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**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 31, 2013 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, PRESIDENT, RONALD L. FEATHERS, MEMBER, AND TIMOTHY C. IRVINE, MEMBER. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG. MR. FEATHERS LED THOSE ATTENDING IN PRAYER.**

Also attending were Christian Hudspeth of *The Marietta Times*, Administrator Paul Cunningham, and Clerk Rick Peoples.

#### **COMMISSIONERS AGENDA**

**January 31, 2013**

9:00 Business Meeting  
9:30 Bid Opening - Fearing VFD Restroom Project, CDBG  
10:00 Nick Gatz - Governor's Office, Southeast Ohio Liason  
10:30 Eric Skomra, I.T. Director - Courthouse Phone System  
11:00 Natalie Petschauer and Rhonda Church, Bureau of Workers Compensation  
2:00 Keith Snider - Split of Property

#### **UNFINISHED BUSINESS**

Utility Construction Permits  
Vacate Wesley Township road 192  
Transportation Enhancement Agreement - WP Snyder

#### **NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Resolution - New Fund Appalachian Regional Commission  
Additional Appropriation - Commissioners (2)  
Additional Appropriation - Soil Conservation Fund  
Transfer - Veterans  
Transfer - Sheriff  
Then & Now  
Travel - FCF  
Support Letter - Kinderhook Trail in Wayne National Forest  
Letter to Ohio Public Works Commission, Change in Project Manager  
Ohio Public Works Commission Pay Request #6, Woodlawn Acres  
Generator Replacements and Renovations Project Bid  
2013 Application, Urban Transit Program  
End User License Agreement, Hyland Software, Inc.  
Request for Senior Levy Funds  
Engineer - Change Order (Final) - 2012 Asphalt Paving Project  
Letters to Delinquent Sewer Account Holders  
Certification of Delinquent Sewer Accounts to County Auditor

#### **INFORMATION**

Workforce Investment Board, 10:00 a.m., **Wednesday**, February 6, Caldwell  
Eastern Ohio Development Alliance, 10:00 a.m., **Friday**, February 8, Salt Fork  
Courthouse Closed, **Monday**, February 18, Presidents Day  
Evening meeting at Watertown VFD, 6:00 p.m., **Thursday**, February 21

#### **RE: AGENDA**

Mr. Irvine moved and Mr. Feathers seconded a motion to accept the agenda.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

#### **RE: APPROVAL OF MINUTES**

Mr. Irvine moved and Mr. Feathers seconded a motion to dispense with the reading of the January 24, 2013 minutes, and to approve them as submitted.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

#### **RE: PAYMENT OF BILLS**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve the payment of bills from various departments.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

#### **RE: RESOLUTION TO CREATE NEW FUND**

Mr. Irvine moved and Mr. Feathers seconded a motion to create Fund 210-0862 Appalachian Regional Commission - Ingenuity Center, as requested by County Auditor Bill McFarland.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: ADDITIONAL APPROPRIATIONS**

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

|                    |                |              |
|--------------------|----------------|--------------|
| Commissioners      | 100-0100-53202 | \$ 1,000.00  |
| Commissioners      | 100-0102-51104 | \$125,000.00 |
| Soil & Water Cons. | 200-2040-54000 | \$ 10,000.00 |

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: TRANSFER**

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

|          | <u>From</u>    | <u>To</u>      | <u>Amount</u> |
|----------|----------------|----------------|---------------|
| Veterans | 100-0700-57401 | 100-0700-51105 | \$ 60.00      |
|          |                | 100-0701-51105 | \$ 60.00      |
| Sheriff  | 210-0388-51001 | 210-0388-57400 | \$ 4,055.12   |

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: THEN & NOW'S**

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

| Dept               | Account         | Vendor                           | Amount       |
|--------------------|-----------------|----------------------------------|--------------|
| MR/DD              | 210-0621-5-3000 | Wasco Inc.                       | \$ 21,560.33 |
| MR/DD              | 215-0622-5-3000 | R.H.D.D.                         | \$ 3,322.56  |
| Treasurer          | 100-0130-5-4000 | Business Systems & Services Inc. | \$ 104.00    |
| Juvenile Center    | 100-0330-5-3000 | C & C Dodge Toyota               | \$ 119.10    |
| Commissioners      | 200-0363-5-3000 | Humane Society of Ohio Valley    | \$ 570.00    |
| Commissioners      |                 | 200-0364-5-7501 NENA             | \$ 130.00    |
| Commissioners      | 210-0821-5-1000 | In The Swim                      | \$ 4,837.00  |
| CSEA               | 200-0730-5-2000 | Barbara Tergolina                | \$ 329.74    |
| EMA                | 200-0315-5-7400 | Wash. Co. Sheriff Office         | \$ 640.00    |
| DJFS               | 200-0720-5-9000 | Christina Thomas                 | \$ 546.25    |
| DJFS               | 200-0720-5-7400 | Verizon                          | \$ 226.10    |
| DJFS               | 200-0720-5-7400 | AEP                              | \$ 2,093.64  |
| DJFS               | 200-0720-5-9000 | Wash. State Community College    | \$ 7,448.00  |
| Sheriff            | 100-0381-5-4000 | Murray's Glass Co. Inc.          | \$ 116.00    |
| Sheriff            | 100-0384-5-4400 | Phoenix Distributors             | \$ 5,212.00  |
| County Home        |                 | 200-0630-5-3000 Morrison, Inc.   | \$ 179.93    |
| County Law Library | 200-0520-5-4000 | West Publishing                  | \$ 2,796.38  |
| County Law Library | 200-0520-5-4000 | West Publishing                  | \$ 2,392.51  |
| County Law Library | 200-0520-5-4100 | Office Depot                     | \$ 198.36    |
| Sheriff            | 100-0384-5-4000 | Workingman's Store               | \$ 671.82    |
| Sheriff            | 100-0384-5-4000 | Workingman's Store               | \$ 496.00    |

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: TRAVEL REQUEST**

Mr. Irvine 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 2013 and any and all amendments subsequent thereto:

FCF

Cindy Davis: One-day trip to Sarahsville to attend WIB and Youth Council Meeting; February 6, 2013.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: SUPPORT LETTER, KINDERHOOK TRAIL**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the following letter of support for development of the Kinderhook Trail in Wayne National Forest:

January 31, 2013

Gala Goldsmith  
Athens District Ranger

Wayne National Forest  
13700 U.S. Highway 33  
Nelsonville, Ohio 45764-9552

Dear Gala:

The Washington County Chapter of the Ohio Horseman's Council has provided over 700 man hours to maintain and improve the Kinderhook Trail in Wayne National Forest. They are committed to providing Wayne National Forest their resources to maintain the trail now and in the future. As you are aware, the Council is interested in seeing the trail extended, and moving five existing miles of trail away from public roadway.

We continue to support their efforts with the Kinderhook Trail, and we encourage you to support them as well by initiating the project to enhance the Trail in Washington County. Improvements to the Trail will not only add recreational options in the region, but also provide much-needed economic benefit.

We appreciate your interest in preserving and improving Wayne National Forest.

Sincerely,

**/s/ WASHINGTON COUNTY COMMISSIONERS**

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: DESIGNATION OF PROJECT MANAGER FOR WOODLAWN ACRES**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve sending a letter to Kimberly Killian of the Ohio Public Works Commission notifying her that Commissioner Ronald L. Feathers has been appointed to serve as the Project Manager for the CR-18P Woodlawn Acres Sanitary Sewer Project.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: PAY REQUEST 7, OPWC**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve Pay Request #7 to the Ohio Public Works Commission (OPWC) for the Woodlawn Acres Sanitary Sewer Project, in the amount of \$16,120.25, and to allow Mr. Feathers to sign the request.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: GENERATOR REPLACEMENT AND RENOVATIONS PROJECT**

Mr. Feathers moved and Mr. Irvine seconded a motion to accept the recommendation of David Haight, DLH Design, LLC, based upon his review of sealed bids opened January 24, 2013, to award contract to Davis-Pickering for the Courthouse and County Home Generator Replacement Project, in the amount of \$220,045.00, which includes the following, and to allow Mr. Haight to proceed with contract preparation, subject to review by the County Prosecutor, and mobilization for the scheduling and commencement of work:

|                       |               |
|-----------------------|---------------|
| Base Bid, Courthouse  | \$ 81,970.00  |
| Base Bid, County Home | \$ 125,940.00 |
| Performance Bond      | \$ 1,867.00   |
| Alternate 3           | \$ 10,268.00  |
| Total                 | \$ 220,045.00 |

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: URBAN TRANSIT PROGRAM APPLICATION**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve application to the U.S. Department of Transportation, Federal Transit Administration, for Washington County to participate in the 2013 Urban Transit Program, as follows, and to allow Mr. Irvine to submit application on-line with the assistance of Dawn Rauch, Washington-Morgan Community Action Program, who prepared the application:

|                    |               |
|--------------------|---------------|
| FTA Amount         | \$ 161,413.00 |
| State Amount       | \$ 50,797.00  |
| Local Amount       | \$ 39,366.00  |
| Total Project Cost | \$ 251,576.00 |

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: END USER LICENSE AGREEMENT, HYLAND SOFTWARE, INC.**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the End User License Agreement with Hyland Software, Inc., for support of the recently-installed CourtView system, as presented by I.T. Director Eric Skomra and reviewed and approved by County Prosecutor Jim Schneider, and to allow Mr. White to sign the Agreement.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: REQUEST FOR SENIOR LEVY FUNDS**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve the request from Donna Tornes to use \$1,560.00 in Senior Levy funds for the purchase and installation of window treatments at the facility used by the Churchtown Senior Citizens.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: CHANGE ORDER, 2012 ASPHALT PAVING PROJECT**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the final change order for the 2012 Asphalt Paving Project, contractor Shelly & Sands, Inc., adding \$97,731.72 to the contract amount for a total \$1,536,915.36, as recommended by County Engineer Roger Wright.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: DELINQUENT SEWER ACCOUNTS**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve sending notices to the following residents that their sewer accounts are delinquent and that payment must immediately be made: Ohio Valley Marine, Dari Anstatt, John Walsh, John and Joann Edwards, Birtha and James Katell (for 107 Briargate Drive), Timothy Myers, Kimberly Wiseman (James Funk, owner), Thomas Hart, Michael Mason, Thomas and Karen Burroughs (for 88 Oak Drive), Ernest Cornell, Angela Parker, William Hendricks, Patricia Eagle (for 27 Hickory Drive), Kristy Haynes, Laiana Kerns, Ted Williams, Daniel and Keisha Murphy, Heartland of Marietta, Cheryl Latham Mackey (for 197 Masonic Park Road), Stacey Day, Christopher Marshall, Amy and Zack Huffman.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve certifying the following sewer account holders as delinquent in their payment, and requesting him to add the delinquent amounts to property tax bills: Linda Lorentz, Larry Carney, Kathryn Parson, Nathan and Melissa Arnold, H. Clifton Spencer II, Robert and Regan Tate.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: OPENING OF SEALED BIDS, FEARING VFD CDBG PROJECT**

Attending bid opening for the Fearing Volunteer Fire Department (VFD) Community Development Block Grant (CDBG) Restroom Project were the Commissioners, the Clerk, Michelle Hyer from Buckeye Hills-Hocking Valley Regional Development District, and Pat Pieczynski from Flecto Construction.

At 9:30 a.m. President White opened three sealed bids for the project, as follows:

|                       |              |
|-----------------------|--------------|
| Flecto Construction   | \$ 59,830.00 |
| Larry Lang Excavating | \$ 58,575.67 |
| Double E Construction | \$ 59,669.00 |

Mr. White noted that bids from Larry Lang Excavating and Double E Construction included notification of receipt of Addendum and Bid Bond, but the bid from Flecto did not include notification of receipt of Addendum.

Mr. Irvine moved and Mr. Feathers seconded a motion to award the contract for the Fearing Volunteer Fire Department Community Development Block Grant Restroom Project to Larry Lang Excavating for the amount of \$58,575.67, subject to review of submittal documents by Michelle Hyer, Buckeye Hills-Hocking Valley Regional Development District, and County Prosecutor Jim Schneider.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

**RE: NICK GATZ, SOUTHEAST OHIO LIASON, GOVERNOR'S OFFICE**

Nick Gatz, Liaison for Governor Kasich in Southeast Ohio, introduced himself to the Commissioners. He noted he represents twenty counties and maintains an office on Front Street in Marietta. His responsibility includes business and local outreach, and he coordinates the Governor's travel arrangements in this region.

Mr. Gatz said the Governor will present his biennial operating budget to the proposal to the legislature on February 4. Prior to that, though, he will publicly share his initiatives for education, including K-12 and higher education. His plan will likely make funding for K-12 less dependent upon property taxes, and funding for higher education more in line with student success rather than enrollment.

Mr. Gatz also briefed the Commissioners on:

- Turnpike revenues and road maintenance
- Affordable Health Care Act and its implication on the State's budget
- Tax Reform
- The State of the State address by the Governor, in Lima on February 19

President White shared some concerns with Mr. Gatz. He commented that the proposed Severance Tax will be damaging to Washington County and Southeast Ohio, and he considers it targeted and discriminatory. Mr. Feathers noted he intends to do all he can to prevent the tax from being implemented. Mr. Feathers also expressed his disappointment that the citizens of Ohio recently voted to distance the State of Ohio from the Affordable Health Care Act now being implemented by the federal government, and yet the Governor is apparently now going to allow the State to participate. Mr. Feathers considers the Governor's actions contrary to the will of his constituents. Mr. Feathers also expressed his concern that the EPA is over-extending its authority in wastewater management. For example, he said, the EPA is requiring homeowners with acceptable septic systems to tie in to sewer systems, resulting in unnecessary expense to both the homeowner and the County. Mr. Irvine informed Mr. Gatz that the 911 system "New Generation" will be very expensive to equip and maintain, at a time when the \$0.50 assessment on phone service currently funding the system is generating lower revenues.

#### **RE: COUNTY PHONE SYSTEM**

I.T. Director Eric Skomra updated the Commissioners on the condition of the County's telephone system, and the need to invest in a more efficient system that is both flexible and compatible. He said the current system is outdated and does not allow for upgrade or integration. Eric suggested it is time for the County to consider a "Voice over IP" system.

Participating in the discussion via telephone, William Russell from Infotech and Roberta Fox from Fox Group Technology shared with the Commissioners and Mr. Skomra their proposal to assess the County's current phone system and determine how it should best be replaced. They noted they are consultants and will render unbiased advice, intentionally not recommending the purchase of services and/or equipment from specific vendor(s).

Mr. Skomra commented that his intent was to introduce the need for a new phone system to the Commissioners and suggest contracting the services of a consultant to initiate the process. He noted the County is now in the middle of a two-year extension of phone service with AT & T.

#### **RE: BUREAU OF WORKERS' COMPENSATION**

Rhonda Church and Natalie Petschauer from the Ohio Bureau of Workers' Compensation talked with the Commissioners and Darla Miller, Director of Human Resources, Safety & Loss Control, about the County's participation in the Ohio Bureau of Workers' Compensation program. They reviewed the claims experience, which has resulted in the County being enrolled in the "Group Retro" Rating Plan. They offered their services to the County and to Ms. Miller, and they encouraged the use of services provided by the County's third party administrator, CompManagement.

#### **RE: KEITH AND NANCY SNIDER**

Washington County residents Keith and Nancy Snider talked with the Commissioners about their desire to create a subdivision of their riverfront property in Waterford Township, dividing it for sale into sixteen separate parcels. They reviewed their earlier discussions with the Commissioners and the Planning Commission, noting they followed through with several of the recommendations from those discussions. Mr. Irvine reminded them that no more than four residences can be located on a private road. If they want to develop sixteen lots, the road would become a public road maintained by Waterford Township. The road specifications, drainage, etc., if different from current subdivision regulations, would have to be approved by the Planning Commission and the Board of County Commissioners. The Commissioners would also request comments and support of the Township since they will maintain the road. Mr. Snider indicated he is prepared to provide a sixteen foot wide road that the trustees will accept, with a cul-de-sac or turn-around space. He said the County Health Department has agreed that use of septic tanks on each lot is acceptable.

The Commissioners recommended the Sniders consult with the County Engineer to review what is required to present the project again to the Planning Commission. They should also

get input from the Waterford Township Trustees.

**RE: ADJOURNMENT**

Mr. Feathers moved and Mr. Irvine seconded a motion to adjourn.

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 2:25 p.m.

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

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

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

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