

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JUNE 9, 2022 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: CHARLIE L. SCHILLING, PRESIDENT. JAMES W. BOOTH, VICE PRESIDENT. KEVIN J. RITTER, MEMBER. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE PRESIDENT OF THE BOARD. THE COMMISSIONERS LED THOSE ATTENDING IN THE PLEDGE OF ALLEGIANCE TO OUR FLAG, AND MR. SCHILLING OFFERED PRAYER.**

Also attending:

Flite Freimann, Director JFS  
Rob Grant, Grants Administrator  
Philip Schaffer, Special Projects Administrator  
Karl Comstock, Maintenance Superintendent  
Kathy Thieman, Probate/Juvenile Court Administrator  
Joseph White, Wastewater Superintendent  
Emily Griffin, Engineer Office  
Diane Davis, HR Director  
Jesse Roush, Port Authority  
Brenda Robinson, OhioMeansJobs  
Nicole Coil, Prosecutor  
Jana Crock, Ohio Public Defender  
Joe Medici, Ohio Public Defender  
Ray Smith, Ohio Public Defender  
Michele Newbanks, *Marietta Times*  
Ben Cowdery, Fiscal Manager/Clerk

**Washington County Commissioners  
AGENDA  
9:00 am, June 9, 2022**

9:00 Business Meeting  
10:00 Bid Opening – Nonemergency Transportation  
11:00 Ohio Public Defender

**UNFINISHED BUSINESS**

MOU with Ohio University Voinovich School  
Liquor Permit Notice for 50A Carry Out

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting minutes  
Bills from various departments  
Resolution for New Fund for Engineer Guardrail PID 104862  
Resolution for New Fund for Devola Sewer Project  
Resolution designating County Engineer as County Sanitary Engineer  
Certificate of Appointment – Sanitary Engineer  
Additional Appropriation – Unclaimed Funds  
Additional Appropriation – Engineer  
Additional Appropriation – Sewer Capital Projects (3)  
Additional Appropriation – County General  
Minus Appropriation – County General  
Transfer – County General  
Then & Now  
Veterans – Request to pay late fee/interest  
Travel – Children Services, Sewer  
Sheriff – Monthly Report on Care of Prisoners for May  
Engineer – City of Marietta request for Permissive Tax Distribution  
Engineer – Change Order #1 – Final, C-60 Landslip Repair  
Devola Easement Requirements & Options  
Executive Session – Pending Litigation

**DATES TO REMEMBER**

Courthouse closed Monday, June 20<sup>th</sup> for Juneteenth Day  
Finance Meeting, June 21<sup>st</sup> at 10 a.m. in the Commissioner Assembly Room  
Courthouse closed Monday, July 4<sup>th</sup> for Independence Day

**RE: APPROVAL OF AGENDA**

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

Add: JFS – Request for advance of funds  
Additional Appropriation – Budget Stabilization

Additional Appropriation – Sewer  
Transfer – Budget Stabilization  
Travel – Children Services

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: APPROVAL OF MINUTES**

Mr. Ritter moved and Mr. Booth seconded a motion to dispense with the reading and approve the minutes of the June 2, 2022 regular meeting.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: BILLS FOR PAYMENT**

Mr. Ritter moved and Mr. Booth 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: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: RESOLUTION FOR NEW FUND FOR ENGINEER GUARDRAIL PID 104862**

Mr. Ritter moved and Mr. Booth seconded a motion to adopt a resolution to establish a new fund in the Auditor's bookkeeping system for the Engineer. The purpose of the new fund is to account for revenues and expenses for the County Road 25 Guardrail project PID 104862. The number and name of the new fund in the Auditor's system is as follows:

300-0559 CR-25 GUARDRAIL PID 104862

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: RESOLUTION FOR NEW FUND FOR DEVOLA SEWER PROJECT**

Mr. Booth moved and Mr. Ritter seconded a motion to adopt a resolution to establish a new fund in the Auditor's bookkeeping system for the Devola Sewer Project. The purpose of the new fund is to account for revenues and expenses, to include various outside funding sources, for the Devola Sewer Phase 2 project. The number and name of the new fund in the Auditor's system is as follows:

300-0118 DEVOLA SEWER PROJECT

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: RESOLUTION DESIGNATING COUNTY ENGINEER AS SANITARY ENGINEER**

Mr. Ritter moved and Mr. Booth seconded a motion to adopt the following resolution:

**RESOLUTION DESIGNATING ROGER WRIGHT, COUNTY ENGINEER, AS COUNTY SANITARY ENGINEER AND AUTHORIZING ADDITIONAL COMPENSATION**

WHEREAS, the Ohio General Assembly adopted House Bill 201 in 1991, which permitted a Board of County Commissioners to appoint the County Engineer as the County Sanitary Engineer and to compensate the County Engineer for services as the County Sanitary Engineer; and

WHEREAS, the Washington County Board of Commissioners finds it necessary to appoint Washington County Engineer, Roger Wright, to assume duties of the County Sanitary Engineer with operational control of daily sewer department operations; and

WHEREAS, Mr. Roger Wright will receive additional compensation at the rate per the Certificate of Appointment.

NOW, THEREFORE BE IT RESOLVED by the Board of Washington County Commissioners that Roger Wright, County Engineer, be appointed as the County Sanitary Engineer.

BE IT FURTHER RESOLVED that Roger Wright, County Engineer, be paid additional compensation per the Certificate of Appointment starting June of 2022 and may be renewed by mutual agreement between the parties involved on an annual calendar year basis.

Commissioner Ritter said Mr. Wright has worked countless hours on the Devola Sewer Project and he should be compensated for the additional work. Mr. Ritter said the Board of Commissioners appreciates the time Mr. Wright has spent assisting the Sewer Department.

Commissioner Schilling said Mr. Wright has an engineering background and the

appointment will ultimately save the County money by not having to contract with outside firms.

Commissioner Booth said the appointment makes sense and the County will be able to share resources between the Engineer's Office and Sewer Department.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: CERTIFICATE OF APPOINTMENT – SANITARY ENGINEER**

Mr. Booth moved and Mr. Ritter seconded a motion to approve a Certificate of Appointment, appointing Roger Wright, County Engineer, to the position of Sanitary Engineer at an annual rate of \$20,000 with a yearly increase thereafter per ORC 325.18. The appointment is effective June 9, 2022 and will renew each calendar year, expiring December 2026, or terminated at any time by a majority vote of the Board of Commissioners.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: JFS – REQUEST FOR ADVANCE OF FUNDS**

Mr. Booth moved and Mr. Ritter seconded a motion to approve a request from Job & Family Services of an advance from county general funds in the amount of \$200,000. Washington County Department of Job & Family Services will repay the amount within 120 days. Flite Freimann, Director JFS, said it is the end of the state fiscal year and JFS is unable to draw down state funds. JFS will borrow the amount to pay bills for the next few weeks.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: ADDITIONAL APPROPRIATIONS**

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

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Unclaimed Funds	200-0106-57400	\$ 5,059.46
Engineer	300-0559-55000	\$ 96,418.00
Sewer Capital Projects	300-0113-55601	\$ 197,570.50
Sewer Capital Projects	300-0113-55602	\$ 1,700,000.00
Devola Sewer Project	300-0118-53001	\$ 468,246.20
Devola Sewer Project	300-0118-53100	\$ 10,000,000.00
Devola Sewer Project	300-0118-53200	\$ 3,000,000.00
Devola Sewer Project	300-0118-53300	\$ 750,000.00
Devola Sewer Project	300-0118-53400	\$ 368,000.00
County General	100-0101-57100	\$ 1,600,000.00
Budget Stabilization	100-0104-57200	\$ 100,000.00
Sewer	400-0113-51001	\$ 14,500.00
Sewer	400-0113-51102	\$ 2,000.00

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: MINUS APPROPRIATION**

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

<u>Department</u>	<u>Account</u>	<u>Amount</u>
County General	100-0870-53091	\$ (1,600,000.00)

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: TRANSFERS**

Mr. Booth 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>
County General	100-0101-57100	300-0113-49100	\$ 1,600,000.00
Budget Stabilization	100-0104-57200	200-0720-49200	\$ 200,000.00

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye.

Kevin Ritter aye. Motion passed.

**RE: THEN & NOW**

Mr. Booth 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>
I.T.	100-0190-53000	Zencity Technolog.	\$ 24,000.00
Sewer	300-0113-53000	ADR & Associates	\$ 4,328.20
Sewer	300-0113-53000	ADR & Associates	\$ 17,500.00

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: VETERANS – REQUEST TO PAY LATE FEES/INTEREST**

Mr. Booth moved and Mr. Ritter seconded a motion to approve the following request from Veterans Service to pay late fees and/or interest charges:

<u>Department</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
Veterans Service	100-0700-53403	First National Bank Omaha	\$ 105.98

Commissioner Ritter said there have been multiple instances of late fees from Veterans Service. Mr. Ritter said that, although there are legitimate reasons for the late fees, they need to resolve the issue. Mr. Ritter is inclined to vote against approving future late fees from the Veterans Service. Commissioner Booth agreed and said it is taxpayer money and should not be used to pay late fees.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: TRAVEL REQUESTS**

Mr. Booth 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 in compliance with the annual appropriations for fiscal year 2022 and any and all amendments subsequent thereto:

Children Services

*Tonya Kidder:* Required child visit in Grove City, PA 6/1; Powell 6/3; Wellston/Jackson 6/14; Trotwood 6/15; Fazeysburg 6/16; Toledo 6/23; University Heights 6/24; Youngstown 6/27; Kitts Hill/Ironton 6/29; New Straitsville 6/30

*Ashley Harris:* Required child visit in Caldwell 6/8; Shawnee 6/9; Cambridge 6/13; Chandlersville/Nashport 6/15; Youngstown 6/16; Millersburg 6/17; Columbus 6/21; Cincinnati 6/23

*Sabrina Buchanan:* Required child visit in Youngstown 6/1; Washington Court House 6/6; Fazeysburg & Cambridge 6/7; Lafayette, IN 6/8; Fazeysburg 6/9; Cambridge 6/13; Thurman 6/14; Bedford 6/15; Glouster 6/16; Columbus 6/22

*Shayla Blankenship:* Training in Athens on 6/2; Pleasant City 6/8

*Shayla Blankenship & Tami Downs:* Required child visit in Roseville & Lancaster 6/16

Sewer Department

*Joseph White:* RCAP Field Day in St. Clairsville on June 14, 2022

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: SHERIFF – MONTHLY REPORT ON CARE OF PRISONERS FOR MAY**

The Commissioners acknowledged receipt of the monthly report on the care of prisoners at the Washington County Jail for the month of May 2022. The report shows a total prisoner count of 260. The Jail received \$9,561 for housing prisoners from other jurisdictions for the month.

**RE: ENGINEER – CITY OF MARIETTA REQUEST FOR PERMISSIVE TAX DISTRIBUTION**

Mr. Ritter moved and Mr. Booth seconded a motion to approve a request from the City of Marietta for a distribution of municipal permissive tax funds in the amount of \$58,000. The request is for resurfacing portions of State Route 60 and State Route 676 in partnership with ODOT. The total estimated cost of the project is \$3,080,033.12. The City of Marietta has a current balance of \$197,682.21 in the municipal permissive tax fund and the streets to be paved are on the approved list, per the County Engineer.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: ENGINEER – CHANGE ORDER #1-FINAL, C60 LANDSLIP REPAIR**

Mr. Ritter moved and Mr. Booth seconded a motion to approve Change Order #1-Final for County Road 60 Landslip Repair. The change order is an increase of \$2,541.50 for a new project total of \$304,699.90. Shelly & Sands is the contractor for the project.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: DEVOVA EASEMENT REQUIREMENTS & OPTIONS**

Mr. Booth said the Board of Commissioners has been both aggressive and successful in getting funding for Devola Sewer. Mr. Booth said the easements are necessary to the success of the project and cooperation is needed.

Mr. Ritter said the project will happen because it is court-ordered. Mr. Ritter said the best financial deal for homeowners is to sign the easements now. Mr. Ritter encourages residents to reach out to the Commissioners if they have any concerns or would like to discuss the issue.

Mr. Booth estimated it could cost \$25,000 - \$30,000 for a homeowner that does not sign an easement.

Mr. Schilling said the offer is out there and encouraged residents to talk with the Commissioners.

**RE: LIQUOR PERMIT NOTICE FOR 50A CARRY OUT**

Mr. Ritter moved and Mr. Booth seconded a motion to return to the table the liquor permit notice for 50A Carry Out & Grocery. A calling of the roll resulted in a unanimous vote in favor. Motion passed.

Mr. Ritter moved and Mr. Booth seconded a motion to approve sending notice to the Ohio Division of Liquor Control indicating that Washington County does not request a hearing for the 50A Carry Out & Grocery liquor permit application. The notice was tabled for two weeks and no public input was received during that time.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed.

**RE: COMMENTS**

Commissioner Schilling said the Port Authority and OhioSE recently toured operations at the Wetz Company.

Commissioner Ritter read the following statement:

*Earlier this year the Commissioner's office became aware of a public notice in the Marietta Times regarding a proposed new injection well site in Washington County.*

*Because of the documented failure of the Redbird #4 well, in addition to recent worries raised by oil and gas producers in the Veto Lake area, we have serious concerns with the permitting of another injection well in our County.*

*This Board, along with concerned residents, hoped to learn more at the ODNR-hosted public meeting at St. Ambrose Church on June 2<sup>nd</sup>. All three Commissioners, as well as a number of other elected officials, attended this meeting. While we appreciated ODNR hosting the event, the format did little to allay the concerns of the nearly 200 people in attendance. While the public was allowed to comment on the proposed injection well, ODNR representatives did not address either questions or comments that evening.*

*Since that time, our office has received a number of comments from citizens opposed to permitting a new injection site. Sentiment has been uniform. Residents, many of them citing the failure of Redbird #4, have been asking why Washington County residents should be expected to shoulder the risk of another injection well with little appreciable benefit to the County.*

*One resident said, "We accept other people's waste? To what benefit? Columbus issues the permit and we take the risk...that just doesn't seem right. How many permits have been given for injection wells under Cleveland, Columbus, and Cincinnati? Are they taking the same risks as Washington County?"*

*Because of these and other apprehensions, this board of Commissioners implores the state to take seriously the concerns of Washington County residents. ODNR claims that injection wells can be done safely. For the residents of Washington County to feel confident in this assurance a great deal more education is necessary.*

*Until such time as this can be accomplished, it is the unanimous position of this Board that consideration of new injection well permits should be suspended.*

Mr. Booth said he implores the EPA to contact him about the water quality in Lowell.

Mr. Schilling said there is real concern from oil and gas producers and the County expects ODNR to do their job. Mr. Schilling said ODNR did not provide anyone with answers at the June 2<sup>nd</sup> meeting.

Mr. Ritter said ODNR has a responsibility to answer citizens' concerns. Mr. Ritter said the frustration is not with the applicant for permit, it is with ODNR.

**RE: EXECUTIVE SESSION – PENDING LITIGATION**

Mr. Booth moved and Mr. Ritter seconded a motion to enter executive session to discuss pending litigation. The Commissioners invited the County Prosecutor, Nicole Coil, to attend the session.

A calling of the roll resulted in the following vote: Charlie Schilling aye. James Booth aye. Kevin Ritter aye. Motion passed to enter executive session at 9:35 a.m.

The Commissioners adjourned the executive session at 9:52 a.m.

**RE: BID OPENING – JFS NONEMERGENCY TRANSPORTATION**

Flite Freimann, Director JFS, was present to open sealed bids for nonemergency transportation service. Also in attendance were Suzanne Wyatt-Deem and Wyatt-Deem of 1<sup>st</sup> Choice. Two bids were received, from WMCAP and 1<sup>st</sup> Choice. Mr. Freimann said JFS will review the bids and recommend an award at a later date.

**RE: OHIO PUBLIC DEFENDER**

Joseph Medici, Office of the Ohio Public Defender, joined by Ray Smith and Jana Crock, Washington County Public Defender Office, were present to discuss the fiscal year 2023 contract with the Commissioners. Mr. Ritter asked about the disallowed expenses on the Washington County reimbursement report. Mr. Medici said Laura Austen, Ohio Public Defender, could provide more insight into the reports. Mr. Medici said each county operates differently. Mr. Medici said receiving a higher rate of reimbursement can increase administrative costs for counties. Mr. Ritter said the Commissioners will review the proposed contract with the Washington County Judges.

**RE: ADJOURNMENT**

Mr. Booth 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 11:13 a.m.

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

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

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

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