

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 29, 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, Erin O'Neill from *The Marietta Times*, Glen Pawloski, and Clerk Rick Peoples.

Washington County Commissioners
AGENDA
9:00 a.m., March 29, 2018

9:00 Business Meeting
9:30 Investment Committee, with Jason Headings & Tim Irwin from Meeder Investments
10:00 Flite Freimann, JFS – Workforce Development, Budget, Personnel
10:30 Swiss Valley Associates – Engineering Services
11:00 (Meeting in recess)
1:30 Attorney Dale Seif – National Opioid Litigation (MDL 2804)

UNFINISHED BUSINESS

Proposal to Study Effectiveness of Courthouse Back-Up Generator
Addendum to Labor Agreement, Developmental Disabilities
Appointment to Children Services Board of Directors (2)

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Resolution, National Service Recognition Day
Additional Appropriation – County General, Security & Transport
Transfer – County General, Veterans
Transfer – Children Services (2)
Transfer – Developmental Disabilities
Then & Now's
Travel – Auditor
Travel - Job and Family Services (2)
Travel – Family & Children First
Administrative Agent Agreement, Family & Children First
Revision to Prevention, Retention and Contingency (PRC) Plan, JFS
Salary Adjustment, Director of I.T.
Jail Contracts (3)
Delinquent Sewer Accounts
Certification of Delinquent Sewer Accounts

DATES TO REMEMBER

Monthly County Home Meeting, 8:30 a.m., **Tuesday**, April 10, at County Home
Multi-Use Path Key Stakeholders Meeting, 4:00 p.m., **Tuesday**, April 10, in Devola
Planning Commission, 7:00 p.m., **Monday**, April 16
Finance Committee, 10:00 a.m., **Tuesday**, April 17

RE: AGENDA

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

Add: Additional Appropriation – CHIP
Additional Appropriations – Various Purpose Bonds
Additional Appropriations – Behavioral Health

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 March 22, 2018 Regular Meeting.

A calling of the roll resulted in the following vote on the amended motion: 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: RESOLUTION, "NATIONAL SERVICE RECOGNITION DAY"

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

***WHEREAS**, in order to encourage and promote the creation of employment and investment opportunities within Washington County, the Board of Commissioners of Washington County sponsors the State of Ohio's Enterprise Zone program; and*

***WHEREAS**, an integral part of the Enterprise Zone program is the annual review of those Agreements entered into by the local public partners and private businesses committed to the creation of job and investment opportunities within Washington County; and*

***WHEREAS**, consistent with State law Washington County has caused to be created a Tax Incentive Review Council for the purpose of reviewing Enterprise Zone Agreements and recommending an appropriate course of action to the Board of Commissioners with regard to continuance, modification, or termination of the aforementioned Agreement; and*

***WHEREAS**, the Tax Incentive Review Council assigned review responsibility has conducted its responsibilities for the period January 1, 2017 through December 31, 2017; and*

***WHEREAS**, the Tax Incentive Review Council has recommended that the Agreement monitored during the review and reporting period be continued with modification of the number of jobs from twenty-six full-time positions, plus two part-time positions, to a total number of twenty-four full-time positions for the following:*

WASHINGTON ELECTRIC COOPERATIVE, INC.

***NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Washington County does hereby accept the recommendations of the Washington County Tax Incentive Review Council, and does hereby continue with modification to be completed in 2018, the Agreement in place with the following: Washington Electric Cooperative, Inc.*

The Clerk explained this Resolution was requested by Lisa Valentine, RSVP Coordinator.

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

CHIP	210-0808-51000	\$ 36,964.00
Co. General, Sec. & Transport	100-0385-52000	\$ 4,500.00

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 requests for additional appropriations:

Various Purpose Bonds	700-0114-57500	\$ 1,000.00
	700-0114-57502	\$ 1,500.00
	700-0114-57504	\$ 3,000.00
Behavior Health	200-0610-57503	\$ 1,000.00
	200-0610-57502	\$ 3,000.00
	200-0610-57401	\$ 5,500.00
	200-0610-57500	\$ 100.00

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

RE: TRANSFERS

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

<u>Department</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Dev. Disabilities	200-0620-53000	200-0620-51110	\$ 2,500.00
Veterans	100-0700-57401	100-0700-53401	\$ 165.00
Children Services	200-0740-51006	200-0740-51001	\$ 7,756.00
	200-0741-51006	200-0741-51001	\$ 7,593.00
	200-0743-51006	200-0743-51001	\$ 6,965.00

200-0744-51006	200-0744-51001	\$	803.00
200-0740-54400	200-0740-53401	\$	889.00

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

Dept	Account	Vendor	Amount
JFS	200-0720-59000	Wash. Co. Commissioners	\$ 973.86
Sewer	400-0113-54000	Shelly Materials	\$ 669.68
Sheriff	100-0381-53500	Schneider Electric	\$ 375.00

CREDIT/FUEL CARD LATE OR FINANCE CHARGES/SALES TAX APPROVAL

Health Dept.	601-2000-52000	Cardmember Services	\$ 68.06
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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:

Auditor

Bill McFarland: One-day trip to Columbus to attend CAAO Executive/Legislative meeting; April 4, 2018.

Bill McFarland: One-day trip to Columbus to attend Board of Tax Appeals hearing; April 24, 2018.

JFS

Deanna Green: Two-day trip to Columbus to attend Attorney General's Office conference; May 14-15, 2018.

Dawn Lucas, Ruth Burdette: One-day trip to Athens to attend Training on Client Level Tracking for Program and Fiscal Staff; April 3, 2018.

Family & Children First

LeAnn Welch, Terri McGoye, Jennifer Klintworth: One-day trip to Athens to attend Ohio Department of Health OCHIDS Data System Training; April 20, 2018.

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

RE: ADMINISTRATIVE AGENT AGREEMENT, FAMILY & CHILDREN FIRST

Mr. White moved and Mr. Feathers seconded a motion to approve an Administrative Agent Agreement for Washington County Family & Children First Council, designating the Washington County Commissioners to serve as Administrative Agent for Family & Children First Council during the period July 1, 2018 through June 30, 2019.

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

RE: REVISION TO PREVENTION, RETENTION AND CONTINGENCY PLAN

Mr. Feathers moved and Mr. White seconded a motion to approve a revision to the Washington County Prevention, Retention and Contingency (PRC) Plan, changing the Clothing Voucher Program school year to 2018-2019, with eligibility to be determined in March 2018, and adding the SNAP-Ed Classes, with grocery vouchers provided to those who complete the classes, as requested by Flite Freimann, Washington County Department of Job and Family Services.

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

RE: SALARY ADJUSTMENT, DIRECTOR OF I.T.

Mr. White moved and Mr. Feathers seconded a motion to approve increasing the pay rate of Donnie Rader, Director of I.T., to \$29.11 per hour, effective April 1, 2018.

Commissioner White explained this increase in pay was negotiated at the time Mr. Rader accepted the position of Director, to be made effective upon completion of sixty days of satisfactory performance as Acting Director. He noted Gerry Lockhart retired from the Director position January 31, 2018. The Commissioners agreed Mr. Rader's performance has been satisfactory and warrants this increase in pay.

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

RE: JAIL CONTRACTS

Mr. Feathers moved and Mr. White seconded a motion to approve contracts with Gallia County, the City of Wellston, and Morgan County Sheriff to house prisoners in the Washington County Jail during the period April 1, 2018 through March 31, 2019, at the daily rate of \$62.00.

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

RE: DELINQUENT SEWER ACCOUNTS

Mr. White moved and Mr. Feathers seconded a motion to approve sending notice to the following holders of delinquent sewer accounts, requesting immediate payment on those accounts:

Lucille Hupp	Jason Starks	Daniel Brown
Jerry Biehl	Erica Counts	Allen Fleming
Ernest Cornell	Willy Fletcher	Jean Yost
Michelle Wiltse	Ted Williams	Kimberly Wiseman
Katie Dickson	Michael Snyder	Nathan Roby
Linda Lorentz	Jeremy Brandjes	Genevieve Berry
Kathryn Parson		

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

RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS

Mr. Feathers moved and Mr. White seconded a motion to approve certification of delinquent sewer accounts to County Auditor Bill McFarland, requesting him to place delinquent amounts on property tax bills:

John Raber	Michael Balsimo	Larry Carney
Patricia Eagle	Zachary Ankrom	Theresa Hescht
Richard Rohr, Jr.	David Carpenter	Chad Rowley
Nathan Arnold	Roger Kerns	Timothy Vaughn
Gale Righter		

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

RE: COMMENTS FROM VISITOR

Glen Pawloski asked about the extent of liability of Washington County, or the Commissioners, if the County is unsuccessful in pending lawsuits. Commissioner Feathers said the Commissioners are not personally at risk as long as they acted in good faith and on behalf of the citizens of the County. He said the County cannot be "put out of business", and property taxes cannot be increased to pay for any legal penalties. Mr. Feathers said if there is financial penalty against the County, it most likely would be paid from the Sewer Enterprise Fund, which must remain self-sufficient and continue to pay operating costs as well.

RE: INVESTMENT COMMITTEE

Washington County Treasurer Tammy Bates conducted a meeting of the Investment Committee at 9:30 a.m. Attending were the Commissioners, the Clerk, the Treasurer, Glen Pawloski, Erin O'Neill from *The Marietta Times*, and Scott Gruber and Tim Irwin from Meeder Investments.

Mr. Gruber reviewed with the Committee the economic environment, including outlook and trends. Mr. Irwin reviewed the County's investment portfolio. He said the County currently has invested through Meeder a total of \$22,912,217, and will earn an estimated \$421,585 in interest this year. Mr. Gruber and Mr. Irwin encouraged the Investment Committee to review levels of cash needed throughout the year to determine if more can be invested, in order to earn higher interest for the County.

Ms. Bates said the County has earned \$98,873.68 in interest from Meeder Investments during the first two months of this fiscal year, and \$5,839.63 from Peoples Bank. She said she recently transferred \$250,000 from Peoples to Meeder. Ms. Bates reported last fiscal year's interest earnings were \$277,304.72 (net of expenses) from Meeder and \$49,877.30 from Peoples Bank.

President Walters said the Commissioners and the Investment Committee are very pleased with the decision to utilize Meeder Investments to handle the investment needs of the County, as it has proven to be of great financial gain for the County.

RE: JFS UPDATE

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

1. **Workforce Development.** Mr. Freimann said the State of Ohio will not support the Commissioners' desire to withdraw from the Workforce Investment Board (WIB). Alternatively, he said, the State would encourage WIB to take in Meigs, Athens and Jackson Counties, and for Washington County to serve as the WIB host. He said the State is interested in Washington County being the focal point for the receipt of funds, disbursing to member counties as needed for projects. He said the Council of Governments should run the WIB, with Commissioners as voting members. The State would like to see WIB in a separate facility, so as to remain independent and self-sufficient, and the Executive Director and Finance Officer should be two people, thereby allowing for checks and balances, according to Mr. Freimann.

Commissioner White said adding three counties to the current group would dilute the value of Commissioners' votes even further. President Walters said he believes all voting should be weighted according to population of counties.

2. **TANF.** Mr. Freimann said he is meeting with a State JFS representative to discuss disbursement of Temporary Assistance to Need Families (TANF) funds to help offset an unanticipated shortfall of State funding to the Child Support Enforcement Agency. He said the shortfall is approximately \$70,000, and he believes there will be sufficient TANF funds to cover this.
3. **EVE.** Mr. Freimann said the supervised visitation program at EVE, Inc., has traditionally been funded by the Department of Job and Family Services, the Probate Court, and the Common Pleas Court. He said he is hopeful Job and Family Services will be able to provide full funding for the program, eliminating the need for Probate and Common Pleas Courts to use County General funds in the amount of \$35,000.
4. **One Stop Shop.** Mr. Freimann said he and his staff continue to work toward a true One-Stop Shop for assistance and job search.
5. **PRC Revision.** Mr. Freimann described the changes to the Washington County Prevention, Retention and Contingency (PRC) Plan. He noted \$423,000 was used in the Clothing Voucher Program last year, with \$10,000 returned unused.

RE: EXECUTIVE SESSION

Mr. Feathers moved and Mr. White seconded a motion to enter Executive Session to discuss personnel matters, specifically discipline and complaints against a public employee.

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 10:15 a.m. President Walters invited Flite Freimann, Director of Washington County Department of Job and Family Services, and Kathy Thieman, Director of Human Resources, to attend.

The Commissioners returned to Regular Session at 10:35 a.m.

RE: SWISS VALLEY ASSOCIATES

The following representatives from Swiss Valley Associates met with the Commissioners:

Bill Brake
Drew Eberle
Dana Indermuhle
Matt Brake
Ron Palitto

These gentlemen provided insight into Swiss Valley Associates' history and mission. They noted they are a local engineering firm that specializes in construction management and engineering. With a start date of 2000, they said Swiss Valley now has eleven employees and four owners. They said their areas of expertise include:

Construction Management, from start to finish
Technical Engineering and construction services
Water and waste water facilities
HVAC

They said they often partner with other contractors to build the best team for the job. A few of the clients they mentioned are:

City of Marietta
Warren and Marietta School Districts
City of New Martinsville
Village of Clarington
Monroe County Port Authority
Village of Sardis
Tyler and Noble Counties

They said they are particularly proud of the recent project to transition the Noble County Courthouse from steam heat to hot water boilers and heat pumps.

Commissioner Feathers encouraged the Swiss Valley representatives to provide to the Commissioners a letter of interest in serving Washington County's future project needs.

RE: NATIONAL OPIOID LITIGATION

Attorneys Dale Seif, Jr., and Rusty Miller talked with the Commissioners about national opioid litigation they are pursuing. Also attending was County Prosecutor Kevin Rings and Todd Baucher from WTAP News.

Mr. Seif noted:

They currently are representing 26 Ohio counties in this class action case.
Fourteen states are involved in the case.
Washington County ranks 20th in opioid use in Ohio.
According to the Ohio Pharmacy Board, an average of 85.07 opioid pills are dispensed for every Washington County resident per year.
Drug companies have demonstrated total disregard of federal and state laws.
The "big three" distributors of opioids are McKesson Corp., Cardinal Health, and AmerisourceBergen Drug Corp.
Pharmacy distributors include Wal-Mart, CVS, Walgreens, and Rite Aid.
Distributors are noted for dispensing large amounts of opioids in short periods of time.

Mr. Miller said the lead attorney on this litigation is in Huntington, West Virginia. He noted they have built a team of legal experts that have an abundance of experience in class action suits, multi-district litigation, and federal court filings. When asked about settlement options, he said these might be in the form of monetary relief, rehabilitation center funding, or some combination of the two. He said while likelihood of success is unknown at this time, there would be no out-of-pocket cost to the County. He noted attorneys would receive 25% contingency fee from any settlement.

Mr. Feathers moved and Mr. White seconded a motion to enter Executive Session to discuss pending litigation.

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 2:00 p.m. President Walters invited Attorneys Dale Seif, Jr., Rusty Miller, and Kevin Rings to attend.

The Commissioners returned to Regular Session at 2:28 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 2:30 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk