

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 25, 2018 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: RICK G. WALTERS, PRESIDENT, DAVID A. WHITE, VICE PRESIDENT, AND RONALD L. FEATHERS, 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, Art Mendicino, Glen Pawloski, Janelle Patterson from *The Marietta Times*, and Clerk Rick Peoples.

**Washington County Commissioners  
AGENDA  
9:00 a.m., January 25, 2018**

9:00 Business Meeting  
10:00 Flite Freimann, JFS – Program Update  
1:00 Bill McFarland, Auditor – Distribution of Wayne National Forest Receipts  
1:30 Bike Path Easement – Alison Cauthorn, Assist. Pros., & Roger Wright, Engineer

**UNFINISHED BUSINESS**

Proposal to Study Effectiveness of Courthouse Back-Up Generator  
Addendum to Labor Agreement, Developmental Disabilities  
Additional Appropriation – Sheriff (Security & Transport)

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Additional Appropriation – Sheriff (Security & Transport)  
Additional Appropriation – Dog & Kennel  
Additional Appropriation – Auditor (Unclaimed Funds) (2)  
Additional Appropriation – Wireless 911  
Additional Appropriation – Transit 2017  
Additional Appropriation - JFS  
Transfer - RSVP  
Transfer – Maintenance  
Transfer – Wireless 911  
Transfer – Sheriff (Jail)  
Then & Now's  
Travel – JFS (7)  
Travel – RSVP  
Travel – Family & Children First  
Liquor Permit Application, Dollar General Store, Waterford  
Jail Contracts – Change in Per Diem Rate  
Engineer – Ferreebee Bridge Replacement Bid Recommendation  
Engineer – Ferreebee Bridge Replacement Project Contract  
Engineer – Needham Bridge Replacement Bid Recommendation  
Engineer – Needham Bridge Replacement Project Contract

**DATES TO REMEMBER**

Council of Governments Meeting, 12:00 p.m., Monday, February 5, in Caldwell  
Monthly Meeting at County Home, 8:30 a.m., Tuesday, February 13  
Courthouse Closed, Monday, February 19, Presidents' Day  
Finance Committee, 10:00 a.m., Tuesday, February 20

**RE: AGENDA**

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

Add: Drawdown of Critical Infrastructure Grant Funds  
Contract Renewal – De Novo Consulting Solutions, LLC  
Change in Distribution Schedule for Children Services Appropriations  
Additional Appropriation - Auditor

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

**RE: APPROVAL OF MINUTES**

Mr. White moved and Mr. Feathers seconded a motion to dispense with the reading and approve the minutes of the January 18, 2018 Regular meeting and the January 22, 2018 Special meeting.

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

**RE: BILLS FOR PAYMENT**

Mr. Feathers moved and Mr. White 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, David White aye, Ron Feathers aye. Motion passed.

**RE: ADDITIONAL APPROPRIATIONS**

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

Co. Gen., S&T	100-0385-51001	\$	519.12
	100-0385-51102	\$	93.96
	100-0385-51101	\$	7.53
Dog & Kennel	200-0363-51001	\$	326.24
	200-0363-51101	\$	4.08
Unclaimed Funds	200-0106-57400	\$	2,224.53
	200-0106-57100	\$	4,700.00
Wireless 911	200-0369-57200	\$	25,000.00
Transit 2017	210-0850-53000	\$	38,907.00
JFS	200-0720-51110	\$	1,217.00
Co. Gen., Auditor	100-0120-54400	\$	9,800.00

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

**RE: TRANSFERS**

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

	<u>From</u>	<u>To</u>	<u>Amount</u>
RSVP	210-0710-51104	210-0710-57400	\$ 5,731.00
Co. Gen., Maintenance	100-0109-54000	100-0109-53000	\$ 5,000.00
Wireless 911	200-0369-57200	100-0101-49200	\$ 25,000.00
Co. Gen., Jail	100-0381-53405	100-0381-54400	\$ 4,580.00

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

**RE: THEN & NOW'S**

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

<b>Dept</b>	<b>Account</b>	<b>Vendor</b>	<b>Amount</b>
Common Pleas	200-0235-53400	Eve, Inc.	\$ 5,000.00
Commissioners	100-0109-53000	Lane's Boiler Repair	\$ 682.55
Commissioners	100-0109-54000	Carr Supply	\$ 42.05
Sewer	400-0113-54000	Rocvest-Tri-State Pump Syst.	\$ 206.53
Veteran	100-0700-57401	AEP	\$ 120.33
Veteran	100-0700-52000	First Nation Bank	\$ 258.00
JFS	200-0720-57400	Verizon	\$ 390.63
JFS	200-0720-57400	Amazon	\$ 436.51
JFS	200-0720-57400	Crowne Plaza	\$ 281.00
JFS	200-0720-57400	Dominion Energy	\$ 1,680.82
JFS	200-0720-57400	WASCO	\$ 2,445.56
Commissioners	100-0102-57401	B&N Coal Co.	\$ 500.00
Commissioners	100-0102-57401	Judith A. Dirruza	\$ 500.00
Commissioners	100-0102-57401	Rodney L. Beebe	\$ 2,600.00
Sewer	400-0113-53000	Fouss	\$ 190.00
Sewer	400-0113-52001	Speedway	\$ 249.16
Sewer	400-0113-54000	Tri-State Pump	\$ 206.53
Sheriff	100-0381-53030	Poynter's Best Products	\$ 280.01
Law Library	200-0520-54000	Wolters Kluwer Law & Business	\$ 361.54

A calling of the roll resulted in the following vote: Rick Walters aye, David White aye, Ron Feathers 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 2018, and any and all amendments subsequent thereto:

JFS

Trips as follows to Muskingum County to attend Ohio Benefit SNAP/TANF Training:

Candy Nelson: February 20-22, 2018  
Candy Nelson, Mashellda Gibbs: February 23, 2018  
Candy Nelson: March 5, 2018  
Candy Nelson: March 22-23, 2018  
Candy Nelson, Teresa Smith, Andrea Perrine, Mary McFee, Lisa Goudy: March 2, 2018  
Amy Heiss, Vikki Stalnaker, Jennie Strickler, Michelle Brown: March 5, 2018  
Judy Rutherford, Trish Ward, Tracie Francis, Kendra Landaker, Jan Stollar, Julie Globber,  
Amanda Slack, Alisha Lass, Mary Lou Griffin, Brenda Robinson, Michelle Brown:  
March 6-8, 2018  
Chris Buchanan, Jenna Williams, Matt Joy, Monica Kinnett, Leslie Vandine, Kerry Grimm,  
Lyann Wallace, Sherri Nolen, Lisa Terry: March 14-16, 2018  
Judy Rutherford, Trish Ward, Tracie Francis, Kendra Landaker, Jan Stollar, Julie Glover,  
Amanda Slack, Alisha Lass, Mary Lou Griffin, Brenda Robinson: April 19-20, 2018  
Chris Buchanan, Jenna Williams, Matt Joy, Monica Kinnett, Leslie Vandine, Kerry Grimm,  
Lynn Wallace, Sherri Nolen, Lisa Terry, Michelle Brown: April 12-13, 2018

#### RSVP

Lisa Valentine, Sheila Roberts: One-day trip to Columbus to attend VISTA Supervisor Training; February 9, 2018.

#### Family & Children First

Cindy Davis: One-day trip to Athens to attend Ohio Children's Trust Fund Regional Prevention Council meeting; January 26, 2018.

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

#### **RE: DRAWDOWN OF CRITICAL INFRASTRUCTURE FUNDS**

Mr. White moved and Mr. Feathers seconded a motion to approve drawdown of Critical Infrastructure Grant funds for the Village of Beverly UV & Sludge Storage Improvements Project, grant B-X-17-1CY-1, in the amount of \$125,800.00, and to allow Mr. Walters to sign the request, as prepared by Michelle Hyer, Buckeye Hills Regional Council.

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

#### **RE: CONTRACT RENEWAL, DE NOVO CONSULTING SOLUTIONS, LLC**

Mr. White moved and Mr. Feathers seconded a motion to approve a contract renewal with De Novo Consulting Solutions, LLC, to prepare 2017 through 2019 Indirect Cost Plans for Washington County, for the amount of \$7,450.00 for each of the three years, and to allow Mr. Walters to sign the contract.

Commissioner White said he is pleased with the services provided by Diane Blaschko and De Novo Consulting, and it is good to see the price isn't increasing. Commissioner Feathers agreed the service from De Novo has been excellent and he is pleased to support continuation of the contract for another three years.

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

#### **RE: CHANGE IN DISTRIBUTION SCHEDULE, CHILDREN SERVICES**

Mr. Feathers moved and Mr. White seconded a motion to approve a change in the distribution schedule for transfer of funds to Children Services, allowing the scheduled February payment to be made as soon as possible in January.

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

#### **RE: LIQUOR PERMIT APPLICATION, WATERFORD DOLLAR GENERAL**

Mr. White moved and Mr. Feathers seconded a motion to table a request from Dollar General Store, Waterford, to obtain a class B liquor permit, allowing opportunity for community comments.

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

#### **RE: JAIL CONTRACTS; CHANGE IN PER DIEM RATE**

Mr. Feathers moved and Mr. White seconded a motion to change the per diem rate in jail contracts with other entities, from \$60.00 to \$62.00, as recommended by Sheriff Larry Mincks.

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

**RE: FERREBEE BRIDGE REPLACEMENT PROJECT BID RECOMMENDATION**

Mr. Feathers moved and Mr. White seconded a motion to approve County Engineer Roger Wright's recommendation to award contract to BUD's, Inc., for the Ferreebee Bridge Replacement Project, for the amount of \$418,242.70.

The Clerk said the bid tabulation lists five bids having been received, as follows:

BUD's, Inc.	\$ 418,242.70
Shelly & Sands, Inc.	\$ 493,651.00
Armstrong Steel Erectors, Inc.	\$ 508,000.00
The Righter Co., Inc.	\$ 565,000.00
OH-WV Excavating Co.	\$ 652,300.00

Engineer's estimate for this project was \$598,940.00.

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

**RE: CONTRACT WITH BUD'S, INC., FOR FERREBEE BRIDGE REPLACEMENT PROJECT**

Mr. Feathers moved and Mr. White seconded a motion to approve a contract, in form, with BUD's, Inc., for the Ferreebee Bridge Replacement Project, in the amount of \$418,242.70, the contract yet to be prepared by the Ohio Department of Transportation.

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

**RE: NEEDHAM BRIDGE REPLACEMENT PROJECT BID RECOMMENDATION**

Mr. White moved and Mr. Feathers seconded a motion to approve County Engineer Roger Wright's recommendation to award contract to Armstrong Steel Erectors, Inc., for the Needham Bridge Replacement Project, for the amount of \$466,000.00.

The Clerk said the bid tabulation lists four bids having been received, as follows:

Armstrong Steel Erectors, Inc.	\$ 466,000.00
Shelly & Sands, Inc.	\$ 501,698.81
OH-WV Excavating Co.	\$ 542,856.84
The Righter Co., Inc.	\$ 552,712.00

Engineer's estimate for this project was \$503,605.11.

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

**RE: CONTRACT WITH ARMSTRONG STEEL ERECTORS, INC., FOR NEEDHAM BRIDGE REPLACEMENT PROJECT**

Mr. Feathers moved and Mr. White seconded a motion to approve a contract with Armstrong Steel Erectors, Inc., for the Needham Bridge Replacement Project, in the amount of \$466,000.00, as recommended by County Engineer Roger Wright.

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

**RE: ADDITIONAL APPROPRIATION, SHERIFF**

Mr. Feathers moved and Mr. White seconded a motion to return from Unfinished Business consideration of a request for additional appropriations by the Sheriff.

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

Mr. White moved and Mr. Feathers seconded a motion to approve the following request for additional appropriations:

County General, S&T	100-0385-51001	\$ 5,000.00
	100-0385-51102	\$ 900.00
	100-0385-51101	\$ 72.50

Commissioner Feathers noted the Sheriff had reduced his request for salaries in this year's budget by about \$98,000 via elimination of positions or transfers of personnel. He said this request is needed primarily to allow for pick-up of incarcerated individuals outside of Washington County with active warrants from Washington County. He said it is also needed for guarding of inmates sent to hospitals, subpoena service, and necessary overtime.

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

**RE: COMMENTS FROM VISITORS**

Muskingum Township Trustee Gary Doan asked the status of the proposed purchase of property by the Commissioners. President Walters said the seller has accepted the County's offer, and is negotiating being able to retain space for an ATM to remain on site.

Mr. Doan again expressed concern about County vehicles, particularly those of the Southeast Ohio Building Department, being parked in public spaces along Putnam Street for lengthy times during the day. President Walters said he will talk with Building Official Chris Wilson about this.

Mr. Doan applauded the Commissioners on the manner in which they conducted recent meetings on January 18 and January 22. He said under the conditions these meetings were well done.

Pertaining to the Devola sewer issue, Glen Pawloski reported a few people in Devola attempted to appeal the Ohio EPA Director's orders to build a sewer system in Devola, but that appeal was not filed in a timely manner. He said he believes the window of opportunity for appeal was not widely known, but he is pleased an attempt was made years ago. Mr. Pawloski said he considers the Ohio Attorney General and the Ohio EPA to be using "bully" tactics against Washington County, and the financial penalties are indeed scary. He said he is hopeful the case goes to court, so that all sides can be heard and fairly considered. Mr. Pawloski commended the three Commissioners for all the work they've done in representing the residents of Devola in fighting for them to retain their homeowner rights.

Commissioner White said he thought the recent article in *The Marietta Times* was well done, as it presented some notions that have not been brought forward.

Art Mendicino said he is a Devola resident, and sympathizes with those who are now being told they must transition from septic to sewer. He said he went through a similar process years ago. Mr. Mendicino said he believes the public doesn't have sufficient information from the Ohio EPA on the appeals process, or an appeal would likely have been filed on behalf of Devola residents shortly after the orders to sewer were filed. He said what bothers him most, though, is when the Ohio Attorney General was brought in by the Ohio EPA. He said that action by the EPA demonstrated they wanted a sewer to be built in Devola no matter what the science suggested. He said this requirement to sewer Devola is a direct violation of property rights of homeowners. He cautioned that the EPA's arguments will be well thought out and presented.

Commissioner White recognized that Mr. Mendicino sees the complexity of the issue, and referred to the Ohio EPA as "a monster, with unlimited resources".

**RE: JFS UPDATE**

Executive Director Flite Freimann, Washington County Department of Job and Family Services, updated the Commissioners on the following initiatives and projects:

- Washington County JFS completed 98% of new applications for SNAP benefits in the month of December, higher than the state average.
- The State of Ohio is transitioning to a new web-based system for administering benefits, and that requires extensive training of all staff. He said he is scheduling training in Zanesville, in a way that will allow his agency to remain open for business as usual. He noted travel will be by County vehicle and will include no overnight stays in Zanesville.
- Mr. Freimann said he is interested in using a credit card and/or procurement card for appropriate agency expenses. The Clerk said he will provide the County's Credit Card Policy for him to review.
- JFS is working with other County agencies to ensure best use of Help Me Grow funds available to the County.
- Approximately \$146,000 in TANF funds were returned by Washington County last fiscal year. Trying to avoid this from happening again, Mr. Freimann said he is looking into how Children Services might use remaining funds this year for eligible programs.
- JFS may be able to provide financial assistance for the foster parents program at Children Services, inviting more interest in the program.
- Noting the lack of mental health care providers in this area, JFS is seeking out ways to provide support to those needing travel and services.
- JFS might be able to provide financial assistance to the kinship placements program at Children Services.
- JFS is working with CSEA and Community Action on program funding.
- JFS has two older vehicles appropriate for sale at public auction, to be replaced with leased vehicles which will be available for use by JFS, Children Services, and CSEA.

**RE: EXECUTIVE SESSION**

Mr. Freimann requested the Commissioners enter Executive Session to discuss personnel issues.

Mr. White moved and Mr. Feathers seconded a motion to enter Executive Session for the purpose of discussing personnel matters, specifically compensation and employment of public employee(s).

A calling of the roll resulted in the following vote: Rick Walters aye, David White aye, Ron Feathers aye. Motion passed, and the Commissioners entered Executive Session at 10:40 a.m. President Walters invited Flite Freimann to attend.

The Commissioners returned to Regular Session at 10:58 a.m.

**RE: INVOICE FROM ODOT FOR BROUGHTON COMMERCIAL PROPERTIES PROJECT**

George Broughton delivered to the Commissioners invoice #100099, dated January 22, 2018, from the Ohio Department of Transportation (ODOT), in the amount of \$193,854.00, for the construction of a left turn lane on State Route 821. He said he intends to pay this to ODOT, and requested the Commissioners' approval of it, in accordance with the agreement for Broughton Commercial Properties, LLC, to receive tax relief for its project on State Route 821.

Mr. Feathers moved and Mr. White seconded a motion to approve ODOT invoice #100099, dated January 22, 2018, in the amount of \$193,854.00, for work performed on the Broughton Commercial Properties, Inc., project on State Route 821.

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

**RE: DISTRIBUTION OF WAYNE NATIONAL FOREST RECEIPTS**

County Auditor Bill McFarland talked with the Commissioners about distribution of receipts from Wayne National Forest. He noted there are now two types of revenues generated by the Forest Service, including Payment in Lieu of Taxes (PILT) and Mineral Payments.

Mr. McFarland said for distribution of PILT the County has been using a formula based on proportional millage of those townships and schools with Wayne National Forest in their districts. He noted the County also used that formula for distribution of mineral payments in 2017. Since then, though, Mr. McFarland said he became aware the distribution of mineral payments must be 50% to school(s) and 50% to repair and upkeep of roads and bridges. The Commissioners agreed the requirement for distribution of mineral funds from Wayne National Forest was not made clear to appropriate County officials, and it is now unfortunately necessary to request refund of about \$50,000 from Frontier Local Schools. Mr. McFarland said he has consulted with the Frontier Local School Treasurer, and they will work together to ensure refund to the County.

Mr. McFarland said he will recommend to the Commissioners an appropriate distribution formula for both the PILT and the mineral payments from Wayne National Forest, basing it more on road miles than on millage.

**RE: EXECUTIVE SESSION**

Mr. Feathers moved and Mr. White seconded a motion to enter Executive Session to discuss the sale or lease of County property.

A calling of the roll resulted in the following vote: Rick Walters aye, David White aye, Ron Feathers aye. Motion passed, and the Commissioners entered Executive Session at 1:40 p.m. President Walters invited County Engineer Roger Wright, Assistant Prosecutor Alison Cauthorn, and County Auditor Bill McFarland to attend.

The Commissioners returned to Regular Session at 2:20 p.m.

**RE: ADJOURNMENT**

Mr. Feathers moved and Mr. White seconded a motion to adjourn. A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 2:25 p.m.

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

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

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

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

