

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

Kathy Thieman, Human Resources
Gary Doan, Muskingum Township Trustee
Karen Doan
Kimberly Hinkle, Child Support Enforcement Agency
Lessa Grubb, I.T.
Karl Comstock, Maintenance
Flite Freimann, JFS
Roger Wright, Engineer
Richard Hays, EMA
James Booth
Glen Pawloski
Michele Newbanks, *The Marietta Times*
Ben Cowdery, Fiscal Manager/Clerk

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

9:00 Business Meeting
9:30 Behavioral Health Board Update
9:45 JFS – Credit Card Policy

UNFINISHED BUSINESS

Job & Family Services – Resolution for Mobility Manager

NEW BUSINESS

Approve Agenda
Approval of previous meeting minutes
Bills from various departments
Additional Appropriation – County General
Additional Appropriation – Sheriff
Additional Appropriation – Engineer
Transfer – Family & Children First (2)
Transfer – County General (4)
Transfer – Dog & Kennel (4)
Transfer – Sheriff (2)
Transfer – Jail
Transfer – Law Library
Transfer – Veterans
Transfer – County Home
Transfer – Wireless 911
Transfer – Auditor Real Estate
Transfer – Clerk of Courts (2)
Then & Now
Travel – FCF
Travel – JFS
Treasurer – Reverse removal of Woodlawn assessment
Flex Check for 2018
Liquor Permit Transfer – Mikes LLC to Pour House Grill
Engineer – USDA Grant Application for Travel Loader
Engineer – Change Order #1-Final, FEMA 43724
Engineer – Change Order #1-Final, C-11 Landslip Repair
Engineer – Change Order #1-Final, C-42 Landslip Repair

DATES TO REMEMBER

Finance Committee Meeting, 10 am, Tuesday December 17 at Courthouse
Courthouse Closed for Christmas on Wednesday December 25
Courthouse Closed for New Years on Wednesday January 1, 2020

RE: APPROVAL OF AGENDA

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

Add:

Additional Appropriation – Auditor REA
 Minus Appropriation – Sheriff
 Transfer – County General
 MOU – JFS & CSEA

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 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. Ritter moved and Mr. Feathers 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>
Maintenance	100-0109-53102	\$ 2,000.00
Sheriff	100-0384-51001	\$ 70,000.00
Engineer	200-0540-51105	\$ 23.80
Auditor REA	200-0122-51110	\$ 70.00

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

RE: MINUS APPROPRIATION

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

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Sheriff Concealed Handgun	200-0382-51001	\$ - 8,050.00

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>	
Family & Children First	602-2030-53403	602-2030-53201	\$ 130.00	
	602-2030-53203	602-2030-51102	\$ 300.00	
	602-2030-53403	602-2030-51102	\$ 70.00	
	County General	100-0170-51001	100-0366-52000	\$ 201.81
		100-0170-51001	100-0101-51105	\$ 567.52
		100-0170-51104	100-0100-51104	\$ 3,471.41
		100-0170-51104	100-0160-51104	\$ 995.52
		100-0170-51104	100-0190-51104	\$ 197.08
		100-0170-51104	100-0366-51104	\$ 196.88
		100-0170-51001	100-0100-51102	\$ 3,550.52
		100-0170-51001	100-0120-51102	\$ 300.00
		100-0170-51001	100-0130-51102	\$ 355.04
		100-0170-51001	100-0140-51102	\$ 1,811.91
	100-0170-51001	100-0150-51102	\$ 894.97	
100-0170-51001	100-0230-51102	\$ 423.12		
100-0170-51001	100-0361-51102	\$ 238.13		
100-0170-51001	100-0366-51102	\$ 240.77		
100-0170-51001	100-0510-51102	\$ 154.00		
Dog & Kennel	100-0170-51001	100-0366-57501	\$ 218.00	
	200-0363-51001	200-0363-51105	\$ 3.22	
	200-0363-51001	200-0363-51104	\$ 59.96	
	200-0363-52001	200-0363-54400	\$ 500.00	
Sheriff Sales Tax	200-0363-51002	200-0363-51102	\$ 2,093.45	
	100-0384-53130	100-0384-51102	\$ 6,511.78	
Jail	100-0384-53010	100-0384-54000	\$ 3,000.00	
	100-0381-51102	100-0381-54000	\$ 2,000.00	
Law Library	100-0381-51102	100-0381-54200	\$ 2,500.00	
	200-0520-51120	200-0520-51005	\$ 1.61	
Veterans	100-0700-51001	100-0700-51104	\$ 2,915.31	

County Home	200-0630-55100	200-0630-53000	\$ 20,000.00
Wireless 911	200-0369-51001	200-0369-51105	\$ 19.70
Auditor REA	200-0122-53400	200-0122-51104	\$ 2,132.04
	200-0122-53400	200-0122-51105	\$ 23.64
	200-0122-53400	200-0122-51102	\$ 510.00
Clerk of Courts	200-0233-51120	200-0233-51102	\$ 420.00
	200-0233-51101	200-0233-51105	\$ 23.00

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>
Sheriff	100-0381-53030	Civica	\$ 7,107.00
	100-0385-53500	B&C Communications	\$ 253.42
Auditor	100-0120-57400	Matthew Livengood	\$ 283.88
Commissioners	100-0100-53203	Hyde Brothers Printing	\$ 2,379.00
	100-0101-53400	US Geological Survey	\$ 5,990.00
	100-0109-53000	William Krampe	\$ 730.00

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:

Family & Children First

Stacie Heiss: Required training in Akron on December 20

Job & Family Services

Dawn Lucas, Amanda Sutphin & Beth Palmer: Title IV-E training in Columbus on December 13

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

RE: TREASURER – REVERSE WOODLAWN ASSESSMENT REMOVAL

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a request to reverse the removal of the remaining balance owed on Woodlawn Special Assessment for parcel # 06-00-17304.000. The balance of \$2,400.04 will be added back to the repayment schedule as indicated by the County Commissioners resolution dated September 5, 2013. Mrs. Peters intended to pay the remaining balance in full but no longer has the funds to do so.

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

RE: MOU – JFS & CSEA

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a memorandum of understanding between Job & Family Services and Child Support Enforcement Agency. The MOU is for JFS to reimburse CSEA for TANF and CCMEP related activities to mutual customers. The estimated maximum amount to be reimbursed is \$70,000. The MOU is effective from January 1, 2020 through December 31, 2020.

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

RE: FLEX CHECK FOR 2018

Mr. Feathers moved and Mr. Ritter seconded a motion to approve receipt of a check in the amount of \$12,513.27 and deposit it into budget stabilization. The check is for the 2018 FSA Plan and represents the difference in cash activity between the deposits and disbursements for the year.

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

RE: LIQUOR PERMIT TRANSFER – MIKES LLC TO POUR HOUSE GRILL

Mr. Feathers moved and Mr. Ritter seconded a motion to table a request to transfer a liquor permit from Mikes LLC to Pour House Grill. The commissioners tabled the request to allow time for public input before the January 6, 2020 deadline to return the notice to the Ohio Division of Liquor Control.

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

RE: ENGINEER – USDA GRANT APPLICATION FOR TRAVEL LOADER

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a request from the engineer to apply for a USDA grant to purchase a travel loader. The total grant funding amount is not yet known.

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-FINAL, FEMA 43724

Mr. Feathers moved and Mr. Ritter seconded a motion to approve Change Order #1-Final for C-9, C14, C-21 & C-544 landslip repairs. The change order is for an additional \$16,981.43 for a new total cost of \$308,599.98.

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-FINAL, C-11 LANDSLIP REPAIR

Mr. Feathers moved and Mr. Ritter seconded a motion to approve Change Order #1-Final for C-11 emergency landslip repair. The change order is a reduction of \$725.17 for a new total cost of \$133,255.28.

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-FINAL, C-42 LANDSLIP REPAIR

Mr. Feathers moved and Mr. Ritter seconded a motion to approve Change Order #1-Final for C-42 landslip repair. The change order is for an additional \$58,412.52 for a new total cost of \$832,011.69.

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

RE: COMMISSIONER RITTER STATEMENT

Commissioner Ritter prepared and read aloud the following statement:

I do have a couple things I would like to read into the minutes.

First, is a short November 15th email from myself to Juvenile Court Judge Tim Williams in response to his request for significant salary increases for a number of his employees. The Judge and I had met on this topic three days prior (November 12th) and he had followed up with a phone call to see if the Commissioners had approved the requested raises. My email informed him that we did not have final budget numbers from the Auditor so we were not in a position to make a decision yet. I also encouraged him to reach out to me if he had anything additional he wanted us to consider

The second thing I would like to add to the record is a cover letter and certified court order I subsequently received from Judge Williams dated November 25th. The order directed the Commissioners to appropriate ‘the 2020 Operating Budgets for the Washington County Common Pleas Court: Probate Juvenile Division, including the Washington County Juvenile Center.’ According to the Judge’s cover letter accompanying the Court Order, this would mean a total increase of \$53,040 for salaries at the Juvenile Center alone. By my calculation, there is an additional \$7,218 in ordered increases at the Juvenile/Probate Court. That makes a total of \$59,384 in court-ordered salary increases which were made effective retroactively, on November 17, 2019.

The third thing I would like to add to the record is a copy of my December 4th email to Judge Williams responding to the court order. In that email I told Judge Williams the case he made for raises was ‘worthy of consideration.’ In other words, this is not about the salary increases per se but rather the manner in which those increases were implemented. I concluded my email by writing, ‘This sort of short-circuiting of the budget process is just the sort of nonsense that citizens dislike about government. At no time did I say I was opposed to the proposed increases (in fact I was favorably persuaded by your arguments) but I am steadfastly opposed to budget-making by court order.’

Finally, I have a few comments I think are appropriate to add to the record as they have a bearing not just on the overall budget process but also with regard to appropriations we make to other departments.

On three separate occasions during 2019, the Judge and I met regarding budget issues. In my mind, these meetings were to serve two purposes: First, to keep the Board of Commissioners informed of any unexpected budget issues that may have come up

during FY2019 or looking ahead to 2020. Second, my colleagues and I believed it was important to reach out to Judge Williams and seek to build a better relationship with his office.

I believed our meetings served both purposes until I was surprised to find a court order waiting for me when I returned from the Thanksgiving break. By issuing this order, Judge Williams has effectively usurped the appropriating authority of the Board of Commissioners and called into question the legitimacy of the budgetary process.

Each of the Commissioners has taken an oath to steward the finances of the County to the best of our ability. By virtue of the court order we have been compelled to break our oath. We have been forced to appropriate monies without proper reflection and without a clear picture of our budget numbers.

Understand, I don't question Judge Williams' authority to issue a court order. Rather, I question whether the action was right or just. By ordering salary increases totaling over \$59,000 for his people, he has effectively taken from every other county agency that would have received a portion of that money.

So, understand, you department heads out there, you will do with less in 2020 because of this court order. This is a zero-sum game. Because we are mandated by the state to submit a balanced budget, an increase in one department necessarily means a decrease in other departments.

Every one of you department heads came before the commissioners and made your case for a 2020 budget, as did Judge Williams. But when we did not immediately grant his amended request, if I can still call it a request, he used his judicial authority to order it. I hope you are concerned, as I am, with this kind of budget making.

RE: BEHAVIORAL HEALTH BOARD UPDATE

Hilles Hughes, Behavioral Health Board, provided the commissioners with an update that included information regarding the recently submitted annual report for the Washington County Hub. She said the Hope for the Holidays event will be held this Sunday at 6 pm. On January 7th, at Marietta College, they will be holding a self-care workshop. Also, at their monthly meeting on Thursday, the BHB will be awarding scholarships.

RE: JFS SUBGRANT AGREEMENT WITH FCF

Mr. Feathers moved and Mr. Ritter seconded a motion to approve a subgrant agreement between Washington County Department of Job and Family Services and Washington County Family and Children First. The purpose of the subgrant agreement is to provide Service Coordination/Wraparound Program services to families in Washington County, Ohio. The agreement will be in effect from January 1, 2020 through September 30, 2020. The grant is in the total amount of \$49,500 for providing these services.

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

RE: JFS – CREDIT CARD POLICY

Mr. Feathers moved and Mr. Ritter seconded a motion to approve the Washington County Job and Family Services Credit Card Policy. Flite Freimann, Director of JFS, said the county credit card policy is not up-to-date and the policy submitted today attempts to mirror the state policy. Mr. Freimann proposed to adopt the policy effective December 1, 2019 through April 2020 and revisit in April with any changes if needed.

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

Mr. Freimann said he spoke with the Auditor regarding approximately \$3,088 in credit card charges incurred in November. Mr. Feathers moved and Mr. Ritter seconded a motion to approve the November charges for payment.

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

Mr. Freimann then requested to enter Executive Session with the Commissioners to discuss a personnel issue. Mr. Feathers moved and Mr. Ritter seconded a motion to enter into Executive Session with Mr. Freimann.

A calling of the roll resulted in a unanimous vote in favor. They entered Executive Session at 9:52 am.

At 9:56 am, the Commissioners exited Executive Session to resume the regular meeting.

RE: RESOLUTION TO APPLY FOR OEPA/OWDA LOAN

Mr. Feathers moved and Mr. Ritter seconded a motion to adopt a resolution to apply and enter into an OEPA/OWDA Water Pollution Control Loan Fund Agreement for design of the Devola Sewer Project.

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

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 9:57 a.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk