

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 3, 2019 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, VICE PRESIDENT, RONALD L. FEATHERS, MEMBER, AND KEVIN J. RITTER, MEMBER. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE VICE PRESIDENT OF THE BOARD. MR. WHITE LED THOSE ATTENDING IN THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

Also attending were Muskingum Township Trustee Gary Doan and Karen Doan, Flite Freimann from Washington County Department of Job and Family Services, Building Official Chris Wilson, Glen Pawloski, Chad Adkins from *The Marietta Times*, and Clerk Rick Peoples.

Washington County Commissioners
AGENDA
9:00 a.m., January 3, 2019

9:00 Business Meeting

UNFINISHED BUSINESS

None

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Additional Appropriation – County General, Building Department
Additional Appropriation – Law Library
Travel - Engineer
Appointment to Washington County Planning Commission
Application for Liquor Permit from Station Lounge & Grill
Delinquent Sewer Accounts
Certification of Delinquent Sewer Accounts
Engineer – Resolution to Proceed with Force Account and to Use Permit System
Engineer – Resolution for 2019 Frost Law
Engineer – County Highway System Mileage Certification for 2018
Engineer – Notice of Commencement, CR-8, 76 and 133 Emergency Landslip Repairs

DATES TO REMEMBER

Monthly County Home Meeting, 8:30 a.m., **Tuesday**, January 8, at County Home
Regular Weekly Meeting, 9:00 a.m., **Thursday**, January 10, followed by
Annual Organizational Meeting at 9:30 a.m.
Finance Committee, 10:00 a.m., **Tuesday**, January 15, in Conference Room A
Courthouse Closed, **Monday**, January 21, Martin Luther King, Jr., Day

RE: APPROVAL OF AGENDA

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

Add: Additional Appropriation – Family & Children First
Additional Appropriation – Developmental Disabilities (2)
Minus Appropriation – Developmental Disabilities (2)

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

RE: APPROVAL OF MINUTES

Mr. Feathers moved and Mr. Ritter seconded a motion to dispense with the reading and approve the minutes of the December 27, 2018 Regular Meeting and the December 31, 2018 Special Meeting.

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

RE: ADDITIONAL APPROPRIATIONS

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

| <u>Department</u> | <u>Account</u> | <u>Amount</u> |
|-----------------------|----------------|---------------|
| Co. Gen., Bldg. Dept. | 100-0170-55200 | \$ 4,000.00 |
| Law Library | 200-0520-51001 | \$ 909.00 |
| | 200-0520-51101 | \$ 15.00 |
| | 200-0520-51102 | \$ 130.00 |

| | | |
|----------------------------|----------------|---------------|
| Family & Children First | 602-2031-53001 | \$ 2,226.44 |
| Developmental Disabilities | 200-0620-51110 | \$ 17,500.00 |
| | 200-0620-53100 | \$ 10,000.00 |
| | 200-0620-53400 | \$ 320,000.00 |
| | 200-0620-53401 | \$ 100.00 |
| | 200-0620-53700 | \$ 1,000.00 |
| | 200-0620-55300 | \$ 110,000.00 |
| | 210-0620-54400 | \$ 10,000.00 |

The Clerk explained the requests for additional appropriations for the Law Library and Developmental Disabilities are corrections to the 2019 Appropriations Resolution adopted December 31, 2018.

Building Official Chris Wilson said his request for equipment is due to equipment failure. He said tablets currently used by his department staff are not functioning properly and it is critical to have them for use not only in the office but also in the field. He noted he has some large projects coming in for review, and he doesn't want to slow their progress due to faulty equipment. Mr. Wilson said he received two quotes for the purchase, and is ready to move forward.

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

RE: MINUS APPROPRIATIONS

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

| <u>Department</u> | <u>Account</u> | <u>Amount</u> |
|----------------------------|----------------|----------------|
| Developmental Disabilities | 200-0620-52000 | \$ (5,000.00) |
| | 200-0620-53000 | \$(225,000.00) |
| | 210-0620-51105 | \$(147,700.00) |

The Clerk again noted this action is to correct the Appropriations Resolution adopted December 31, 2018.

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

RE: TRAVEL REQUESTS

Mr. Feathers moved and Mr. Ritter 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 2019 and any and all amendments subsequent thereto:

Engineer

Roger Wright: One-day trips throughout the year to attend CEO Board Meetings and conferences in Columbus.

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

RE: APPOINTMENT TO PLANNING COMMISSION

Mr. Feathers moved and Mr. Ritter seconded a motion to appoint James Gottfried to the Washington County Planning Commission for the period February 1, 2019 through January 31, 2022.

Commissioner White said he interviewed Mr. Gottfried for the position and is pleased to recommend his appointment to the Planning Commission. He noted Mr. Gottfried has experience in landscape design and architecture, and will be a good addition to the Commission.

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

RE: REQUEST FROM STATION LOUNGE & GRILL FOR LIQUOR PERMIT

Mr. Feathers moved and Mr. Ritter seconded a motion to table a request from the Station Lounge & Grill, LLC, in Dunham Township, for the following liquor permits from the Ohio Division of Liquor Control: D2, D2X, D3, D3A, and D6.

Commissioner White said postponing action on this request until January 17, 2019 will allow time for comment from the public.

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

RE: DELINQUENT SEWER ACCOUNTS

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

| | | |
|----------------|-----------------|------------------|
| Burton Brown | BKY Partnership | Jerry Biehl |
| Daniel Brown | Lucille Hupp | Alison Nolan |
| John Edwards | Robert Strahler | Helen Oates |
| Martha Farson | Michael Moore | Elizabeth Lehman |
| Anthony Hapney | Jason Ferris | |

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

RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS

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

| | | |
|-----------------|--------------|-----------------|
| Scott Fitch | John Roddy | Jeremy Brandjes |
| Kathryn Parsons | Steve Rood | Ernest Cornell |
| Allen Fleming | Erica Counts | Kelly Ollom |
| John Church | | |

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

RE: RESOLUTION TO PROCEED WITH FORCE ACCOUNT AND PERMIT SYSTEM

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

WHEREAS, the Board of County Commissioners has decided that the health, welfare and safety of the people of Washington County can best and most efficiently be served by the "Force Account" in matters pertaining to maintenance, repair, construction, and reconstruction of Washington County roads, bridges, etc.; and,

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, Washington County, Ohio, does hereby authorize Roger E. Wright, Washington County Engineer to use the existing county employee forces and proceed by "Force Account", as outlined in Section 5543 .19 of the Ohio Revised Code, in the maintenance, repairs, construction of roads, bridges, and culverts in Washington County during the year 2019; and,

BE IT FURTHER RESOLVED that the Washington County Commissioners reserve unto themselves the right and authority to make all purchases of material and equipment required in the maintenance, repair, construction of roads, bridges, culverts in Washington County during the year 2019, except that as the Board may from time to time by resolution designate such purchasing authority to Roger E. Wright, County Engineer; and,

WHEREAS, the Ohio Revised Code Section 153.64, 4931 and 4933, provides to the Board of County Commissioners, the authority to control the installation and placement of any public utilities within the dedicated public right-of-ways of all County maintained highways; and,

WHEREAS, the Ohio Revised Code Section 5589 and 5543 provides to the Board of County Commissioners, the authority to control any digging and excavating on or along a County maintained highway and for the placement of a private driveway approach to a County maintained highway; and,

WHEREAS, the Ohio Revised Code Section 4513 .34 provides to the Board of County Commissioners, the authority to permit oversize and overweight vehicles using County maintained highways.

THEREFORE, BE IT RESOLVED that the Board of Washington County Commissioners does hereby authorize the Washington County Engineer to develop and administer permits for the above described activities within County road right-of-ways and to keep said permits with the permanent road records of Washington County.

Commissioner White explained this is an annual request from the County Engineer to allow him to proceed with projects throughout the year using his departmental employees when appropriate. He said the Resolution will also allow the Engineer to continue to use his permit system developed for use of public right-of-ways.

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

RE: FROST LAW RESOLUTION

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

WHEREAS, on January 3, 2019, the Board of Commissioners of Washington County, Ohio, by resolution and pursuant to Ohio Revised Code Section 5577.07 did implement the "Reduced Weight Limits During Times of Thaw and Moisture" on various roads in the county for 2019. Said reduction to be 30% in axle loads and gross vehicle weights which will allow 14,000# per axle and 56,000# maximum weight;

AND WHEREAS, the Board of Commissioners of Washington County, Ohio, realize that such reductions may work a hardship on the commercial enterprises of various individuals, partnerships, companies and organizations who use the public roadways, the reduction limits are designed to maintain and preserve the condition of the various roadways in Washington County, and it is intended that the weight reductions be observed and blanket permits will not be issued to permit vehicles to operate with full legal loads.

AND WHEREAS, the Board of Commissioners of Washington County, Ohio, desire to provide a means by which vehicles weighing in excess of the legal axle loads prescribed by O.R.C. S 5577.07 cannot reduce their legal loads may use the roads. Special permits "may" be issued to the owner or operator of the vehicle(s) based on need and by obtaining a special permit from Washington County, Ohio paying the handling fee and overload permit fee hereinafter established, or posting of a bond of the type and amount set by the engineer and/or trustees, and agreeing to obey the rules hereinafter established. Forty-eight (48) hours minimum notice will be required for issuance of permit.

NOW, THEREFORE, BE IT RESOLVED:

A. That the Washington County Engineer (hereinafter "Engineer") shall administer the permit program hereinafter established.

B. That the Engineer "may" issue a special permit for a vehicle when all of the following have been completed:

1. The Owner or Operator has completed the application form prescribed by the Engineer;
2. The Owner or Operator has agreed to comply with the following rules and regulations:
 - a. The granting of a permit does not guarantee that the load described can be moved without damage to the pavement or structures; although the permit is granted on the assumption that the load can be moved without damage based on the best information available.
 - b. Permittee will be held liable for any damage caused by the movement. The County or Township assumes no responsibility for damage to the permittee's equipment or load being moved due to any such failure. The permittee agrees to compensate the Engineer/Township Trustees for any damage to a roadway or road structure and also to hold Washington County, Ohio and the Engineer/Township Trustees harmless from all claims, damages or proceedings of any kind and from all responsibility for personal injury or property damages (public or private) caused directly or indirectly as a result of the transportation of said vehicle(s) or object(s).
 - c. The permit shall be in the possession of the driver at all times during the progress of transportation and will be shown on demand to any police officer, state highway patrolman, employee of the County Engineer or Township Trustees.
 - d. The permission granted restricts the movement of the vehicle(s) or object(s) to the highways specified, between the points designated, and within the time allotted.
 - e. No vehicle(s) or object(s) being transported under special highway permit shall be left parked on the roadway either day or night except in case of an emergency in which case adequate advanced warning and protection shall be provided for the traveling public. The vehicle(s) shall not be loaded or unloaded within the limits of the highway pavement.
 - f. The operator of the vehicle must comply with all laws, rules, or regulations covering the movement of traffic over county and township highways and streets.
 - g. All construction equipment and other machinery shall have attached thereto a plate showing the manufacturer's name and model.
 - h. A permit is void at any time when road, weather, or traffic conditions make travel unsafe.
 - i. Reductions in legal weight posted on roadways or bridges must be obeyed where they are more restrictive than the weight reduction contained herein.
 - j. A permit will not be issued for buildup loads that are divisible into smaller loads achieving the 30% reduced level.
 - k. Oversize or overweight loads shall be operated or moved at such speeds and in such manner as to cause a minimum of interference with other traffic and minimum impact stressed on structures and pavements.
 - l. Loads having extremely large dimensions shall require additional protective measures when necessary for the safeguarding of other traffic. Due regard shall be taken of traffic in both directions and every possible effort shall be made to prevent traffic congestion. One or more

flagmen, or a pilot car may be required.

m. Noncompliance with the general or special provisions of a permit, exceeding the weight or dimensions granted, or operating on dates or upon highways other than assigned shall render the permit null and void and the operator of the vehicle subject to arrest as provided in Sections 5577.01 to 5577.09 inclusive of the REVISED CODE OF OHIO.

n. Submission of the special permit application with \$15 processing fee, does not constitute or guarantee issuance of the permit. The Engineer, Trustee, or their designee shall have the right to determine if an overweight load permit may be issued based on road and weather conditions. If permits are denied, the \$15 processing fee will not be refunded.

o. Government road maintenance vehicles based outside of Washington County, Ohio, shall not be exempted from the frost law.

3. The owner or operator has paid a permit fee in accordance with the following schedule:

a. These permits are valid only for dates listed for Trucks up to 80,000 lbs.

| GROSS VEHICLE WEIGHT | | PERMIT FEE |
|----------------------|--------|--------------------------------------|
| 28,001 | 56,000 | \$ 15 Processing Fee per permit only |
| 56,001 | 70,000 | \$100 plus \$15 Processing Fee |
| 70,001 | 80,000 | \$250 plus \$15 Processing Fee |

b. FOR VEHICLES OVER THE NORMAL LEGAL 80,000#

| GROSS VEHICLE WEIGHT | | PERMIT FEE |
|-------------------------|---------|------------------------------------|
| 80,001 | 85,000 | \$ 500.00 plus \$15 Processing Fee |
| 85,001 | 90,000 | \$ 750.00 " " " " |
| 90,001 | 95,000 | \$1,000.00 " " " " |
| 95,001 | 100,000 | \$1,500.00 " " " " |
| For loads over 100,000# | | \$2,000.00 " " " " |

In lieu of the above overload fees, a bond set by the Engineer/Trustees may be posted in addition to the processing fees. The bond is to be based on the type of road, length to be hauled over and the potential for damage.

c. That the permit shall be good for the following periods:
For vehicles which are engaged in hauling over regular routes and/or are 80,000 pounds or less, but exceeding the posted reduction, the owner/operator must notify the Engineer/Trustees of the roads being used. The permit is valid only for the route and days listed.

d. That only County and Township government trucks and equipment based within Washington County, emergency vehicles, and school buses shall be exempt from permit requirements.

e. That contractors performing work for the County, Townships or Municipalities shall be issued permits for specific roads for a \$15 processing fee only. A letter from the trustees or municipal official will be required specifying the roads to be used.

f. This program is in effect from January 16, 2019 to March 30, 2019.

NON-FROST LAW ROADS

The Frost Law does not apply to the following County Roads.

| County Road | FROM | TO |
|-------------|--------------------------|---------------|
| 2 | N. Belpre Corp Line..... | CR 3 |
| 3 | CR 26..... | SR 7 |
| 4 | N. Marietta Corp..... | SR-339 |
| 6 | CR 174..... | SR 339 |
| 8 | SR 821..... | SR 530 |
| 9 | SR 7..... | CR 333 |
| 9 | CR 544 | CR 25 |
| 10 | SR 7 (SOUTH END.of 10) | SR 550 |
| 11 | SR 821 | Noble Co Line |
| 13 | SR 550..... | SR 676 |
| 14 | SR 7..... | SR 26 |
| 15 | SR 821 | CR 371 |
| 16 | SR 26..... | CR-42 |
| 18 | SR-550..... | SR-676 |
| 20 | SR 7..... | CR 47 |
| 20 | CR 348 | CR 9 |
| 25 | SR 7..... | SR 26 |
| 26 | SR 124..... | CR-3 |
| 27 | CR-805..... | CR-2 |

| | | |
|-----|-----------------------|---------------------|
| 32 | CR 102..... | TR 32 |
| 50 | SR 7..... | Virginia St. |
| 51 | SR 7..... | SR 7 |
| 76 | SR 60..... | CR 760 |
| 84 | SR 124..... | Co. Line |
| 96 | Athens Co. Line | SR 555 |
| 102 | SR 339..... | CR 32 |
| 102 | SR 339..... | SR 339 in Waterford |
| 109 | CR 803..... | CR 4 |
| 124 | TR 124..... | SR 7 |
| 126 | SR 550..... | SR 676 |
| 174 | CR 6 | SR 339 |
| 244 | CR 25..... | SR 7 |
| 333 | CR 9..... | SR 26 |
| 341 | SR 60 | TR 341 |
| 348 | CR 20 | CR-20 |
| 371 | CR 15 | CR-11 |
| 446 | Gilman | SR 676 |
| 760 | CR 76..... | R 60 |
| 803 | SR 339..... | SR 339 |
| 804 | SR 339 | SR 339 |
| 805 | SR 339 | SR 339 |
| 806 | CR 805..... | SR 339 |

FROST LAW VEHICLE PERMITS, EXCEPTIONS

The following is a list of Regular Commercial Route Trucks that require permits if they exceed the 56,000 pound posted limited. This list is a guide and not meant to be all inclusive.

- Beer and Soft Drink Delivery
- Building Supply Vehicles
- Crude Oil Hauling
- Farm Delivery Trucks
- Farm Trucks
- Milk Trucks
- Food Products Delivery
- Fuel and Gas Delivery Trucks
- Garbage Trucks
- Manufacturers located on County or Township Roads
- Residential Water Haulers
- Sewage Disposal Trucks

NO PERMITS REQUIRED

The following is a list of vehicles that do not require permits under the frost law.

- Local County and Township Government Vehicles based within Washington County
- Emergency Vehicles
- School Buses

Note: Municipal and out of Washington County county and township vehicles hauling on Washington County and Township roads shall be required to secure a permit.

AND WHEREAS, the Board of Commissioners of Washington County, Ohio, shall distribute any overweight moneys collected from permits to the participating political subdivisions based on mileage, routing, and split to political subdivisions specifically indicated on issued permits. All processing fees shall be retained by the Engineer.

Commissioner White said this Frost Law will be in effect during the period January 26, 2019 through March 30, 2019. He said several townships will likely ask to follow this Washington County Frost Law as well.

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

RE: COUNTY HIGHWAY ROAD MILEAGE CERTIFICATION

Mr. Feathers moved and Mr. Ritter seconded a motion to approve the 2018 County Highway System Mileage Certification prepared by County Engineer Roger Wright.

The Clerk noted the report certifies 339.080 miles of county-maintained public roads as of December 31, 2018.

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

RE: NOTICE OF COMMENCEMENT, EMERGENCY LANDSLIP REPAIRS

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a Notice of Commencement for emergency landslip repairs on County Roads 8, 76 and 133, contractor Bob Lane's Welding, and to allow Mr. White to sign the Notice, as prepared and requested by County Engineer Roger Wright.

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

RE: UPDATE FROM FLITE FREIMANN

Flite Freimann, Director of Washington County Department of Job and Family Services (JFS), updated the Commissioners on the merging of Children Services and JFS.

Mr. Freimann said he recently met with Executive Director Jamie Vuksic to develop a proposed structure to move forward with the transition. He said the new structure will be evaluated in about six months, revising as necessary and appropriate at that time. He said a representative from the State Department of Job and Family Services is scheduled to meet with him and Mr. Vuksic to review required steps in the process of transition. Mr. Freimann said he also intends to meet with County Auditor Bill McFarland to review processing of bills and payroll for Children Services. He said Mr. Vuksic is now reviewing and updating job descriptions for his staff.

Mr. Freimann said he also intends to meet with Judge Williams, Sheriff Larry Mincks, and Prosecutor Kevin Rings.

Mr. Freimann said he strongly believes there will be significant reductions in expenses resulting from this transition, primarily from sharing costs of payroll among various pools.

RE: ELEVATOR REPAIR

Mr. Feathers moved and Mr. Ritter seconded a motion to approve repair of the elevator at 204 Davis Avenue, with estimated cost of repair of \$4,572 to be paid from County General fund.

Mr. Feathers noted the elevator was shut down by a state inspector due to equipment failure. He said the elevator is used by staff and allows for compliance with ADA regulations. Mr. White said the Commissioners have an obligation to keep the elevator operational.

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

RE: OTHER COMMENTS

Commissioners Feathers and White welcomed incoming Commissioner Kevin Ritter and said they look forward to working with him for the benefit of the County. Mr. Ritter thanked everyone for the warm welcome to his new position.

RE: ADJOURNMENT

Mr. Feathers moved and Mr. Ritter seconded a motion to adjourn. A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 9:45 a.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk