

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 12, 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:

Donnie Rader, I.T. Department
Kathy Thieman, Human Resources
Flite Freimann, Job and Family Services
Christopher Wilson, SEOBD
Karl Comstock, Maintenance
Shawn Dalrymple, Wastewater Superintendent
Richard Hays, Washington County EMA
David Browne, Behavioral Health Board
Gary Doan, Muskingum Township Trustee
Val Betkoski, Health Department
Jeannie Farnsworth, Health Department
Rae Ward, Probate Juvenile Court
Denise Hinton, Child Support Enforcement Agency
Yvonne Garvey, Job and Family Services
Judy Rutherford, Job and Family Services
Lisa Ball, Job and Family Services
Charlie Schilling
Dave Burt
Richard Wittberg, Health Commissioner
Betty Tucker
Shelly Vincent, Commissioners
Michele Newbanks, *The Marietta Times*
Ben Cowdery, Clerk/Fiscal Manager

**Washington County Commissioners
AGENDA
9:00 am, September 12, 2019**

9:00 Business Meeting
9:30 Flite Freimann – Complete Count Committee
10:00 Richard Wittberg – AmeriCorps Grant Update
10:15 Kathy Thieman – Wellness Update

UNFINISHED BUSINESS

None

NEW BUSINESS

Approve Agenda
Approval of previous meeting minutes
Bills from various departments
Additional Appropriation – Sewer
Additional Appropriation – Municipal Court
Transfer – Juvenile Center
Transfer – Probate/Juvenile Court
Transfer – Sheriff
Transfer – Law Library
Then & Now
Travel – County Home
Travel – Job & Family Services (3)
Travel – RSVP
Travel – Human Resources
Sheriff – Annual Report ORC 311.16
Prosecuting Attorney – Annual Report ORC 309.16
Monthly Report on Care of Prisoners at County Jail
Subrecipient Agreement – Public Transit Services, City of Marietta
FCF – Contract for Sign Language Interpreter Services
FCF – Early Intervention Grant-Additional Allocation
Ohio Department of Public Safety – Subgrant Award Agreement
Prosecutor – Application to Appoint Special Prosecutor
Public Records Laws Training Designation for Commissioner
CHIP – CDBG Grant Agreement
CHIP – Home Program Grant Agreement
Engineer – Change Order #1, OPWC C-14 Motor Pave Project
Approval of Invoices for Courthouse Security
Dave Burt – Lift Station Discussion

DATES TO REMEMBER

Finance Committee, 10:00 am, Tuesday September 17, in Conference Room A

RE: APPROVAL OF AGENDA

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

- Add: Bid Award – Law Library Renovation Project
- Discussion with Chris Wilson, SEOBD
- Remove: CHIP – CDBG Grant Agreement
- CHIP – Home Program Grant Agreement

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 September 5, 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 APPROPRIATIONS

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

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Sewer Fund	400-0113-53102	\$ 20,000.00
Municipal Court Fund	100-0240-51102	\$ 6,000.00

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

RE: TRANSFERS

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

<u>Department</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Juvenile Center	100-0330-51006	100-0330-51001	\$ 23,135.00
Probate/Juvenile Court	100-0220-51006	100-0220-51001	\$ 15,432.00
Sheriff Sales Tax	100-0384-51006	100-0384-53600	\$ 5,388.00
Law Library Resource Fund	200-0520-53000	200-0520-55100	\$ 7,000.00
	200-0520-53900	200-0520-55100	\$ 1,450.00
	200-0520-54000	200-0520-55100	\$ 3,733.00
	200-0520-54100	200-0520-55100	\$ 500.00
	200-0520-52000	200-0520-55100	\$ 1,175.00
	200-0520-51006	200-0520-51001	\$ 634.00

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

RE: THEN & NOW

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

<u>Department</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
Commissioners	100-0109-53000	Miller Communications	\$ 1,009.94
Sewer	400-0113-53000	ADR	\$ 2,346.00

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:

County Home

Diana Hall: Lunch outing for residents in St. Marys, WV on September 20, 2019

Job & Family Services

Deanna Green, Victoria Masters: Annual Healthcheck Training in New Philadelphia on September 26, 2019

Brenda Robinson: CCMEP Regional Roundtable in Athens on October 10, 2019

Flite Freimann, Judy Rutherford, Chris Buchanan: Reinvest Ohio Summit in Columbus, September 22-23, 2019

RSVP

Lisa Valentine, Sheila Roberts: Serve Ohio Conference on October 23, Ohio Senior Corps Association Training on October 24, CNCS Training on October 25 in Columbus

Human Resources

Kathy Thieman: County Loss Control Fall Meeting in Lancaster on September 27, 2019

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

RE: SHERIFF – ANNUAL REPORT ORC 311.16

The commissioners acknowledged receipt of the Sheriff's Annual Report, pursuant to Section 311.16 of the Ohio Revised Code, of all fines and costs in criminal prosecutions collected by the Sheriff's Office and paid to the Clerk of Courts of Washington County, Ohio. The report is for the period September 1, 2018 through August 31, 2019 and shows \$0 collected.

RE: PROSECUTING ATTORNEY – ANNUAL REPORT ORC 309.16

The commissioners acknowledged receipt of the Prosecuting Attorney's Annual Report, pursuant to Ohio Revised Code Section 309.16, of all offenses, sentences, fines and costs of criminal prosecutions pursued to final conviction and sentence by the prosecutor's office from January 1, 2018 through December 31, 2018.

RE: MONTHLY 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 August 2019, showing a total prisoner count of 390.

RE: PUBLIC TRANSIT SERVICES, CITY OF MARIETTA-SUBRECIPIENT AGREEMENT

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a subrecipient agreement between the City of Marietta and Washington County Commissioners for public transit services. The agreement covers the period of January 1, 2020 through December 31, 2020 and states that the total amount to be paid by the City of Marietta shall not exceed \$40,000. Washington County will be responsible for administering a CABL Transit Program as part of the Community Development Block Grant program.

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

RE: FCF – CONTRACT FOR SIGN LANGUAGE INTERPRETER SERVICES

Mr. Ritter moved and Mr. Feathers seconded a motion to approve a contract for Washington County Family and Children First Council for sign language interpreter services. The contract is effective from July 1, 2019 through June 30, 2020. Invoices submitted to Family and Children First for sign language interpreter services will be compensated at a rate of \$40 per hour.

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

RE: FCF – EARLY INTERVENTION GRANT-ADDITIONAL ALLOCATION

Mr. Feathers moved and Mr. Ritter seconded a motion to approve an additional allocation from the Ohio Department of Developmental Disabilities for the Family and Children First Early Intervention Grant. The amount of the additional allocation is \$27,819 for a total of \$144,008 beginning July 1, 2019 through June 30, 2020.

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

RE: OHIO DEPARTMENT OF PUBLIC SAFETY – SUBGRANT AWARD AGREEMENT

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a subgrant award agreement from the Ohio Department of Public Safety for the Washington County Sheriff's Office. The award period is from July 1, 2019 through June 30, 2020 for the amount of \$13,237.91.

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

RE: PROSECUTOR – APPLICATION TO APPOINT SPECIAL PROSECUTOR

Mr. Ritter moved and Mr. Feathers seconded a motion to approve an application from the prosecuting attorney to appoint a special prosecutor for Case No. 19-CR-139. Outside counsel is necessary due to a potential conflict of interest as the defendant is the son of a current Washington County Deputy Sheriff. Attorney Thomas P. Webster will be appointed in the capacity of Special Assistant Prosecuting Attorney to prosecute this case.

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

RE: PUBLIC RECORDS LAWS TRAINING DESIGNATION FOR COMMISSIONER

Mr. Feathers moved and Mr. Ritter seconded a motion to designate that either the Director of Human Resources or Sewer Clerk are able to attend Ohio Public Records Laws training in place of a commissioner. Mr. Feathers said the designation is allowed under the law. Mr. White is opposed to the idea and believes every public official should attend the training. Mr. Ritter explained that the designation simply makes it possible for someone to attend the training in place of a commissioner and does not necessarily mean that a commissioner will not attend the training.

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

RE: BID AWARD – LAW LIBRARY RENOVATION PROJECT

Mr. Ritter moved and Mr. Feathers seconded a motion to award the Law Library renovation project to the lowest bidder, Promanco Inc., in the amount of \$93,720.

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

RE: ENGINEER – CHANGE ORDER #1, OPWC C-14 MOTOR PAVE PROJECT

Mr. Ritter moved and Mr. Feathers seconded a motion to approve the Change Order #1 – Final request from the Washington County Engineer for the C-14 Motor Pave Project. The change order is a reduction in cost of the original contract amount by \$35,129.43.

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

RE: APPROVAL OF INVOICES FOR COURTHOUSE SECURITY

Mr. Feathers moved and Mr. Ritter seconded a motion to approve invoices in the amount of \$14,636.20 for courthouse security. Commissioner White said he was originally told the total cost of upgrades for courthouse security would be \$25,000. The cost is now around \$45,000. He does not know when the spending will end and has no choice but to approve the invoices at this point.

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

RE: DAVE BURT – LIFT STATION DISCUSSION

Commissioner Feathers said he received a request for the county to take over a sewer lift station from Dave Burt, the owner of the station. Mr. Burt has had the station for at least ten years and Dollar General and another complex are hooked into it. Mr. Burt said he has the opportunity to sell the complex and would like the county to take over the lift station. Commissioner White said the station would need to be investigated by ADR and have any recommended repairs done before the county would consider taking it over.

RE: COMMISSIONER FEATHERS STATEMENT

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

Like many in the public, I have followed closely the recent events at the Washington County Health Department.

Like many in the public, I am concerned about what appears to be a chaotic situation

with the Health Board.

I am concerned about what this means for the future of our Health Department and for the residents of Washington County.

When one of my colleagues called for “more transparency” from the Health Board regarding the dismissal of former Health Commissioner Wittberg, that call was met by silence.

When the president of the Health Board was questioned by the local press about the same issue, he said the reasons for dismissal were “well documented”, but those reasons were not made public.

I have tried from the beginning of this process to make clear...I am NOT interested in laying blame on the Health Board but I do want to make sure this Board of Commissioners is doing all we can to help and support that Board as they make important decisions that affect all the residents of Washington County.

To that end, I have asked the County Prosecutor to conduct an inquiry into the events surrounding Mr. Wittberg’s dismissal. My hope was that she could tell us whether the Board’s actions in this matter were appropriate, lawful, and statutorily correct. Subsequently, I have been informed by the Prosecutor that she cannot undertake such an inquiry as there is a conflict of interest for her.

Nevertheless, I still believe it is essential that a review take place, both to assure the public and to assist future Health Boards in maintaining the high standards of transparency and proper procedure expected by the public.

To that end, and in accordance with ORC 309.09, I move that this Board of Commissioners appropriate up to but no more than \$3,000 from County General to hire outside, private counsel to conduct an inquiry into the actions of the Board of Health leading to the termination of Dr. Wittberg’s contract and any ancillary actions.

Mr. Ritter seconded the motion. He has received emails and phone calls from constituents regarding the health department. Mr. Ritter said the public is concerned and he agrees with the motion to seek outside counsel. He noted that the commissioners have very little authority over the health department but they will do what they can.

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

RE: FLITE FREIMANN – COMPLETE COUNT COMMITTEE

Flite Freimann, Director of Job and Family Services, submitted a proposed list of nine people for the Complete Count Committee for the upcoming 2020 Census. Mr. Freimann updated the commissioners on his strategy for ensuring an accurate census count, which includes outreach and education. He wants everyone to know that it is a violation of federal law to share census data with other government agencies.

Mr. Ritter moved and Mr. Feathers seconded a motion to accept the submitted list of members for the Complete Count Committee.

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

RE: RICHARD WITTBURG – AMERICORPS GRANT UPDATE

Mr. Wittberg informed the commissioners that he is pleased the health department passed the AmeriCorps budget. He said the program has been a remarkable success in improving compliance with diabetes patients. Mr. Wittberg is now hoping to work with the Behavioral Health Board on another grant for peer recovery.

RE: KATHY THIEMAN – WELLNESS UPDATE

Kathy Thieman, Director of Human Resources, updated the commissioners on the health insurance wellness program. One hundred and twenty-three employees and spouses completed the requirements for a discount last year. Ms. Thieman would like to utilize the \$7,000 of wellness grant money to get everyone involved this year. She proposed having drawings to win prizes to increase involvement in the program. She would also like to meet with department heads to establish goals for employees to complete the program. Employees are eligible for a \$25 per paycheck discount on their health insurance premium if they complete the program.

RE: CHRISTOPHER WILSON – SEOBD

Christopher Wilson, Building Department, informed the commissioners of an anticipated expense of \$1,200 for the migration of data to the Building Department’s software. Mr. Wilson also said he met with Cambridge contacts for code enforcement inside the city, and that city council of Cambridge will vote on it.

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 10:35 a.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk