

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JULY 5, 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*, and Clerk Rick Peoples.

**Washington County Commissioners
AGENDA
9:00 a.m., July 5, 2018**

9:00 Business Meeting
9:30 Bid Opening – Grandview Township 2017 CDBG Project
10:00 Public Hearing on Fiscal Year 2019 Tax Budgets

UNFINISHED BUSINESS

Addendum to Labor Agreement, Developmental Disabilities
Appointment to Children Services Board of Directors (2)
Additional Appropriation – Behavioral Health

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Resolution Declaring Opioid Crisis a Public Nuisance
Additional Appropriation – Sheriff (2)
Additional Appropriation – Wireless 911
Additional Appropriation – Behavioral Health
Minus Appropriation – Behavioral Health
Minus Appropriation – County Home
Transfer – County General, Juvenile Center
Transfer – County Home
Then & Now's
Travel – Job & Family Services (3)
Contract between JFS and Career Center
Drawdown of CDBG Funds (2)
Report on Care of Prisoners at County Jail for June 2018
Class Action Lawsuit, Payments in Lieu of Taxes
Delinquent Sewer Accounts
Certification of Delinquent Sewer Accounts

DATES TO REMEMBER

Monthly County Home Meeting, 8:30 a.m., **Tuesday**, July 10, at County Home
Finance Committee, 10:00 a.m., **Tuesday**, July 17, in Annex Conference Room A

RE: AGENDA

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

Add: Resolution to Create New Fund
Delete: Additional Appropriation – Behavioral Health
Minus Appropriation – 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 June 28, 2018 Regular 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: RESOLUTION TO CREATE NEW FUND

Mr. White moved and Mr. Feathers seconded a motion to approve a Resolution to create the following new fund, as requested by the County Auditor's office:

200-0746 Foster Placement Levy

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

RE: RESOLUTION DECLARING OPIOID CRISIS A PUBLIC NUISANCE

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

WHEREAS, *the Board of Commissioners of Washington County, Ohio is the policy-determining body of Washington County; and*

WHEREAS, *the Board of Commissioners of Washington County, Ohio has the authority to take action to protect the public health, safety, and welfare of the citizens of Washington County; and*

WHEREAS, *there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Washington County; and*

WHEREAS, *the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Washington County; and*

WHEREAS, *the violation of any laws of Ohio or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the citizens of Washington County and constitutes a public nuisance; and*

WHEREAS, *the Board of Commissioners of Washington County, Ohio has the authority to abate, or cause to be abated, any public nuisance including those acts that significantly interfere with the public health, safety, and welfare of the citizens of Washington County; and*

WHEREAS, *the Board of Commissioners of Washington County, Ohio has expended, is expending, and will continue to expend in the future County public funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Washington County; and*

WHEREAS, *the Board of Commissioners of Washington County, Ohio may sue to obtain any money due Washington County; and*

WHEREAS, *the Board of Commissioners of Washington County, Ohio has received information that indicates the manufacture and wholesale distributors of controlled substances in Washington County may have violated Federal laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market; and*

WHEREAS, *the citizens of Washington County will benefit from the retention of special outside counsel along with their County attorney, the Washington County Prosecutor, to investigate and pursue, if appropriate, County claims against the manufacturers and wholesale distributors of controlled substances in Washington County, on a contingent fee basis, wherein there is no attorney fee if there is no recovery and the County shall not be responsible for the costs of litigation regardless of the outcome of any litigation.*

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Washington County, Ohio unanimously concurs as follows:

Section I: *That the Board of Commissioners of Washington County, Ohio hereby declares that opiate abuse, addiction, morbidity, and mortality have created a serious public health and safety crisis in Washington County, Ohio, and have created a public nuisance; and*

Section II: *That the Board of Commissioners of Washington County, Ohio hereby authorizes the retention of the law firm of Fields, Dehmlow & Vessels, LLC, 309 Second Street, Marietta, Ohio, as Special Counsel to represent Washington County, to investigate and, if appropriate, pursue all civil remedies which may be afforded under law as against the manufacturers and wholesale distributors in the chain of distribution of controlled substances who have caused or contributed to the public nuisance and serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Washington County, with the compensation therefore on a contingent fee basis, in concert with the contingent fee agreement that is designated as "Special Counsel Representation Agreement" and for which all members of the Board of Commissioners of Washington County, Ohio at their direction are authorized to execute the aforementioned contingent fee agreement, the same of which is identified as Exhibit A and attached hereto and made a part hereof in its entirety.*

Section III: *That the Board of Commissioners of Washington County, Ohio hereby unanimously find and determine that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board, which*

resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including those of the Ohio Revised Code.

Commissioner White said this action is necessary in order to proceed with litigation. Mr. Feathers said this Resolution is not intended to place blame, but merely to identify a problem and to declare it a public nuisance for the citizens of Washington County. He said a court will determine whether there is a responsible party, and if financial penalty is appropriate.

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:

Co. General, Jail	100-0381-53130	\$ 5,000.00
Co. General, Jail	100-0381-53403	\$ 650.00
Wireless 911	200-0369-51110	\$ 8,736.00

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

RE: MINUS APPROPRIATIONS

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

County Home	200-0630-53000	\$(80,352.00)
	200-0630-54000	\$(216,769.00)
	200-0630-53500	\$(5,000.00)

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>
Co. General, Juvenile Ctr	100-0330-54000	100-0330-54001	\$ 10,000.00
County Home	200-0630-53000	200-0630-55300	\$ 21,000.00

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:

Dept	Account	Vendor	Amount
Commissioners	200-0704-57400	Eve, Inc.	\$ 6,377.84
Commissioners	100-0102-57401	Cardmember Services	\$ 460.35
Sheriff	200-0369-53400	Priority Dispatch	\$ 365.00
Sheriff	100-0385-53500	Miller Communications	\$ 620.00
Maintenance	100-0109-53000	Mr. Rooter	\$ 548.09

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. Feathers moved and Mr. White 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

Ruth Burdette, Michelle Brown, Chris Buchanan, Judy Rutherford: One-day trip to Coshocton to attend East Central Ohio District Directors' Association meeting; July 3, 2018 (retroactive).

Flite Freimann: Two-day trip to Columbus to attend meetings with Buckeye Hills and Legislative Committee; July 9-10, 2018.

Michelle Brown: One-day trip to Columbus to attend CCMEP Implementation Manager Meeting;

July 12, 2018.

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

RE: CONTRACT BETWEEN JFS AND CAREER CENTER

Mr. White moved and Mr. Feathers seconded a motion to approve a contract between Washington County Department of Job and Family Services (JFS) and Washington County Career Center (Career Center), in the amount of \$25,000.00, payable by JFS to Career Center for training and testing of eligible students during the period July 5, 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: DRAWDOWN OF CDBG FUNDS

Mr. Feathers moved and Mr. White seconded a motion to approve drawdowns of Community Development Block Grant (CDBG) and Critical Infrastructure project funds as follows, and to allow Mr. Walters and Mr. White to sign the requests, as prepared by Michelle Hyer, Buckeye Hills Regional Council:

Grant B-X-17-1CY-1	\$ 61,680.42
Grant B-F-17-1CY-1	\$ 5,000.00

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

RE: REPORT ON CARE OF PRISONERS AT COUNTY JAIL

The Commissioners acknowledged receipt of a monthly report on the care of prisoners at the Washington County Jail for the month of June 2018, revealing a prisoner count of 357 and accounts receivable of \$21,011.00.

RE: CLASS ACTION LAWSUIT, PAYMENT IN LIEU OF TAXES

Mr. White moved and Mr. Feathers seconded a motion to approve Washington County entering into a class action lawsuit, *Kane County v. United States*, case numbers 17-739C and 17-1991C, certified in the U.S. Court of Federal Claims, and to allow Mr. Walters to sign the Class Action Opt-In Notice Form.

Commissioners White and Feathers explained this suit has been filed by a county in Utah requesting additional payments of Payments in Lieu of Taxes (PILT) during the period 2015-2017. They said PILT is regularly and routinely paid to entities in which federal properties, including Wayne National Forest, are located. Taxes are not paid on those federal properties, but PILT is paid. The majority of Washington County's PILT, they noted, is paid to Frontier Local School District. They said during the period 2015 through 2017 appropriations were insufficient for full payment of PILT to recipient entities. This class action suit requests payment of unfunded amounts.

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. Feathers moved and Mr. White seconded a motion to send notice to the following holders of delinquent sewer accounts, requesting they immediately make payment on those accounts:

Nathan Arnold	Tina McClung	Andra Bolen	Larry Chaney
Patricia Eagle	John Roddy	Zachary Ankrom	Kimberly Wiseman
Theresa Hescht	Richard Rohr	John Raber	David Carpenter
Timothy Vaughn	Robert Strahler	Brandon Leasure	Phil Coyner
Gale Righter			

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

Michelle Wiltse	Edward Pifer	Kareem Wright	Natalie Snyder
Jeremy Brandjes	Allyson Call	Michael Moore	Mike Matheny

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

Muskingum Township Trustee Gary Doan said he is pleased to have received notice that a grant in the amount of \$100,000 has been awarded by the Ohio Department of Natural Resources to Muskingum Township to continue repair by injections on a township road along the Muskingum River. He said there is no match of funds required for this grant, and work should be completed by September 2018. He thanked Senator Frank Hoagland and Darlene Lukshin from the OSU Extension Office for their assistance with this grant.

RE: BID OPENING, GRANDVIEW TOWNSHIP 2017 CDBG PROJECT

At 10:00 a.m. the Commissioners opened the one sealed bid received for the Grandview Township 2017 Community Development Block Grant (CDBG) Project. Assisting the Commissioners was Michelle Hyer from Buckeye Regional Council.

The only bid received was from Burgess Ambulance Sales, in the amount of \$122,422.00. The Clerk noted the estimate for this project was \$117,400.00, and the project is to purchase a 2018 Ford F450 4x4 chassis. Ms. Hyer reported it appears all necessary documents were submitted with the bid. President Walters asked Ms. Hyer to further review the bid for completeness, consult with Ohio Development Services Agency as to whether to consider only one bid, determine if Grandview Township is willing and able to provide \$5,022.00 in matching funds, and request the Prosecutor to review the proposal. He asked her to return with appropriate recommendations.

RE: PUBLIC HEARING, 2019 TAX BUDGETS

At 10:00 a.m. the Commissioners conducted a Public Hearing to consider the Tax Budgets for Fiscal Year 2019 for Washington County Family & Children First Council and Washington County. Attending were the Commissioners, the Clerk, and Erin O'Neill from *The Marietta Times*.

The Clerk presented the proposed Tax Budgets, noting they must be adopted and submitted to the County Auditor by July 15, 2018. He said public notice was appropriately made of their availability for review in the Auditor's Office.

The Clerk noted the following relative to the Tax Budget for Washington County:

- Total budget is \$60,290,423 (6% higher than 2018 appropriations)
- Anticipated revenues are comparable to current year, but expenses are \$2.25 M higher
- 57% of budget is for salaries and benefits
- One of the largest "new" increases is for the mandatory purchase of new voting machines
- The Commissioners will ask the Budget Commission to consider reducing millage of two levies
- Lease of office space is being eliminated for two functions of the County
- The Treasurer's Office will soon accept payments by credit/debit cards, with other offices likely to follow
- Reductions to anticipated expenses will need to be reduced later this year before appropriations are approved

Commissioner Walters said this mid-year budget for next fiscal year is very preliminary, and much work will need to be done between now and the time of setting appropriations. He expressed his appreciation to elected officials and department heads for providing information to compile these tax budgets.

The Clerk said he will bring the 2019 Tax Budgets to the Commissioners' July 12 meeting for further consideration and adoption.

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 10:10 a.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk

