine asked Mr. Forshey to present his questions in writing and he agreed.

RE: WILLIAM RUDINSKY, WOODLAWN ACRES

Residents from the Woodlawn Acres area of Washington County, including William Rudinsky, Nora and John Peters, and Robert Martin, met with the Commissioners to discuss the sewers/septic tanks in their neighborhood. Also attending were Brad Bauer of *The Anchor*, Consulting Engineer John Grosse, Steve Wells of the Ohio EPA via telephone, and Glen Newman.

Mr. Wells commented that the Ohio EPA has been investigating options that might be available to residents of the Woodlawn Acres area who are connected to the common pipe. There was extended discussion of the specifics of the options available to the residents, the costs involved, and the advantages and disadvantages of each. Those residents not connected to the common pipe will be inspected by the Health Department.

Mr. Rudinsky shared the concern from residents that the apparent cost to them is excessive. He requested the EPA to allow sufficient time for the County and/or the residents to search for grants and/or low interest loans. Mr. Grosse indicated that the County was recently denied its application for a grant, but will likely receive a no-interest loan. Ms. Marshall noted that the grant application failed by only a few points, and that the County will likely re-apply for funds to become available July 1, 2013.

There was discussion of the EPA's authority to regulate private homeowners' systems. Mr. Wells commented that the EPA's concern is discharge of sewage and waste into the waters of the State of Ohio.

The group then discussed the possibility of Woodlawn Acres tying into the County system via a common line. Questions of the existing line's integrity, back-up if line fails, and liability for damages resulting from failure were posed.

Following this discussion of problems, options, responsibilities, and authority, Mr. Rudinsky provided a hand-out to the Commissioners suggesting that there be a temporary suspension of planning activities to allow the County and residents time to develop and evaluate alternatives, asking that there be transparency in planning and bidding, and requesting representation by homeowners as plans and decisions are made.

Mr. Rudinsky commented that residents are probably not interested in "daylighting" the system, and that it is critical to minimize the length of any pipe installed and to design cost-effectively.

Mr. Irvine noted that there are currently no bids being solicited for the project. He encourages the homeowners to provide representation as the project moves forward, with intentions to comply with Ohio EPA and Health Department regulations.

RE: BID OPENING, BUSES FOR BOARD OF DEVELOPMENTAL DISABILITIES

Mr. Irvine welcomed those attending the sealed bid opening for the purchase of two sixty passenger buses, with wheelchair lifts, for use by the Washington County Board of Developmental Disabilities. Three sealed bids were opened shortly after 10:00 a.m.:

Cardinal Bus Sales & Service	\$ 77,423 each
Edwin H. Davis & Son, Inc.	\$ 87,315 each
Marietta Truck Sales & Service	\$ 88,894 each

The proposals were given to David Carpenter from the Board of Developmental Disabilities for review and recommendation.

RE: TERRY TAMBURINI, SOUTHEASTERN OHIO PORT AUTHORITY

Terry Tamburini, Executive Director of the Southeastern Ohio Port Authority, updated the Commissioners on several ongoing projects, including:

- Ingenuity Center
- ODNR Tree Farm
- Eramet
- Workforce Development
- Air Heater Seal
- Sol-Sil
- Marketing of Washington County and Southeastern Ohio
- Kardex Building
- Armory
- Community Improvement Corporation (CIC)
- Therma Forma

RE: BOND REFUNDING

The Commissioners met via conference call with representatives from Ross, Sinclair & Associates, Squire Sanders LLP, and County Auditor Bill McFarland. They discussed the possibility of refunding/refinancing bonds that were issued in 2004 for construction of the county jail. They concluded that, due to very low fixed interest rates in the market, this is a good time to refund the bonds. The County is legally permitted one "advance" prior to the call date of December 2014, which will require issuing new bonds and waiting 90 days to re-pay. If opting to proceed with the advance, the County will likely save approximately \$15,000 per year.

RE: STATEMENT OF STANDARD ASSURANCES

Ms. Marshall moved and Mr. Irvine seconded a motion to approve the Statement of Standard Assurances, OMB Approval Number 1121-0140, and to allow Mr. Irvine to sign the Statement,

as requested by the Sheriff's' Department.

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

RE: STATE ROUTE 550 PROJECT

Ms. Marshall moved and Mr. Weber seconded a motion to approve the selection of Larry Lang Excavating, Inc., the lower of two bids received (\$33,800.00 from Larry Lang Excavating; \$35,667.74 from Kendrick Excavating), for the State Route 550 sewer line replacement project, in the amount of \$33,800.00, with the understanding that this is a Prevailing Wage project, as recommended by Consulting Engineer John Grosse.

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

Ms. Marshall then moved and Mr. Weber seconded a motion to allow Mr. Irvine to sign on behalf of the Board of Commissioners all documents relating to the State Route 550 sewer line relocation project, as recommended by Consulting Engineer John Grosse.

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

RE: OLD COUNTY GARAGE PROPERTY

Ms. Marshall noted that IT Director Eric Skomra, after consulting with the County Engineer's office and Soil & Water Conservation representatives, is recommending a change in plans for the placement of a Horizon building on the old county garage property. Risk of hill slide suggests that a new building not be placed near it. Eric recommends that the Commissioners remove the existing small block garage and tin shed, and allow the Horizon building to be placed on or near that location. Quotes for building removal have been received:

- \$8,500.00 Ken Strahler Masonry, Inc.
- \$9,500.00 Joy Excavating Co.

Mr. Irvine will accompany Eric to view the site.

Ms. Marshall moved and Mr. Weber seconded a motion to contract with Ken Strahler Masonry to remove the small block garage and tin shed at the old county garage, and to perform appropriate environmental procedures, permits, and notifications as required by law, as per the quote they submitted, for the amount of \$8,500.00.

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

RE: CHIP PROGRAM ADMINISTRATION CONTRACT

Dawn Rauch from Community Action provided to the Commissioners a draft of a contract for the administration of 2012 CHIP. The Commissioners will review it before taking any action.

RE: ADJOURNMENT

Ms. Marshall moved and Mr. Irvine seconded a motion to adjourn.

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 3:50 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk

