

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 13, 2011 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: CORA A. MARSHALL, PRESIDENT, TIMOTHY C. IRVINE, VICE PRESIDENT, AND STEVEN W. WEBER, MEMBER. 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**

October 13, 2011

9:00 Minutes  
9:30 Kenny Vigneron, CHIP Program  
10:00 Doug Smith, Humana  
11:00 Tom Bellish, Buckeye Energy

#### **UNFINISHED BUSINESS**

Engineer Request to Dispose of Old Tax Map Copies  
Buckeye Energy Aggregation Agreement  
Dental /Vision Insurance  
Dog Warden Firearms Policy

#### **NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Additional Appropriation - Probate/Juvenile  
Additional Appropriation - Sheriff (2)  
Transfer - Sheriff (2)  
Transfer - County General  
Transfer - Auditor  
Then & Nows  
Travel - Auditor  
Travel - Building Department (2)  
Travel - CSEA (2)  
Contract with Stephen Campbell & Associates  
Contract with FoamCoat Roofing and Coatings, Inc.  
Drawdown for CHIP Program  
Auditor of State Proposal for LGS Services  
Proposal for Urban Transit Services  
Request to Vacate Public Road, WarrenTownship 648  
Engineer - ODOT Traffic Sign Replacement Agreement  
Engineer - Department to be Closed on November 25  
Engineer - Truck Use Prohibition, CR 340  
Letter to Bruce Kelbaugh, Appreciation  
Letter to Brad Ebersole, Appointment to SeOPA  
Letter to Congressman Bill Johnson, Woodlawn Acres  
Letter to Bill McFarland, Delinquent Sewer Accounts  
Health Insurance Plan Proposals, CY 2012  
Court Order, 2011 Budget

#### **RE: AGENDA**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the agenda, with the following changes:

Add: Letter to County Employee Erin Lockhart  
Agreement to Purchase Natural Gas  
Delete: Additional Appropriation - Sheriff  
Transfer - Sheriff

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

#### **RE: APPROVAL OF MINUTES**

Mr. Weber moved and Mr. Irvine seconded a motion to dispense with the reading of the September 28 and October 6, 2011 minutes, and to approve them as submitted.

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

**RE: PAYMENT OF BILLS**

Mr. Irvine moved and Mr. Weber seconded a motion to approve the payment of bills from various departments.

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

**RE: ADDITIONAL APPROPRIATIONS**

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

200-0222-57400	Computer Research	\$ 5,000.00
210-0390-57200	Advance Out	\$ 15,000.00

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

**RE: TRANSFERS**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following requests for transfer of funds:

Sheriff

<u>From</u>	<u>To</u>	<u>Amount</u>
210-0390-57200	100-0384-49200	\$ 15,000.00

County General

100-0366-57400	100-0366-54000	\$ 1,000.00
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Auditor

100-0120-54000	100-0120-57400	\$ 1,000.00
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A calling of the roll resulted in the following vote: Cora Marshall aye, Timothy Irvine aye, Steven Weber aye. Motion passed.

**RE: THEN AND NOW'S**

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

<u>Dept</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
County Home Maintenance	200-0630-5-3000	Clemans Nelson & Associates	\$ 2,058.20
Children Services Bd.	100-0109-5-3100	AEP	\$ 201.47
Commissioners	200-0743-5-2000	Dieatra Dearth	\$ 111.87
Commissioners	100-0100-5-3401	Treasurer State of Ohio	\$ 6,447.74
Commissioners	200-0363-5-3000	Humane Society of Ohio Valley	\$ 170.00
Veterans	100-0700-5-7400	Kathi Lockhart	\$ 450.00
Veterans	100-0700-5-7400	Marietta Times	\$ 445.60

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

**RE: TRAVEL REQUESTS**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures and in compliance with the Annual Appropriations for Fiscal Year 2011 and any and all amendments subsequent thereto:

AUDITOR

Bill McFarland, Teresa Stark: One-day trip to Columbus for County Auditors Association Education, October 26, 2011.

BUILDING DEPARTMENT

Larry Richcreek: One-day trip to Columbus to attend Board of Building Standards Code Training & Book Distribution Registration, November 8, 2011.

Larry Richcreek: One-day trip to Columbus to attend the Central Ohio Code Officials Association Seminar, October 13, 2011.

CSEA

Barb Tergolina: One-day trip to Athens County CSEA for Grants Management and IV-D

Contract Training, November 3, 2011.

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

**RE: CONTRACT WITH STEPHEN CAMPBELL & ASSOCIATES**

Mr. Weber moved and Mr. Irvine seconded a motion to enter into Guaranteed Maintenance Service Agreement for maintaining recording equipment at the Belpre Police Department used in the operations of the 911 Program, in the amount of \$2,500.00, for the period January 1, 2012 through December 31, 2012, and to allow Ms. Marshall to sign the Agreement, as recommended by 911 Coordinator Rich Hayes.

**RE: CONTRACT WITH FOAMCOAT ROOFING AND COATINGS, INC.**

Mr. Irvine moved and Mr. Weber seconded a motion to contract with FoamCoat Roofing and Coatings, Inc., for the repair of the roof on the County's building at 223 Putnam Street, Marietta, for the amount of \$3,550.00, and to allow Ms. Marshall to sign the contract, as recommended by Tim Marty, Building and Grounds Superintendent.

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

**RE: DRAWDOWN FOR CHIP PROGRAM**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the drawdown of \$9,172.00 for the CHIP Program, and to allow Ms. Marshall and Mr. Irvine to sign the request, as recommended by Gerry Spencer, CHIP Program.

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

**RE: AUDITOR OF STATE PROPOSAL FOR LGS SERVICES**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the proposal from Auditor of State Dave Yost to provide services through his Local Government Services section, as outlined in the proposal on file in the Commissioners' Office, for the years ending December 31, 2011, 2012, and 2013, for annual fees not anticipated to exceed \$30,000.00.

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

**RE: PROPOSAL FOR URBAN TRANSIT SERVICES**

Mr. Irvine moved and Mr. Weber seconded a motion to award the bid for transit services for the year 2012, with four additional years of extension by mutual agreement, to the Community Action Program Corporation of Washington-Morgan Counties (proposal on file in the Commissioners' Office).

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

**RE: REQUEST TO VACATE PORTION OF WARREN TOWNSHIP ROAD 648**

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

**Whereas**, a petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate a portion of Warren Township Road 648 (Summers Road), a public road as described therein.

**Therefore, Be It Resolved**, that the 25<sup>th</sup> day of October, 2011, at 9:30 a.m., be fixed as the date when we will view the proposed improvement, on which date we will meet at the west end of Summers Road and go over the line of said proposed improvement; and

**Be It Further Resolved**, that the 3<sup>rd</sup> day of November, 2011, at 1:00 p.m., be fixed as the date for a final hearing thereof, which hearing will be at the office of the Board; and

**Be It Further Resolved**, that the Clerk of this Board be and he is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the *Marietta Times*, a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said improvement.

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

**RE: AGREEMENT WITH ODOT FOR REPLACEMENT OF TRAFFIC SIGNS**

Mr. Weber moved and Mr. Irvine seconded a motion to approve the agreement with the Ohio Department of Transportation (ODOT) for the replacement of regulatory traffic signs, covering 80% of the total project cost, as recommended by County Engineer Bob Badger.

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

**RE: CLOSING OF ENGINEER'S OFFICE ON NOVEMBER 25, 2011**

Mr. Weber moved and Mr. Irvine seconded a motion to acknowledge the closing of the Engineer's Office on Friday, November 25, 2011, for holiday in lieu of Columbus Day on which it was open for business, as directed by County Engineer Bob Badger.

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

**RE: TRUCK USE PROHIBITION ON COUNTY ROAD 340**

Mr. Irvine moved and Mr. Weber seconded a motion to approve designation of Washington County Road 340, Arends Ridge Road, as a route prohibiting through-trucks (trucks traversing the entire length of that road with no designation on that road), and to authorize the County Engineer to erect the standard R5-H2b ("Through Trucks Prohibited") sign(s), as recommended by County Engineer Bob Badger.

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

**RE: LETTER OF APPRECIATION TO BRUCE KELBAUGH**

Mr. Irvine moved and Mr. Weber seconded a motion to send the following letter of appreciation to Bruce Kelbaugh, acknowledging his assistance in facilitating the October 6 Commissioners' meeting in Cutler:

*October 13, 2011*

*Bruce Kelbaugh  
4445 State Route 555  
Little Hocking, Ohio 45742*

*Dear Bruce:*

*Last Thursday evening we held our regular meeting at the Cutler Community Center, continuing our effort to reach out to Washington County residents. Our intent is to not only meet some folks in their communities, but also to better inform them of the business of the County.*

*We appreciate your effort in helping to coordinate our meeting in Cutler. The Community Center is a wonderful facility, and we are pleased that it is available and used for such a wide variety of events.*

*Please extend our thanks to those in your neighborhood who attended our meeting. It was indeed our pleasure to have the opportunity to hear some of their concerns, and to share with them what we do on a regular basis.*

*Sincerely,*

**WASHINGTON COUNTY COMMISSIONERS**

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

**RE: APPOINTMENT OF BRADLEY J. EBERSOLE TO SEOPA**

Mr. Weber moved and Mr. Irvine seconded a motion to appoint Bradley J. Ebersole, Ph.D., President of Washington State Community College, to the Board of Directors of the Southeastern Ohio Port Authority (SeOPA), with his term beginning immediately and ending January 31, 2016, as recommended by SeOPA Executive Director Terry Tamburini.

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

**RE: LETTER TO CONGRESSMAN BILL JOHNSON, RE: WOODLAWN ACRES**

Mr. Irvine moved and Mr. Weber seconded a motion to approve the following letter to Congressman Bill Johnson, in response to his letter pertaining to the sewer line project in the Woodlawn Estates and Betsy Lane area of Washington County:

October 13, 2011

The Honorable Bill Johnson  
U.S. House of Representatives, 6<sup>th</sup> District, Ohio  
317 Cannon House Office Building  
Washington, DC 20515

Dear Congressman Johnson:

*In response to your letter dated October 5, 2011, please be informed that we are continuing to work toward resolution of an issue brought to our attention by the Ohio Environmental Protection Agency. That agency has determined that the current system of collection and discharge of sewage in the Woodlawn Estates and Betsy Lane area of Washington County is unacceptable, and creates an environmental hazard. The EPA has directed the County to correct the violation, in cooperation with the Washington County Board of Health.*

*We have determined that the appropriate method for collection and discharge is via a sanitary sewer line and lift station to connect to an existing acceptable sewer line. We are working with a Consulting Sanitary Engineer to develop plans for construction of this system. Upon completion, residents in the area will be required to tap into the new line.*

*The cost for this project is expected to be nearly \$1,000,000. We are in the process of applying for assistance through the Ohio Water Development Authority, in the interest of keeping the cost to residents as low as possible. With meetings in their community, we are keeping area residents informed of our progress. Another meeting is scheduled at 6:30 p.m. on October 25 at the Little Hocking Volunteer Fire Department. Please join us.*

*As always, we welcome your interest in this project. We'd especially like to know if you have access to funds that would lessen the financial burden to Washington County residents in the Woodlawn Estates and Betsy Lane area.*

*Sincerely,*

**WASHINGTON COUNTY COMMISSIONERS**

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

**RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS TO COUNTY AUDITOR**

Mr. Weber moved and Mr. Irvine seconded a motion to certify the following delinquent sewer accounts to the County Auditor, requesting him to add the delinquent amounts to the taxes due for the properties: Sherry Fulton, John Albrecht, Nathan & Melissa Arnolds, Donald Tallman, Tina Anderson, Randy Norris, Angela Rhodes Lewis, Larry Dean, Steven & Sherry Murgage, Linda Lorentz, Robert & Regan Tate, Jonathan Kirk, Dawn Rachell Yost, Reda Nichols, Jenny Williams.

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

**RE: LETTER TO ERIN LOCKHART**

Mr. Irvine moved and Mr. Weber seconded a motion to send the following letter to County employee Erin Lockhart:

October 12, 2011

Erin Lockhart  
% Washington County Board of Developmental Disabilities  
1701 Colegate Drive  
Marietta, Ohio 45750

Dear Ms. Lockhart:

*A request to allow payroll deductions from your bi-weekly paycheck until the \$500 balance you owe the County for your 2011 Aflac Flexible Spending Account is paid in full, and not later than December 31, 2011, was sent to you September 22, 2011.*

*As you have refused to sign the paper that would allow for these payroll deductions, payment in the amount of \$500.00 is due immediately to the Washington County Commissioners, 223 Putnam Street, Marietta, Ohio 45750.*

*If payment is not made, legal action will be pursued in Small Claims Court to recover the funds.*

*Sincerely,*

**WASHINGTON COUNTY COMMISSIONERS**

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

**RE: AGREEMENT TO PURCHASE NATURAL GAS FROM IGS**

Mr. Irvine moved and Mr. Weber seconded a motion to enter into agreement with Interstate Gas Supply, Inc. (IGS) for the purchase of natural gas, during the period December 2011 through the November 2012 billing cycle, at the fixed rate of \$5.29 per MCF, as recommended by Judy Heinrich, Gas Marketing, Inc. The current rate paid by the County is \$5.74 per MCF. Other rates received for the period beginning December 2011 were \$5.49 from Direct Energy and \$5.39 from Delta.

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

**RE: HEALTH INSURANCE PROPOSALS FOR 2012**

Safety & Loss Control Coordinator Susan Burkhart informed the Commissioners that proposals for providing a group health insurance plan to County employees for the year beginning January 1, 2012 were received from CEBCO, the Schwendeman Agency, and Dietz-Futrell & Walters Insurance. The Commissioners asked Susan to thoroughly review the proposals, to arrange an opportunity for each of the proposing agencies to talk with the Commissioners, and to make a recommendation to the Commissioners by October 31, 2011.

Mr. Weber moved and Mr. Irvine seconded a motion to table further discussion of the health insurance proposals.

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

**RE: RESPONSE TO CHIP PROGRAM MONITORING**

Mr. Weber moved and Mr. Irvine seconded a motion to send a letter of response to Michael Hiler of the Office of Housing and Community Partnerships at the Ohio Department of Development, as prepared and recommended by Dawn Rauch, Community Action (copy on file in the Commissioners' Office).

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

**RE: DENTAL/VISION INSURANCE**

Doug Smith, Matt Otto, and Alisa Rhoads, representing Humana Insurance, discussed with the Commissioners the group dental and vision plans they'd like to make available to Washington County employees, with monthly premiums to be paid by those employees opting into the plan(s). The Commissioners suggested that the Humana representatives participate in the upcoming Benefits Fair to be held on October 26, 2011.

**RE: OWPC PAYMENT REQUEST**

Mr. Irvine moved and Mr. Weber seconded a motion to approve Pay Request #4 to the Ohio Water Pollution Control (OWPC) Loan Fund, in the amount of \$221,785.74, for the Devola Lift State/Forcemain/Sewer Improvements Project, as requested by County Administrator Paul Cunningham.

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

**RE: BUCKEYE ENERGY**

Tom Bellish and Art Deininger of Buckeye Energy Brokers, Inc., met with the Commissioners to discuss changes the Public Utilities Commission of Ohio (PUCO) is considering, which might have an impact on the County's electric aggregation proposal in the November 8 general election. AEP has proposed that PUCO allows them to change the cap on the number of customers (residential, commercial, and industrial) switching from AEP to other providers over the next four years. As the cap for next year might be met before Washington County is able to establish an opt-out program, assuming a vote in-favor of such a plan on November 8, switching to another carrier for a preferred rate might not be possible for County residents. The Buckeye Energy representatives encouraged the Commissioners to consider:

- Allowing for an immediate "opt-in" program
- Contracting with Buckeye Energy to facilitate the opt-in program
- Adopting a resolution expressing concern over AEP's request for PUCO action

The Commissioners thanked them for the information, and referred the proposed Buckeye

Energy agreement for services to the Prosecutor's Office for review.

**RE: EXECUTIVE SESSION**

Mr. Irvine moved and Mr. Weber seconded a motion to enter into Executive Session to discuss personnel matters, specifically the compensation of public employees, and to invite County Administrator Paul Cunningham and Clerk Rick Peoples to attend.

A calling of the roll resulted in the following vote: Cora Marshall aye, Timothy Irvine aye, Steven Weber aye. The Commissioners entered Executive Session at 3:30 p.m.

The Commissioners returned to Regular Session at 3:45 p.m.

**RE: COURT ORDER, 2011 BUDGET**

Mr. Irvine moved and Mr. Weber seconded a motion to notify Judges Boyer, Lane, and Williams that receipt of their Court Order dated on or about October 7, 2011, pertaining to the fiscal year 2011 budget for the Washington County Common Pleas Court, is acknowledged, and that the Commissioners are reviewing the Order, and may seek legal advice on options for response, the impact of such response on the financial condition of the County, and the effect the response might have on other employees of the County.

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

**RE: ADJOURNMENT**

Mr. Weber 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 3:55 p.m.

\_\_\_\_\_, President

\_\_\_\_\_, Vice President

\_\_\_\_\_, Member

\_\_\_\_\_, Clerk