

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON AUGUST 1, 2019 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, PRESIDENT. RONALD L. FEATHERS, VICE PRESIDENT. KEVIN J. RITTER, MEMBER. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE PRESIDENT OF THE BOARD. MR. WHITE LED THOSE ATTENDING IN THE PLEDGE OF ALLEGIANCE TO OUR FLAG, AND MR. FEATHERS OFFERED PRAYER.

Also attending were:

Kimberly Hinkle, Child Support Enforcement Agency  
Kathy Thieman, Director of Human Resources  
Donnie Rader, I.T. Department  
Flite Freimann, Job and Family Services  
Richard Hays, Washington County EMA  
Chris Wilson, Building Department  
Karl Comstock, Maintenance  
Gary Doan, Muskingum Township Trustee  
Karen Doan  
Misty Crosby, Buckeye Hills Regional Council  
Michele Newbanks, *The Marietta Times*  
Ben Cowdery, Clerk/Fiscal Manager

**Washington County Commissioners  
AGENDA  
9:00 a.m., August 1, 2019**

9:00 Business Meeting  
9:30 Misty Crosby, Buckeye Hills Regional Council

**UNFINISHED BUSINESS**

Appointment to Washington County Behavioral Health Board

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Additional Appropriation – Sewer  
Additional Appropriation – Jail  
Additional Appropriation – Auditor  
Additional Appropriation – Treasurer  
Additional Appropriation – Probate/Juvenile  
Additional Appropriation – Sheriff (2)  
Additional Appropriation – Capital Projects  
Additional Appropriation – Children Services (2)  
Transfer – Children Services  
Transfer – Engineer  
Transfer – Veterans  
Transfer – Sheriff  
Transfer – Auditor (2)  
Then & Now  
Travel – Children Services  
TCAP – Grant Agreement  
Contract – BHRC & Board of Commissioners for SEOBD  
Request to Transfer Liquor Permit – Miller AM PM to Par Mar Oil  
Broughton Commercial Properties – Sewer Agreement  
Delinquent Sewer Accounts  
Certification of Delinquent Sewer Accounts  
Engineer – Contract for CR-42 Emergency Landslip Repairs

**DATES TO REMEMBER**

Council of Governments Meeting, 12:00 pm, **Monday** August 5, at Lori's  
Monthly County Home Meeting, 8:30 am, **Tuesday** August 13, at County Home  
Monthly WCBHB Meeting, 7 pm, **Thursday** August 22, at Commissioners Public  
-Meeting Room

**RE: APPROVAL OF AGENDA**

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

Add: Additional Appropriation – County General  
Transfer - Veterans

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 July 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: THEN & NOW**

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

<u>Department</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
County Home	200-0630-54000	Omnicare	\$ 1,321.05

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

**RE: HEALTH DEPARTMENT – LATE FEES & FINANCE CHARGES**

Mr. Feathers moved and Mr. Ritter seconded a motion to table a request for approval of payment for late fees and finance charges incurred by the Health Department. Commissioner Feathers said the matter needed further investigation and that it is clearly stated in county policy not to pay late fees or finance charges. He said the issue was addressed in August 2015 and a letter was sent out stating the county policy not to pay late fees or finance charges, as noted in the minutes of the time. The charges were approved for payment in August 2015 with a warning that it was the last time the charges would be approved.

Commissioner White said he asked the county auditor about the repercussions of approving late fees in regards to the state audit. He was told the amount in question, \$182.09, was under the threshold and should not result in any negative findings. Mr. White also discussed the issue with the prosecutor to find out who would be responsible for paying the charges if the county denies the request. Mr. White agreed the issued should be tabled for further investigation.

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 requests for the following additional appropriations:

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Maintenance	100-0109-54000	\$ 5,000.00
Sewer Fund	400-0113-53102	\$ 27,000.00
Jail	100-0381-53700	\$ 3,173.00
Unclaimed Funds	200-0106-57400	\$ 1,435.36
Treasurer	100-0130-57100	\$ 30,000.00
Probate/Juvenile Fund	200-0223-55200	\$ 10,000.00
	200-0223-57400	\$ 10,000.00
Jail	100-0381-54400	\$ 3,250.00
Sheriff Sales Tax Fund	100-0384-54403	\$ 40,300.00
Capital Projects Fund	300-0599-54300	\$ 83,688.00
Children Services Fund	200-0721-57402	\$ 100,000.00
Children Services Fund	200-0740-57200	\$ 425,000.00

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 Fund	200-0740-57200	100-0104-49200	\$ 425,000.00
Motor Veh. Gas Tax Fund	200-0540-55501	200-0540-57200	\$ 11,664.74

Veterans Fund	100-0700-53301	100-0700-57403	\$ 65.04
	100-0700-57404	100-0700-57403	\$ 1,686.77
	100-0700-57403	100-0700-57401	\$ 15,000.00
Sheriff Sales Tax Fund	100-0384-51006	100-0384-54002	\$ 5,000.00
County General Fund	100-0510-53000	100-0510-54000	\$ 1,000.00
	100-0130-57100	200-0540-48200	\$ 10,307.36

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. Ritter 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 2019 and any and all amendments subsequent thereto:

Children Services

Tami Downs: Required monthly visits – Langsville on August 1, Bethesda on August 5, Vincent on August 19, 2019.

Sabrina Buchanan: Required monthly visits – St. Clairsville on August 1, Ravenna on August 6, Racine and Jackson on August 7, Lancaster on August 13, Ironton on August 14, Youngstown on August 15, Bethesda on August 19, Grove City, PA on August 22, Cambridge on August 26, 2019.

Karlee Hill: Required monthly visits – Bethesda on August 6, New Straitsville on August 12, Cambridge on August 14, New Straitsville on August 15, Athens on August 21, 2019.

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

**RE: TCAP – GRANT AGREEMENT**

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a grant agreement for Targeted Community Alternatives to Prison. The purpose of the grant is to provide funds to Ohio counties to supervise and treat low-level, non-violent offenders, and at the same time safely reduce Ohio’s prison population. Washington County will receive a total of \$254,880 in eight installments over two years, ending June 30, 2021.

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

**RE: CONTRACT – BHRC & BOARD OF COMMISSIONERS FOR SEOBD**

Mr. Ritter moved and Mr. Feathers seconded a motion to approve a contract between Buckeye Hills Regional Council (BHRC) and the Board of Commissioners on behalf of Southeast Ohio Building Department (SEOBD). The contract is for BHRC to provide assistance with the application and management of ESRI software for SEOBD.

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

**RE: REQUEST TO TRANSFER LIQUOR PERMIT – MILLER AM/PM TO PAR MAR**

Mr. Feathers moved and Mr. Ritter seconded a motion to table a request to transfer a liquor permit from Miller AM PM to Par Mar Oil Co. The request is tabled until the August 22, 2019 meeting to allow for public input regarding the matter.

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

**RE: BROUGHTON COMMERCIAL PROPERTIES – SEWER AGREEMENT**

Mr. Ritter moved and Mr. Feathers seconded a motion to approve a capacity fee charge of \$50,000 to connect The Broughton Foundation’s Community Building to the sewer. The agreement proposes payment of fifty percent of the fee now, with the remaining fifty percent due when the rest of the complex is connected.

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 holders of delinquent sewer accounts, requesting immediate payment on those accounts.

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. Ritter moved and Mr. Feathers seconded a motion to certify with the county auditor a list of delinquent sewer accounts, requesting the Auditor to collect the delinquent amounts with the taxes due for the property.

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

## RE: ENGINEER – CONTRACT FOR CR-42 EMERGENCY LANDSLIP REPAIR

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a contract between the Board of Commissioners and Alan Stone Company for emergency landslip repair on CR-42 (Stanleyville Road). The cost of the repair is \$773,599.17, with seventy-five percent of the cost to be funded with Federal Emergency Management Agency (FEMA) funds and twenty-five percent with Ohio Emergency Management Agency (OEMA) funds.

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

## RE: COMMISSIONER FEATHERS STATEMENT

Commissioner Feathers prepared the following statement, from which he read aloud:

*Yesterday I received notice that Court Witschey, Director of Population Health at the Washington County Health Department, resigned.*

*This is a major blow to our county. Not only was Court an instrumental leader at the Health Department, he served as the County Health and Wellness Coordinator, directing the wellness and health insurance of over 300 county employees. Court will not be easy to replace.*

*Moreover, in his absence the County risks ever increasing premium costs because we are not in compliance of the Wellness Program.*

*Two weeks ago, when the County Health Board voted to terminate Dr. Wittberg, two board members resigned in protest and the action sent shock waves through the Health Department. Talented employees, such as Court, worried about their future, looked for employment elsewhere. It is a testament to Court's talents that he was immediately offered new employment.*

*I have heard multiple complaints and concerns about the Health Board's actions and fully supported Commissioner Ritter's call for more transparency. However, the Board's actions have now reached new heights negatively impacting the County and County employees.*

*For this reason, I am calling upon the County Prosecutor Nicole Coil to exercise the powers of her office and conduct an investigation into the actions and operations of the County Health Board.*

*We, as a County, need to know if the Board operated appropriately under the laws of the State of Ohio. Only a thorough investigation will allow the County, and all its citizens to know if the Board operated in accordance with the law.*

*There is an important presumption of innocence in the law, and for public bodies a presumption of lawfulness. Until I am presented with evidence to the contrary I will continue to abide by the Board's actions, however, we need to see all the facts and know with certainty if all statutes were followed.*

***Therefore, I move, that the Board of Commissioners request that the County Prosecutor conduct an investigation into the actions of the County Health Department leading up to the termination of Dr. Wittberg and any actions ancillary to that termination. The Board of Commissioners request that the County Prosecutor present her findings to the Board of Commissioners with a list of any recommendations she may have.***

Mr. Ritter seconded the motion. Mr. White noted that the inquiry may require a special outside prosecutor, at a cost to the county, because Nicole Coil represents the health department. Mr. Feathers said that the need for a special prosecutor would be addressed by the findings of his motion when presented with a list of recommendations from the county prosecutor.

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

## RE: QUESTIONS AND COMMENTS FROM VISITORS

Chris Wilson, SEOD, said the educational training, held at Washington State Community College in late July concerning local building codes, was a success, and thanked the commissioners for their efforts in bringing awareness to the event.

Gary Doan, Muskingum Township Trustee, said the City of Marietta asked at the Township Association Meeting as to why the commissioners were not in favor of land banking.

Flite Freimann, JFS, commended Misty Crosby for her work on aging population leadership.

**RE: MISTY CROSBY – BUCKEYE HILLS REGIONAL COUNCIL**

Misty Crosby, Executive Director BHRC, appeared before the Board of Commissioners to explain the increase in the county's annual membership fee to BHRC. She said that, until this year, the fees have not increased since 1974. BHRC uses local funds to match federal funds and the BHRC Executive Committee approved the increase.

Commissioner Feathers asked for a more detailed explanation as to why it is such a significant increase. The new schedule of membership fees, paid by the county to BHRC, is set to increase twenty percent annually for the next three years, and then thirty percent annually for the following three years as compared to the current membership fee.

Misty Crosby explained that the return on investment for each dollar the county gives to BHRC is significant. She said the membership fees help pay for BHRC association costs as well as lunches for executive committee meetings. Mr. Feathers said that, going forward, he will carefully review invoices from BHRC and consider the options available.

**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 9:41 a.m.

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

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

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

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