

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 2, 2019 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, PRESIDENT, RONALD L. FEATHERS, VICE PRESIDENT, 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, AND MR. RITTER OFFERED PRAYER.

Also attending were:

Flite Freimann, Director, Job and Family Services
Tim Marty, Buildings & Grounds Superintendent
Shawn Dalrymple, Sewer Department
Denise Hinton, Child Support Enforcement Agency
Kathy Thieman, Director of Human Resources
Chris Wilson, Building Official
Donnie Rader, I.T. Director
Rich Hays, EMA Director
Matthew Livengood, Auditor
Tammy Bates, Treasurer
Judge Mark Kerenyi, Common Pleas Court
Judge Timothy Williams, Probate/Juvenile Court
Larry Mincks, Sheriff
Chief Deputy Mark Warden, Sheriff's Office
Major Brian Schuck, Sheriff's Office
Roger Wright, County Engineer
David Browne, Behavioral Health
Jamie Vuksic, Children Services
Gary Doan, Muskingum Township Trustee
Karen Doan
Floyd Drake
Chad Adkins, *The Marietta Times*
Rick Peoples, Clerk

Washington County Commissioners
AGENDA
9:00 a.m., May 2, 2019

9:00 Business Meeting
10:00 Dustin Napier, CompManagement – Workers' Comp Program Renewal

UNFINISHED BUSINESS

Contract for Mowing Services

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Additional Appropriation – Co. General, Security & Transport
Additional Appropriation – Treasurer DTAC
Transfer – Children Services
Then & Now's
Travel – Engineer
Satisfaction of Mortgage
Appointment to Workforce Development Board
Letter of Support for Contour Airlines Interline Agreement
Courthouse Security
Engineer – Personnel Policy Manual Change
Engineer – Agreement with Bob Lane's Welding for Landslip Repair
Delinquent Sewer Accounts
Certification of Delinquent Sewer Accounts
Consideration of Sewer Rate Change

DATES TO REMEMBER

National Day of Prayer, 11:00 a.m., **Today**, on Courthouse Steps
Council of Governments, 12:00 p.m., **Monday**, May 6, at Lori's in Caldwell
Monthly Meeting at County Home, 8:30 a.m., **Tuesday**, May 14
Finance Committee, 10:00 a.m., **Tuesday**, May 21, in Annex, Conference Room A
Courthouse Closed, **Monday**, May 27, Memorial 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 – County General, Security & Transport

Transfer – Sheriff’s Sales Tax
Transfer – County General, Coroner

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. Ritter moved and Mr. Feathers seconded a motion to dispense with the reading and approve the minutes of the April 25, 2019 Regular Meeting.

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

RE: BILLS FOR PAYMENT

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

RE: ADDITIONAL APPROPRIATION

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

| <u>Department</u> | <u>Account</u> | <u>Amount</u> |
|-------------------|----------------|---------------|
| Co. Gen., S&T | 100-0385-54400 | \$ 33,983.00 |
| Treasurer DTAC | 200-0131-57400 | \$ 15,000.00 |

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

RE: TRANSFERS

Mr. Ritter 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> |
|---------------------|----------------|----------------|---------------|
| Children Services | 200-0740-52000 | 200-0740-53000 | \$ 30,000.00 |
| Sheriff’s Sales Tax | 100-0384-53800 | 100-0384-54406 | \$ 1,800.00 |

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

RE: THEN & NOW’S

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

| Dept | Account | Vendor | Amount |
|---------------------------|----------------|-------------------|---------------|
| Job & Family Services | 200-0720-57400 | Capital One Bank | \$ 445.17 |
| Sewer | 400-0113-54400 | Bridgeport Equip. | \$ 1,700.00 |
| Bd. of Development Disab. | 200-0620-53401 | Commissioners | \$ 12,783.00 |
| Maintenance | 100-0109-54000 | Discount Signs | \$ 250.00 |
| Engineer | 200-0854-53700 | Parkersburg News | \$ 280.00 |

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

RE: TRAVEL REQUEST

Mr. Ritter moved and Mr. Feathers seconded a motion to approve the following request 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

Kurt Zimmer: Two-day trip to Columbus to attend 2019 Ohio Ready Mix Concrete ACI Certification Workshop; May 15-16, 2019.

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

RE: SATISFACTION OF MORTGAGE

Mr. Feathers moved and Mr. Ritter seconded a motion to retroactively approve a Satisfaction of Mortgage by Separate Instrument for Whitman Chapel A.M.E. Church, 407 Florence Avenue, Belpre, Ohio, and to authorize the Recorder to discharge the mortgage deed and promissory note.

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

RE: APPOINTMENT TO WORKFORCE DEVELOPMENT BOARD

Mr. Feathers moved and Mr. Ritter seconded a motion to table a request for appointment to the Workforce Development Board of Directors.

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

RE: LETTER OF SUPPORT, CONTOUR AIRLINES

Mr. Feathers moved and Mr. Ritter seconded a motion to approve the following letter:

May 2, 2019

To Whom It May Concern:

We are writing in support of Contour Airlines endeavor to gain an interline agreement with your airline. Since Contour began service to Mid-Ohio Valley Regional Airport (PKB) they have maintained a stellar operational performance record of 100% completion of outbound flights. Our community has had poor reliability from our past two airlines, which resulted in declining enplanements. Contour, however, has completely changed that with their reliable service. We have seen continual increases in enplanements every month since Contour Airlines has arrived in our community. Our area finally has reliable jet service! An interline agreement will allow our constituents' baggage to flow seamlessly through the airline system without having to exit security to recheck. The interline agreement would also add visibility of our airport by enabling those traveling to our area to see Mid-Ohio Valley Regional (PKB) as a destination on travel websites including Expedia or Travelocity.

Contour has been a partner with our airport Mid-Ohio Valley Regional (PKB) from the beginning of their service. We feel certain their professional approach, coupled with consistently going the second mile to support customers, will allow our air service to continue to grow. We know that reliable airline service is a key component to attract new businesses to our area, and we believe that Contour is the right airline to support growth.

We have been connected with the Charlotte hub for several years now and feel that it is the right fit for our business and leisure flyers. The many daily connections that American Airlines offers from Charlotte ensures our customers will be able to fly anywhere in the world. We strongly support Contour's pursuit of an interline agreement, which will make them even more viable for, and visible to, our traveling public. Your support will enable growth of customers for our community and your airline.

Respectfully,

/s/ WASHINGTON COUNTY COMMISSIONERS

Commissioner Feathers said Contour Airlines is the new carrier at Mid-Ohio Valley Regional Airport, offering jet service to Charlotte, North Carolina. He said Contour desires to enter an interline agreement with American Airlines so as to make continuing travel and transfer through Charlotte easy. President White said if this agreement is approved it will be a great addition to the local airport, and will encourage more use of it.

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

RE: PERSONNEL POLICY MANUAL CHANGE, ENGINEER

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a change to the Engineer's Personnel Policy Manual, effective May 1, 2019, adding a provision to reimburse employees for testing truck rental and test fee to those who take the test to obtain a Class A CDL license.

County Engineer Roger Wright said if the employee fails the test, he/she will be required to retake the test at their own expense within one year of the original test date. He said if employee does not retake the test within one year, he/she must reimburse the County for the cost incurred for the first test. Mr. Wright said he is in need of CDL licensed drivers.

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

RE: AGREEMENT WITH BOB LANE'S WELDING FOR LANDSLIP REPAIR

Mr. Ritter moved and Mr. Feathers seconded a motion to approve an agreement with Bob Lane's Welding for emergency repair of a landslip on County Road 14, for the amount of \$12,671.50, 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: DELINQUENT SEWER ACCOUNTS

Mr. Feathers moved and Mr. Ritter seconded a motion to approve sending letters to the following holders of delinquent sewer accounts, requesting them to immediately make payment on their accounts:

| | | |
|------------------|-------------------|----------------------|
| Cynthia Sowards | Tina McClung | Andrea Bolen |
| Kendrick Hendrix | Linda Lawson | Michael Moore |
| Lawrence Bays | Sally Dickson | Dave Burt |
| Roddy Harris | Kelly Offenberger | Ohio Valley Marine |
| Cheyenne Miller | Jason Ferris | Daniel Brown |
| Lucille Hupp | Anthony Hapney | Christopher Marshall |
| Jason Barnum | | |

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 the following delinquent sewer accounts to County Auditor Matthew Livengood, requesting that he place delinquent amounts on property tax bills:

| | | |
|-----------------|---------------|----------------|
| Ernest Cornell | Allen Fleming | Erica Counts |
| Kathryn Parsons | John Roddy | Edward Pifer |
| Michael Lee | Dawn Yost | Janis Robinson |
| Kelly Ollom | Scott Fitch | William Ford |
| John Albrecht | Aaron Styer | |

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

RE: COURTHOUSE SECURITY

President White noted the issue of enhancing security measures at the Washington County Courthouse was presented to the Commissioners on April 25. He said he has reviewed the requested materials provided to him by Chief Deputy Mark Warden.

Commissioners Ritter read aloud the following prepared statement:

"In June, 2017 the Supreme Court of Ohio issued a written security assessment of the Washington County Courthouse.

In that document, the Court laid out several standards for improved security.

Standard #5 leaves little room for interpretation regarding the proposed security enhancements.

It reads, in part: "All persons entering a court facility SHALL be subject to a security search."

That is a mandate.....and like most mandates from Columbus, it is unfunded which means the citizens of Washington County will foot the bill for this increased scrutiny.

Because this is a mandate, what I believe personally is of little import.

Nevertheless, I feel compelled to, at least, recognize this morning that what the Supreme Court is compelling us to do further limits the liberty granted to Americans, by God, and guaranteed in our founding documents.

Benjamin Franklin warned us to be ever watchful of our liberties when he said, "Those who would give up essential liberty, to purchase a little temporary safety, deserve neither."

I hope, in the judgment of history, the Ohio Supreme Court is not purchasing our safety at too high a price."

Commissioner Feathers read aloud the following prepared statement:

"I am making a statement this morning so that there can be no misunderstanding regarding my position on this issue. First, I am profoundly appreciative of the difficult job our deputies do every day. Sadly, the trend toward violence in our society makes their jobs even that much more important.

Allow me to share just a few thoughts on this issue:

First, single point entry at the Washington County Courthouse is NOT something I support. I understand violence is on the rise around the country but I have yet to see compelling evidence of an imminent here. For example, how many incidents in the courthouse during the last 5 years involved a metallic deadly weapon that would have been detected by a magnetometer?

Second, if we made policy in all areas like we are being asked to with regard to courthouse security, we would have a county-wide speed limit of 25 MPH. After all, evidence shows that we are much safer traveling at a lower rate of speed. In fact, why not lower the limit to 10 MPH and eliminate any possibility for traffic accidents? We do not go to these ridiculous extremes on the road because we choose to balance our safety with the ability to move from one place to another in a timely fashion.

Third, it is this sort of balance that I think is warranted here. Today, we mandate people to enter the courthouse to do routine things like pay property taxes, purchase dog licenses, research property deeds, and attend jury duty. At the same time, we are considering telling these same people that in the future they must undergo a heightened level of security just to perform these simple tasks.

I understand the fear of gun violence but I also value greatly the liberty to move freely through the courthouse. As the evidence provided to us by the Sheriff's Department shows, a violent incident on the street outside the building is just as possible as something occurring inside.

I do not believe that limiting the freedoms of the law-abiding is worth the appearance of greater security. I do not believe that good policy decisions are made out of fear alone. Nevertheless, I understand I have little room to vote my conscience on this issue. "Searching people" has been mandated by the Ohio Supreme Court and it has been made clear to the Board of Commissioners that a "no" vote will simply result in a Washington County Court order to make the changes."

President White thanked Chief Deputy Warden for providing some information for his review. He said he agrees with the statements of Commissioners Ritter and Feathers.

Mr. White said he reviewed all pages provided to him for review. He noted he had asked for data supporting the request for heightened courthouse security, but the documents provided several news stories with very little data. He said those materials provided no compelling argument for or against the proposed courthouse security measures, and were more platitudes than data. Mr. White said the documents included few incidents inside courthouses, and some were even irrelevant. He noted in one article there were six incidents described during the period February 2011 through September 2013, only half of which occurred inside a courthouse. He said in that article there was no mention of the security measures already in place. Mr. White said an Ohio judge was involved in a shooting, but that was outside of a courthouse and he actually returned fire.

President White concluded the materials support both sides of the issue at hand. He said he considers the recommended courthouse changes to be unnecessary. He said over the past two days he received three calls voicing opposition to the measures, one of which said he was "appalled" at the notion of elected officials taking away his liberties.

Mr. White said "the most despotism in the State of Ohio comes from people in black robes with gavels."

Mr. Feathers moved and Mr. Ritter seconded a motion to approve enhanced security measures proposed for the Washington County Courthouse, including creation of a single entry point for visitors.

A calling of the roll resulted in the following vote: David White no, Ron Feathers aye, Kevin Ritter aye. Motion passed, with Mr. Ritter expressing his disappointment he had no choice in the matter due to edict from the Ohio Supreme Court.

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

| <u>Department</u> | <u>Account</u> | <u>Amount</u> |
|-------------------|----------------|---------------|
| Co. Gen., S&T | 100-0385-54400 | \$ 5,400.00 |

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

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

| <u>Department</u> | <u>From</u> | <u>To</u> | <u>Amount</u> |
|-------------------|----------------|----------------|---------------|
| Co. General | 100-0361-53000 | 100-0385-54400 | \$ 25,000.00 |

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

Commissioner Feathers said he prefers to transfer funds, rather than appropriate additional funds, to keep in line with the adopted appropriations as long as possible throughout the year. He noted there later may be need to appropriate funds into accounts from which they were earlier transferred.

RE: CONSIDERATION OF SEWER RATE CHANGE

Commissioner Feathers said the Commissioners have continued their review of monthly sewer rates. He noted:

- Between 2009 and 2014 there were no rate increases.
- Average annual sewer rate increase in State of Ohio is 3 to 5%.
- There were significant increases in expenses in 2018.
- Sewer Fund balance has gone from \$595,000 in 2017 to a projected \$107,500 in 2020.
- Only 13% of the total sewer budget is for salaries and benefits.
- 34% of the annual budget is for charges from the City of Marietta and the City of Belpre.
- Fee increase from Marietta last year was 11.8%; increase from Belpre was 4%.
- Loan principal and interest payments in 2020 will be \$235,774.

Mr. Feathers said the Sewer Fund needs an increase in the monthly sewer rate between \$3.00 and \$5.00.

Mr. Ritter moved and Mr. Feathers seconded a motion to approve an increase of \$3.50 in the monthly sewer rate for Washington County sewer customers, for a new monthly rate of \$70.00, effective July 1, 2019.

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

President White noted Shawn Dalrymple has made tremendous improvements in the department, allowing for this increase to be limited to \$3.50.

RE: COMMENTS FROM VISITORS

EMA Director Rich Hays said there will be a tabletop exercise conducted by the Local Emergency Planning Committee on May 8, 2019.

I.T. Director Donnie Rader said telephone service appears to now be fully functional, after having been poor for several days. David Browne, Executive Director of Behavioral Health Board, noted there have been issues with the phone service at the Health Department building for quite some time. Mr. Rader said he has a new piece of equipment to install which should remedy the situation.

RE: BWC PROGRAM RENEWAL

Dustin Napier and Jennifer Oiler from CompManagement LLC discussed with the Commissioners a renewal of the County's participation in the Bureau of Workers' Compensation (BWC) Group Retrospective Rating Program for 2020. Also attending was Kathy Thieman, Director of Human Resources and Safety & Loss Control.

Mr. Napier noted Washington County has participated in the "Group Retro" program for several years, as have many other Ohio counties. He said the program has been very beneficial to Washington County, as significant refunds and rebates have been awarded each year. He reviewed several reports with the Commissioners, and recommended staying in the program for 2020. Mr. Napier said there are several counties moving from Group Rating to Group Retro due to the advantages of the Retro program.

Mr. Napier said the estimated premium for Washington County for 2020 is \$245,431 (including BWC assessments), and the targeted refund is \$50,880. He noted the refund this year was just received by the County, and totaled \$79,207.87.

Mr. Feathers moved and Mr. Ritter seconded a motion to approve the Application to participate in the BWC Group Retrospective Rating Program, and the Plan Agreement, and to allow Mr. White to sign the documents.

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

Mr. Feathers moved and Mr. Ritter seconded a motion to pay in to the credit of the Budget Stabilization Fund, 100-0104, the refund of \$79,207.87 from the Bureau of Workers' Compensation.

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

RE: ADJOURNMENT

Mr. Ritter moved and Mr. Feathers 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