

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 26, 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 Muskingum Township Trustee Gary Doan, Karen Doan, Glen Pawloski, Hannah Chenerski from WTAP News, Brittany Landers from *The Marietta Times*, and Clerk Rick Peoples.

**Washington County Commissioners
AGENDA
9:00 a.m., May 26, 2016**

9:00 Business Meeting
9:30 Tim Marty, Bldgs. & Grounds Superintendent – Change of Job Title for Custodian

UNFINISHED BUSINESS

Annual WIOA Subgrant Agreement and Data Share Agreement
Proposal for Architectural/Engineering Services, Jail Security Screens Project
Additional Appropriation – Sheriff (water softener for jail)
Request to Dispose of Bus by Transfer to WASCO

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Resolution Authorizing Acceptance of Payment by Financial Transaction Devices
Resolution Requesting Certification of Amount of Revenue from Proposed 911 Levy
Additional Appropriation – EMA
Additional Appropriation – Family & Children First
Additional Appropriation – County Home
Transfer - Engineer
Then & Now's
Travel – Auditor
Travel – EMA
Travel – Job and Family Services
Travel – Family & Children First
Letter of Support for Oil and Gas Development in Wayne National Forest
Notice of Change of Ownership from Division of Liquor Control
Building Department Contract with Village of Shadyside in Belmont County
Oil & Gas Lease Agreement with PDC Energy for 0.7729 Acres in Waterford Township
Delinquent Sewer Accounts
Certification of Delinquent Sewer Accounts to County Auditor
Engineer – Emergency Landslip Repair Bid Packet, Veto Road

INFORMATION

Township Trustees Association Meeting, 7:00 p.m., **Today**, at Engineer's Office
Courthouse Closed, Memorial Day, **Monday**, May 30
County Home Ice Cream Social, 6:00 p.m., **Thursday**, June 2
2nd Public Hearing, Transit Program Route Change, 2:00 p.m., **Thursday**, June 9
Bid Opening, Non-Emergency Transportation Services (JFS), 2:30 p.m., **Thursday**, June 9
Monthly County Home Meeting, 8:30 a.m., **Tuesday**, June 14, at County Home
Monthly Finance Committee Meeting, 10:00 a.m., **Tuesday**, June 14
Planning Commission, 7:00 p.m., **Monday**, June 20

RE: AGENDA

Mr. White moved and Mr. Feathers seconded a motion to accept the agenda, with the following adjustment:

Add: Engineer – Request to Sell Equipment at Public Auction
Request to Hire Visitation Transportation Services Coordinator, Children Services

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. Feathers moved and Mr. White seconded a motion to dispense with the reading and approve the minutes of the May 19, 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. White moved and Mr. Feathers 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: RESOLUTION AUTHORIZING ACCEPTANCE OF PAYMENT BY FINANCIAL TRANSACTION DEVICE

Mr. White moved and Mr. Feathers seconded a motion to adopt the following Resolution:

WHEREAS, Ohio Revised Code Section 301.28 authorizes the acceptance of payments by "financial transaction device" to pay "county expenses" owed or otherwise paid to a county office, as those terms are defined in Ohio Revised Code Section 301.28; and

WHEREAS, the Board of Commissioners has determined that providing for the acceptance of payments by financial transaction device will provide an additional means for citizens to pay county fees more efficiently and conveniently; and

WHEREAS, the County Officials/Departments listed below expressed an interest in accepting financial transaction devices for payment of county fees, for their Offices and Offices under their authority.

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

1. That the Board of County Commissioners does hereby authorize Washington "county officials", in the exercise of their discretion to acceptance payments of "county expenses" by the "financial transaction devices" set forth in this Resolution.

2. That the Board of County Commissioners does hereby authorize the following Washington County Officials or County Offices, to accept payments by financial transaction devices, if they so choose:

County Auditor
County Treasurer
County Prosecutor
Common Pleas Court (General Division)
County Recorder
Probate Court
Juvenile Court
County Sheriff
County Engineer
County Board of Health/Health Department
County Board of Elections
County Law Library
Department of Job and Family Services
County Commissioners and the following Agencies thereunder:

Child Support Enforcement Agency
Building Department
Sewer Department

3. That the Board of County Commissioners does hereby authorize the following County expenses to be paid by means of a financial transaction device, if the respective county officials so choose:

Any expense considered to be a "county expense" under Revised Code section 301.28 including, but not limited to:

fees
costs
taxes
assessments
fines
penalties
payments
any other expense a person owes or otherwise pays to a county office under the authority of the county official

4. That the Board of County Commissioners does hereby authorize the following types of financial transaction devices to be accepted, upon the condition that an agreement setting forth the terms and conditions for payment using such financial transaction device is entered into with the issuing financial institution: MasterCard, Visa, American Express, or Discover Card (Credit or Debit cards); and electronic checks.

This Resolution expressly recognizes that each county official shall be free to establish which financial transaction devices such official's office will honor and that the acceptance of financial transaction devices need not be uniform among county elected officials.

5. That the Board of County Commissioners does authorize a surcharge or convenience fee to be charged for use of a financial transaction device. The amount authorized as a

surcharge or convenience fee shall be determined by the Board of County Commissioners after selection of a financial institution to facilitate the County's financial transaction devices program.

County offices accepting payment by financial transaction devices shall comply with the requirements of ORC 301.28 (E) regarding the notice to customers.

The amount of surcharge or convenience fee may be less than this amount, depending upon the agreements entered into by the Board of County Commissioners under Ohio Revised Code Section 301.28(C).

Uniform application of surcharge or convenience fees among different types of county expenses is not required.

6. That the Board of County Commissioners does hereby require that should a payment by financial transaction device be returned or dishonored for any reason, such fact shall result in the imposition of a penalty of \$20.00, in addition to the county expense payment and any applicable surcharge or convenience fee.

7. That the Board of County Commissioners does hereby designate the County Treasurer, unless the County Treasurer shall decline to accept this designation, as an administrative agent to solicit proposals, within guidelines established by the Board in this resolution and in compliance with the procedures provided by Ohio Revised Code 301.28(C) to make recommendations about those proposals to the board, and to assist county offices in implementing the county's financial transaction devices program.

8. That in the event the County Treasurer declines to accept this designation within 30 days after receiving a copy of this Resolution and provides written notice that she declines to accept this designation within that 30 days, the Board shall perform the duties of the administrative agent and begin the process of soliciting proposals.

9. That the Board of County Commissioners does hereby instruct its Clerk to send a copy of this Resolution to each county elected official identified in this Resolution as an office which may accept payment by financial transaction device.

10. That the Board thereby further notifies such offices that each county official who intends to accept payments by financial transaction devices shall provide written notification to the Board of Commissioners of the official's intent to implement this Resolution within the official's office.

The Clerk explained there have been requests from County officials to be able to accept payments by credit and debit cards. He said Assistant Prosecutor Alison Cauthorn prepared this Resolution to initiate the process of implementing use of financial transaction devices in those Washington County offices opting to participate. He said this Resolution designates the County Treasurer as administrative agent to solicit proposals from financial institutions to assist with program implementation and maintenance, but allows the County Treasurer to defer such responsibility to the Commissioners.

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

RE: RESOLUTION REQUESTING CERTIFICATION OF AMOUNT OF REVENUE FROM PROPOSED 911 LEVY

Mr. Feathers moved and Mr. White seconded a motion to adopt the following Resolution:

WHEREAS, *the amount of taxes which may be raised within the ten mill limitation will be insufficient to enable Washington County to continue to operate the 911 system through which individuals can request emergency service in Washington County using the telephone number 9-1-1.*

NOW, THEREFORE, BE IT RESOLVED, *by the Board of Washington County Commissioners, Washington County, Ohio, two-thirds of all members elected thereto concurring therein, that it is necessary to levy an additional tax in excess of the ten mill limitation pursuant to Ohio Revised Code Section 5705.03, 5705.19 (BB), and 5705.191, for the benefit of Washington County, for the purpose of providing funds to operate the Washington County 911 system through which individuals can request emergency service using the telephone number 9-1-1; and*

BE IT FURTHER RESOLVED *that it will be necessary to place such proposed levy on the tax list and duplicate for the year beginning with the current tax year 2016 if a majority of the electors voting thereon vote in favor thereof at the general election to be held on November 8, 2016; and*

BE IT FURTHER RESOLVED, *pursuant to R.C. 5705.03(B), that the Clerk of this Board of Commissioners, Washington County, Ohio, be, and hereby is directed to certify a copy of this resolution to the Washington County Auditor, and that the Auditor is thereby requested to certify to the Board of Commissioners of Washington County, the total current tax valuation of Washington County and the dollar amount of revenue that would be generated by thirty-five hundredths of a mill (.35) for each dollar of valuation, which amounts to thirty-five cents (\$0.35) for each One Hundred Dollars of valuation for a period of five (5) years, beginning with the tax year 2016.*

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

RE: ADDITIONAL APPROPRIATIONS

Mr. Feathers moved and Mr. White seconded a motion to approve the following requests for Additional Appropriations:

EMA	200-0315-54400	\$ 5,000.00
Family & Children First	602-2032-53200	\$ 10,500.28
County Home	200-0630-57000	\$ 15,425.00

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

RE: TRANSFER

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

<u>Department</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
MVGT	200-0540-54201	200-0540-56100	\$ 13,690.30

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

<u>Dept</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
Sewer	400-0113-56200	Ohio Water Devel. Authority	\$ 22,660.40
Sewer	400-0113-56100	Ohio Water Devel. Authority	\$ 37,909.71
RSVP	210-0710-53000	Mancan	\$ 360.90

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. White moved and Mr. Feathers 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:

Auditor

Bill McFarland: One-day trip to Columbus to attend Department of Taxation, Agricultural Advisory Committee Hearing; June 2, 2016.

Bill McFarland: Four-day trip to Sandusky to attend CAAO Summer Conference; June 7-10, 2016.

EMA

Jeff Lauer: One-day trip to Parkersburg to attend COVIEO meeting; May 31, 2016.

JFS

Candy Nelson: One-day trip to Cadiz to attend Canton District Directors Meeting; June 7, 2016.

Family & Children First

Elaine Corbitt: One-day trip to Athens to attend Southeast Ohio Trauma Informed Care Collaborative; June 14, 2016.

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

RE: LETTER OF SUPPORT FOR WAYNE NATIONAL FOREST OIL AND GAS DEVELOPMENT

Mr. White moved and Mr. Feathers seconded a motion to approve the following letter of support:

May 26, 2016

*Kurt Wadzinski
Planning and Environmental Coordinator
Bureau of Land Management, Northeastern States District
626 East Wisconsin Ave, Suite 200
Milwaukee, WI 53202-4617*

Re: NEPA # DOI-BLM-Eastern States-0030-2016-0002-EA Comments Regarding the Marietta Unit for the Athens Ranger District EA and Unsigned FONSI for Oil and Gas Leasing, Wayne National Forest

Dear Mr. Wadzinski:

The Commissioners of Washington County, Ohio, on behalf of our constituent base, support the Bureau of Land Management's Environmental Assessment finding that no significant impact would occur to the Wayne National Forest as a result of limited and responsible oil and natural gas extraction activity. We urge the immediate approval for development.

To date, capital investment tied to shale in Ohio likely exceeds \$30 billion. Over the past five years, our constituents have realized an incredible boost through jobs both directly and indirectly supported by the oil and natural gas industry.

As the Environmental Assessment concludes, responsible development of the Wayne will not result in significant adverse impacts to the air resources, plant and animal habitats, soil, water quality and resources, recreation, scenic quality, or socioeconomics.

In addition, further delay of developing the Wayne National Forest would impede on private landowners rights and crucial income for our Washington County. Funds received through mineral development and Payment in Lieu of Taxes (PILT) are used to fund infrastructure, education and other vital services. Since 2008, mineral development alone has generated more than \$460,000 for local governments, and this number would swell should further oil and gas exploration be permitted to increase in the forest.

Private landowners would also benefit from the leasing of their land. Yet, due to delays in the approval process, their rights could be reverted to the government if drilling is not approved with haste. As confirmed in the Environmental Assessment, leasing for energy development in the forest is not a unique or unusual activity and has been occurring nationwide for nearly 100 years.

Based on an objective overview of these facts as laid out in the Environmental Assessment, and in the interest of our constituents and economy, we support the Bureau of Land Management, and encourage swift approval for oil and gas development and leasing in the Wayne National Forest.

Sincerely,

/s/ WASHINGTON COUNTY COMMISSIONERS

Commissioner White said this letter is to encourage the Bureau of Land Management to allow for exploration and development of oil and gas on certain specific parts of Wayne National Forest in Washington County. He said neighboring property owners who are negotiating leases of their properties for mineral rights are restricted in doing so because the properties adjoin Wayne National Forest. Mr. White said while his primary concern is for the property owners and their ability to use their property as they so desire, this action will also generate funds for local schools and/or entities.

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

RE: NOTICE OF CHANGE OF OWNERSHIP FROM DIVISION OF LIQUOR CONTROL

Mr. White moved and Mr. Feathers seconded a motion to table consideration of a notice from the Ohio Division of Liquor Control pertaining to the transfer of ownership of the State Route 7 Par Mar Store from William Hollister to Croton Holding Company, allowing sufficient time for public comment on this action.

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

RE: CONTRACT WITH VILLAGE OF SHADYSIDE, BUILDING DEPARTMENT

Mr. White moved and Mr. Feathers seconded a motion to approve a contract with the Village of Shadyside in Belmont County for the Southeast Ohio Building Department to provide appropriate inspection and Ohio Building Code enforcement services to the Village of Shadyside, with Washington County retaining all permit and inspection fees, beginning on the date of certification from the Ohio Board of Building Standards, and continuing until either the Village of Shadyside or the Southeast Ohio Building Department (Washington County) provide written notification of termination, as prepared and requested by Chris Wilson, Washington County Building Official.

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

RE: OIL AND GAS LEASE AGREEMENT WITH PDC ENERGY

Mr. Feathers moved and Mr. White seconded a motion to approve an Oil and Gas Lease of mineral rights by Washington County to PDC Energy, Inc., consisting of 0.7729 acres in Waterford Township, parcel numbers 360075488001 and 360071204001, providing for one-time bonus payment of \$3,000.00 per acre (\$2,318.70 for this acreage), royalty payments of 12.5% of sales net proceeds, for a period of five (5) years beginning May 26, 2016.

Commissioner White said this is actually a second lease of County property in Waterford Township by PDC Energy, both of which have been very small acreage. He said this 0.7729 acres was likely missed in the company's original request for needed mineral rights lease. President Walters said the fact that PDC is entering into this agreement and paying this level of bonus is a good indicator of the company's long-term commitment in Washington County.

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

RE: DELINQUENT SEWER ACCOUNTS

Mr. Feathers moved and Mr. White seconded a motion to approve sending letters to the following holders of delinquent sewer accounts, requesting them to immediately make payment on their accounts: Chris Dickson, John Albrecht, Jane Cunningham, Daniel Brown, Dan Turner (for Service Center), Karen Anstatt, Jackie and Mary McCoy, Michael Fronko, Reda Nichols (for 38 Second Street), Michelle Higgins, Denise Vigneron, Jean Yost (for 765 Warrior Drive), Richard and Karen Best.

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

RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS

Mr. Feathers moved and Mr. White seconded a motion to certify the following seriously delinquent sewer accounts to County Auditor Bill McFarland, requesting him to add delinquent amounts to property tax bills: Elizabeth Barnett, Randy Norris, Christopher and Patty Carver, David Burke, Dan Turner (for apartments on SR 550), Heather Mannix/Bretthauer, James Hoff, John and Joann Edwards, Kathy McKitrick.

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

RE: EMERGENCY LANDSLIP REPAIR OF VETO ROAD

Mr. White moved and Mr. Feathers seconded a motion to approve bid specifications and public notice of emergency landslip repair of Veto Road (WAS-C-3-1111 DU), with a project estimate of \$27,490.00 and sealed bids due by June 13, 2016, 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: REQUEST TO DISPOSE OF EQUIPMENT BY PUBLIC AUCTION

Mr. Feathers moved and Mr. White seconded a motion to approve by sale on public auction site GovDeals.com the following equipment no longer used or needed, as requested by County Engineer Roger Wright:

1992 Hyster C350D Roller/Compactor, unit 210, serial no. D089C6228N

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

RE: ANNUAL WIOA SUBGRANT AGREEMENT AND DATA SHARE AGREEMENT

Mr. White moved and Mr. Feathers seconded a motion to return from Unfinished Business consideration of the annual WIOA (Workforce Innovation and Opportunity Act) Subgrant Agreement and Data Share Agreement.

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

Mr. White moved and Mr. Feathers seconded a motion to approve the annual Workforce Innovation and Opportunity Act Subgrant Agreement Amendment #1 (G-1617-15-0189) and Data Share Agreement Amendment #1 (D-1617-15-0228) through the ending date of June 30, 2017.

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

RE: REQUEST TO HIRE VISITATION TRANSPORTATION SERVICES COORDINATOR

Mr. Feathers moved and Mr. White seconded a motion to allow Children Services to fill the new full-time position of Visitation Transportation Services Coordinator, with an hourly rate of \$12.50 and a start date of July 4, 2016, as requested by Jamie Vuksic, Executive Director of Washington County Children Services.

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

RE: EXECUTIVE SESSION

Mr. White moved and Mr. Feathers seconded a motion to enter into Executive Session for the purpose of discussing evaluation and job title change of a custodian in the Maintenance Department.

A calling of the roll resulted in the following vote: Rick Walters aye, Ronald Feathers aye, David White aye. Motion passed, and at 9:40 a.m. the Commissioners entered Executive Session to discuss personnel matters, specifically the evaluation, job title and compensation of a public employee in the Maintenance Department. President Walters invited Buildings and Grounds Superintendent Tim Marty to attend.

The Commissioners returned to Regular Session at 9:47 a.m.

RE: JOB CHANGE FOR CUSTODIAN

Mr. Feathers moved and Mr. Walters seconded a motion to approve a job title change for Andrew Petty in the Maintenance Department from Custodian to Maintenance/Custodian Worker, beginning July 4, 2016, with an hourly rate of \$11.00.

Commissioner Feathers said this action is requested due to the increased workload and responsibilities for Mr. Petty, who now performs not only custodial but also maintenance functions throughout County properties and buildings. He noted he was originally hired as a custodian for the County.

A calling of the roll resulted in the following vote: Rick Walters aye, 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 9:47 a.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk