

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 3, 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 Ashley Rittenhouse of the *Marietta Times*, Administrator Paul Cunningham, and Clerk Rick Peoples.

COMMISSIONERS AGENDA

May 3, 2012

9:00 Minutes
9:30 Pre-Construction Conference, Liberty Twp, CDBG Project
10:00 Darlene Lukshin, OSU Extension
1:00 Zemba Brothers
1:30 Bid Opening - Sale of CABL Bus

UNFINISHED BUSINESS

Vacate Portion of Decatur Township Rd. 96
ODNR Flood Plain Amendment
Request for Annexation - Two Parcels
Air Evac Lifeteam Proposal
Dental & Vision Plan

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Additional Appropriation - Revolving Loan Fund
Transfer - Sheriff
Then & Now's
Travel - EMA (4)
Travel - CSEA (3)
Travel - JFS
Travel - Commissioners
Travel - Building Department
Travel - I.T.
Support Letter - Soil & Water Conservation District
Draw Down - CHIP (2)
Engineer - Agreement with JG3 Consulting for Professional Services
Engineer - 2012 Guardrail Spraying Contract
Engineer - Personnel Policy Manual Revision
Letters to Delinquent Sewer Account Holders
Letter to County Auditor Certifying Delinquent Sewer Accounts
CDBG Projects

INFORMATION

Council of Governments, 10:30 a.m., Friday, May 11, at Morgan County JFS
Planning Commission, 7:00 p.m., Monday, May 21, in Assembly Room
Annual Township Trustees Meeting, 6:00 p.m., Thursday, May 24, in Lowell

RE: AGENDA

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

Add: Engineer - CR 10 Pavement Repair Project
Fraud Reporting System Notification

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 April 26, 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

Ms. Marshall 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: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: ADDITIONAL APPROPRIATION

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

Revolving Loan

210-0845-57400	Other Expenses	\$ 1,899.94
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A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: TRANSFER

Mr. Weber moved and Ms. Marshall seconded a motion to approve the following request for transfer funds:

<u>From</u>	<u>To</u>	<u>Amount</u>
200-0382-53000	200-0382-54000	\$ 300.00

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

Mr. Weber moved and Ms. Marshall seconded a motion to approve the following Then & Now's:

<u>Dept</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
Commissioners	100-0200-5-7400	Scioto County Auditor	\$ 19,723.70
Commissioners	100-0109-5-3101	Dominion	\$ 140.78
Commissioners	300-0599-5-3000	Vertex Services	\$ 470.00
Commissioners	100-0101-5-3400	William Adams	\$ 492.00
Commissioners	100-0101-5-3400	Eric Fowler	\$ 240.00
Commissioners	100-0101-5-3400	Eric Fowler	\$ 180.00
Sheriff's Department	100-0384-5-4400	Custom Trucks Plus	\$ 1,697.00

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

RE: TRAVEL REQUESTS

Mr. Weber moved and Ms. Marshall 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:

EMA

Jeff Lauer: One-day trip to Columbus to attend a hazard mitigation grant meeting; May 8, 2012.

Jeff Lauer: One-day trip to Noble County to attend a Regional Health Preparedness Workshop; May 10, 2012.

Jeff Lauer: One-day trip to Athens to attend a Southeast Ohio Emergency Management Association meeting; May 25, 2012.

Jeff Lauer: One-day trip to Columbus to attend Bluestone Dam Inundation Mapping meeting; May 29, 2012.

CSEA

Denise Hinton: One-day trip to Lancaster to attend Attorney Networking Session; May 24, 2012.

Barb Tergolina: Two-day trip to Columbus to attend OCDA General Membership Meeting; May 9-10, 2012.

Mindie Weber: One-day trips to Columbus to attend training; May 16 and 23, 2012.

JFS

Anita Vaughan, Kelly Bauerbach: Two-day trip to Warrensville Heights to attend APS training; June 8, 2012.

Building Department

Russ Metz: Four-day trip to Boardman to attend Electrical Inspectors Annual Meeting, Ohio Chapter 86; May 6-9, 2012.

I.T.

Eric Skomra: One-day trip to Columbus to attend SIEC Sub-committee; May 4, 2012.

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

RE: LETTER OF SUPPORT, SOIL & WATER CONSERVATION

Ms. Marshall moved and Mr. Weber seconded a motion to approve sending the following letter of support:

April 26, 2012

*Dean Sinclair
Wildlife/Forestry Specialist
Washington County Soil & Water Conservation District
21330 State Route 676
Marietta, Ohio 45750*

Dear Dean:

We appreciate and support your work with the Barlow Fair Board to build an educational conservation area on the Barlow Fairgrounds.

While we encourage development and construction throughout our region, we believe that it is just as important to preserve areas in Washington County for wildlife to thrive in their natural habitat. Educating our County residents about the wide variety of animals and fish that live in Washington County, especially those that are endangered, is critical. Washington County is home to such animals as bobcats, black bears, and bald eagles, and our waterways are the natural habitat for a variety of fresh water mussels and fish species. Education and action are necessary to prevent loss of endangered wildlife.

Our region is now in the midst of significant development in the oil and gas industry. Most of this development will be on property owned and leased by area residents. Among our concerns as they begin exploration and drilling is the impact on our environment. Interfering with the natural habitat of our County's wildlife is inevitable, but manageable.

We applaud your efforts to create appropriate space and facilities to inform, demonstrate, and educate, and we appreciate your interest in conservation and preservation in Washington County.

/s/ WASHINGTON COUNTY COMMISSIONERS

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

RE: DRAWDOWNS, CHIP

Mr. Weber moved and Ms. Marshall seconded a motion to approve drawdowns in the amounts of \$31,589 and \$6,293 for CHIP, and to allow Mr. Irvine and Ms. Marshall to sign the Requests, as recommended by Gerry Spencer, Washington-Morgan County Community Action Program.

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

RE: NOTICE OF FRAUD REPORTING SYSTEM

Ms. Marshall moved and Mr. Weber seconded a motion to approve sending notification to elected officials and departments of the requirements of Ohio House Bill 66, relative to providing information to their employees about the Fraud Reporting System in the State of Ohio, and directing the Clerk to send the notification on May 3, 2012, as the law is effective May 4, 2012, as recommended by County Prosecutor Jim Schneider.

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

RE: AGREEMENT WITH JG3 CONSULTING, LLC, FOR PROFESSIONAL SERVICES

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Agreement for Professional Services with JG3 Consulting, LLC, in the amount of \$16,435.00, to update the pavement property inventory and condition rating for the Washington County highway system

using the MicroPAVER Program, 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: GUARDRAIL SPRAYING CONTRACT

Ms. Marshall moved and Mr. Weber seconded a motion to approve the contract with D.J. Group, Inc., in the amount of \$15,372.00, for the herbicidal spraying of approximately 398,657 feet of guardrail on various Washington County roads, as requested by County Engineer Bob Badger, pending approval of the contract as to form by the County Prosecutor.

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

RE: CONTRACT WITH UNITED SEALING, INC., FOR CR 10 PROJECT

Ms. Marshall moved and Mr. Weber seconded a motion to approve the selection of United Sealing, Inc., as the contractor for the pavement joint repair project on County Road 10, for the amount of \$31,310.00, 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: REVISION TO PERSONNEL POLICY MANUAL FOR COUNTY ENGINEER

Ms. Marshall moved and Mr. Weber seconded a motion to approve adding the following to the Washington County Engineer Personnel Policy Manual, as requested by County Engineer Bob Badger:

Policy 4.02 (F) Employees who work temporarily out of their normal job classification in a classification in a higher pay range shall be compensated at the rate in the higher pay range that is at least \$0.50 higher than their normal pay rate. The exception to this is in the case where an individual employee, due to past actions, has a normal pay rate higher than the highest rate in their normal class, in which case, no additional compensation will be earned for working out of classification.

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

RE: LETTERS TO DELINQUENT SEWER ACCOUNT HOLDERS

Ms. Marshall moved and Mr. Irvine seconded a motion to send notification to the following sewer account holders that their accounts are delinquent and that payment must immediately be made: Reda Nichols, Dari Anstatt, David Miller, Brett and Crystal Davis, Angela Rhodes Lewis, Darla Hausman, Donald Tallman, Sherry Fulton, Sarah Carpenter, Todd Fournier, John Walsh, Jason Knisley, Jenny Williams, John White, Kevin Reeder (for 10, 20, and 30 Mill Street), Nathan and Melissa Arnold, Fedabella Pomroy, Linda Lorentz, Robert and Regan Tate, Larry Dean, Jerry Biehl, Nathan King, Randy Norris, Dawn Rachell Yost, Shayne Schwendeman, Erica Counts, David Carpenter, Jonathon Kirk, ORSCHA-REST Plaza of Barlow.

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

RE: LETTER TO COUNTY AUDITOR CERTIFYING DELINQUENT SEWER ACCOUNTS

Ms. Marshall moved and Mr. Weber seconded a motion to send to County Auditor Bill McFarland certification of the following sewer accounts as delinquent, and requesting he add the delinquent amounts to the taxes due for the properties: Susan McCoy, Hazel & Robert Way, Charles Seaman, John Tate, Tammy Gearhart, Darren Cox, Anthony and Melinda Hapney, H. Clifton Spencer, II, Cheryl Latham Mackey, Jeremy Kidder, Timothy Vaughan, Kristy Haynes, MIE (DPSG Bottling).

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

RE: CDBG PROJECTS

The Commissioners reviewed the list of applications for Community Development Block Grant

(CDBG) funds. Michelle Hyer, Buckeye Hills-Hocking Valley Regional Development District, advised them that they are limited to four CDBG projects this year, and cannot exceed \$160,000.00.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the following CDBG projects, subject to project eligibility as yet to be determined by Ms. Hyer, and assuming a reduction of \$2,600.00 from the Wesley Township project request of \$58,800.00.

Wesley Township (culvert replacement)	\$ 56,200
Village of Beverly (sidewalk improvements)	32,900
Commissioners (Lowell & New Matamoras pool lifts)	11,300
Village of Macksburg (community building/grounds improvements)	<u>34,600</u>
Project Total	\$ 135,000
Fair Housing	20,000
Administration	<u>5,000</u>
GrandTotal	\$ 160,000

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

Ms. Hyer was asked to proceed with review of project eligibility and notification to applicants.

RE: DENTAL & VISION INSURANCE

Ms. Marshall moved to return to the table for discussion optional group dental and vision insurance plans.

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

Clerk Rick Peoples shared with the Commissioners a draft of a Request for Proposal (RFP) for use in soliciting sealed bids for group dental and vision plans for eligible County employees. The Commissioners directed him to work with Safety & Loss Control Coordinator Susan Burkhart to finalize the RFP and proceed with advertising and solicitation of sealed bids.

RE: REQUEST FOR ANNEXATION

Ms. Marshall moved and Mr. Weber seconded a motion to return to the table for discussion a request for annexation of two parcels into the City of Marietta.

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

County Administrator Paul Cunningham informed the Commissioners that a Petition for Annexation of Township Property to City of Marietta, Ohio, consisting of 0.342 acres in two parcels of 0.168 acres and 0.174 acres, more or less, in Fearing Township, Petitioners Deborah N. Florence, 1538 Glendale Road, Marietta, Ohio, and Paul R. Stoffel, 311 Fifth Street, Lowell, Ohio, was received on March 30, 2012. The Affidavit for the Petition was received from Attorney Paul G. Bertram, III, on April 6, 2012. Marietta City Ordinance No. 65 (12-13), having been adopted by Marietta City Council on April 19, 2012, was received April 25, 2012. The Washington County Prosecutor has reviewed the Petition and related documents and considers them to be accurate and complete.

Ms. Marshall moved and Mr. Weber seconded a motion to adopt the following resolution, subject to review and approval by the County Prosecutor:

RESOLUTION OF THE BOARD OF WASHINGTON COUNTY COMMISSIONERS APPROVING ANNEXATION

Pursuant to Chapter 709 of the Ohio Revised Code and especially 709.023 thereof and in response to the Petition for Annexation pursuant to Ohio Revised Code Section 709.02 with Paul G. Bertram, III as the duly appointed agent for the petitioners, Deborah N Florence & Paul R. Stoffel, praying for the annexation of certain territory in Fearing Township to the City of Marietta, and

WHEREAS, the Board of Commissioners of Washington County, Ohio being fully advised in the premises finds that:

- A. The petition contains all matters required by Section 709.021 of the Ohio Revised Code
- B. The persons who signed the petition are owners of property located in the territory proposed to

be annexed.

- C. The municipality has agreed to provide the territory proposed to be annexed the services specified in the municipal services statement.
- D. The territory proposed to be annexed does not exceed 500 acres.
- E. On balance, the general good of the territory to be annexed will be served and the benefits of that parcel and the surrounding area will outweigh the detriments to the territory and surrounding area, and
- F. If a street or highway will be divided or segmented by the boundary line between the municipality and township as to create a road maintenance problem, the municipality has agreed as a condition of annexation to assume maintenance of that street or highway or to otherwise correct the problem.

IT IS THEREFORE ORDERED that the prayer of said petition be and is hereby granted and that the territory described in the said petition be annexed to the City of Marietta.

**ANNEXATION
PROPERTY DESCRIPTION:
THE CITY OF MARIETTA
0.342 ACRES**

SITUATE, in and being a part of 3 Acre Lot Number 601, Section 19, Town 3, Range 8, Fearing Township, Washington County, Ohio, being more particularly bounded and described as follows:

BEGINNING at a ½” capped rebar found in the middle section line of said section 19 at the northeast corner of the 0.181 (Official Record 461, Pager 1139);

Thence N 85°40’12” W 154.64 FEET, with said 0.181 Acre Carl Nicholas Florence Tract, to a point in the centerline of Glendale Road (aka Ohio State Route Number 375), passing a ½” capped rebar found at 125.40 feet;

Thence N 07°52’50” E 50.02 FEET, with the centerline of Glendale Road, to a point;

Thence N 06°23’11” E 50.00 FEET, with the centerline of Glendale Road, to a point at the southwest corner of the 0.168 acre Karolyn B. Reed Tract (Official Record 496, Page 412);

Thence S 85°39’29” E 144.42 FEET, with said 0.168 Acre Karolyn B. Reed Tract, to a ½” capped rebar found in the middle section line of said section 19, passing a ½” capped rebar found at 30.56 feet;

Thence S 01°16’32” W 100.00 FEET, with the middle section line of said section 19, to the point of beginning, passing a ½” capped rebar found 50.00 feet.;

CONTAINING 0.342 ACRES, including 0.069 acres in the Glendale Road right of way, per an actual field survey performed by William B. Showalter on or about 02/17/2012 as shown on plat attached hereto and made a part thereof.

BEING the perimeter of the same tract or parcel of land conveyed to Deborah N. Florence in official record 514, page 637, and the same tract or parcel of land conveyed to Paul R. Stoffel in deed volume 685, page 570.

SUBJECT to all legal rights of way, easements, restrictions, and deeds of record.

BASIS OF BEARINGS: Ohio State Plane (South Zone)

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

RE: PRE-CONSTRUCTION CONFERENCE, LIBERTY TOWNSHIP CDBG PROJECT

Michelle Hyer, Buckeye Hills-Hocking Valley Regional Development District, assisted the Commissioners in conducting a pre-construction conference for the Liberty Township Community Development Block Grant (CDBG) Project. Also attending were contractor Earl Carpenter, Liberty Township Fiscal Officer JoAnna Griffin, and Ashley Rittenhouse of *The Marietta Times*.

Ms. Hyer reviewed the project, the start date, the completion date, the payroll process, and the forms required to be used. She noted that Commissioner Irvine is the designated Labor Compliance Officer for the project, which will last approximately 60 days, beginning on or about July 2, 2012.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Notice of Award, the Contract, and the Notice to Proceed for contractor Double E Electric and Construction, for the Liberty Township CDBG Project, in the amount of \$27,669.00, as recommended by Michelle Hyer, 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: CDBG STATUS REPORT

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Community Development Block Grant (CDBG) Status Report for grant B-W-10-1CY-1, and to allow Ms. Marshall to sign the Report, as prepared and recommended by Michelle Hyer, 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: DARLENE LUKSHIN, OSU EXTENSION

Darlene Lukshin of The Ohio State University Extension Office talked with the Commissioners about some of her projects:

Village of Macksburg: The Village has unsanitary drainage into the yard of the community building. This may be a serious health hazard, and there is urgent need for guidance and assistance. Although a preliminary estimate of the repair is \$2,194, further investigation into the problem and an appropriate long-term remedy is warranted. Ms. Marshall suggested that John Grosse, the County's consulting engineer for such work, should look at the situation and work with the Health Department to determine if there is need for immediate action and to develop a plan for that action. Ms. Lukshin will continue to monitor the project, and will assist the Village in seeking funds for repair.

Road Slips: Ms. Lukshin reported that she has been inundated with requests for funds to repair road slips throughout the County, including slips in Fearing, Adams, Lawrence, Warren, and Watertown Townships (among others). Some of those slips will be very expensive to repair, such as the one in Fearing Township estimated at more than \$300,000. She is working with the County Engineer to develop good estimates for repair, and with the Ohio Public Works Commission to provide funds.

RE: PAUL CUNNINGHAM, COUNTY ADMINISTRATOR

County Administrator Paul Cunningham expressed his concern that the 911 Fund is nearing the point that if there is need for immediate equipment purchase or repair, there may not be adequate funds available. The Commissioners asked him to talk with 911 Coordinator Rich Hays to review the financial condition of the fund.

Mr. Cunningham informed the Commissioners the Sewer Department needs to replace a tractor. They asked him to proceed with quotes or bids, as appropriate.

RE: ZEMBA BROTHERS, INC.

Casey Hazen and Steve Zemba, representing contractor Zemba Brothers, Inc., informed the Commissioners that their work on the Devola sewer line project is nearly complete. They indicated an electrical box at Ewing School has been fixed, the large hole in the ground has been filled, stray rebar has been removed, seeding and grading has been done, and the vault has been pumped out and re-sealed. They reported they met with a representative from the Ohio Department of Transportation, who, they said, seemed satisfied with their work.

Mr. Zemba then presented to the Commissioners a copy of a letter they've sent to John Grosse, the County's consulting engineer, detailing their loss of production, their downtime, and their loss of equipment due to unknown soils during the project. They asked the Commissioners to consider compensating them for some, or all, of their loss which totals \$55,045.14. The Commissioners indicated they will discuss this with Mr. Grosse.

RE: BID OPENING, SALE OF CABL BUS

At 1:30 p.m. the Commissioners opened the one sealed bid for the purchase of a 2004 Allstar 16-passenger light transit bus no longer needed or used in the Community Action Bus Line program in Washington County. Attending the opening were the Commissioners, Clerk Rick Peoples, and Dawn Rauch from Washington-Morgan Community Action Program.

The one bid received, from Sulli Motors in Ambridge, Pennsylvania, did not include a 10% bid deposit as required. The bid was not accepted, and Ms. Rauch was asked to proceed with additional advertising for sealed bids in accordance with the Ohio Revised Code, and the Clerk was directed to inform Sulli Motors why their bid was not accepted.

RE: SATISFACTION OF MORTGAGES

Dawn Rauch, Washington-Morgan Community Action Program informed the Commissioners that three mortgages dated January 29, 2007 have been fully paid and satisfied, and requested them to certify same.

Ms. Marshall moved and Mr. Weber seconded a motion to certify that the following mortgage deeds and promissory notes dated January 29, 2007, executed by Washington-Morgan Community Action, have been fully paid and satisfied, authorizing the Recorder to discharge the records:

806 Warren Street, Belpre, Ohio
612 Elm Street, Belpre, Ohio
805 Florence Street, Belpre, Ohio

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

RE: ADJOURNMENT

Ms. Marshall 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 2:36 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk