

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 9, 2014 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, PRESIDENT, RONALD L. FEATHERS, VICE PRESIDENT, 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 THEN LED THOSE ATTENDING IN PRAYER.**

Also attending were Amanda Nicholson from *The Marietta Times*, Jamey Styer from WMOA Radio, Daniel Halliburton from Congressman Bill Johnson's office, County Administrator Paul Cunningham, and Clerk Rick Peoples.

**Washington County Commissioners  
AGENDA  
January 9, 2014**

9:00 Business Meeting  
9:30 Jim Huggins, Jim Schneider – Lease of Mineral Rights  
10:00 Roy Ash – Veterans Office  
10:30 Cindy Davis – Big Brothers & Sister Grant  
11:00 Bill McFarland, County Auditor – Personal  
1:30 Rob Seiple – SpyGlass  
2:00 Sheriff Mincks – Personnel  
3:00 Dawn Rauch – Urban Transit Program

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Transfer – Commissioners  
Transfer – Soil & Water Conservation  
Transfer - Auditor  
Then & Now  
Travel Request – Family & Children First (3)  
Travel Request – CSEA  
Travel Request – Weights & Measures  
Travel Request – Engineer  
Letter – Ohio Development Service Agency – Complete Construction of the Ingenuity Center  
Lease – RSVP, O'Neill Senior Center  
Draw Down – Oh. Department of Development  
Engineer – 2014 Resolution of Credit Card Authorization

**INFORMATION**

Council of Governments, 10:00 a.m., Friday, January 10, Lori's Restaurant  
Organizational Meeting, 9:00 a.m., Monday, January 13  
County Home Monthly Meeting, 8:30 a.m., Tuesday, January 14  
Regular Meeting, 9:00 a.m., Thursday, January 16  
Courthouse Closed, Monday, January 20 – Martin Luther King, Jr. Day  
Finance Committee, 10:00 a.m., Tuesday, January 21

**RE: AGENDA**

Mr. Irvine moved and Mr. Feathers seconded a motion to accept the agenda, with the following adjustments:

Additions: Travel Requests – CSEA (2)  
Pooled Funding Agreements (6)

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. Feathers moved and Mr. Irvine seconded a motion to dispense with the reading of the January 7, 2014 minutes and 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: TRANSFERS

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

	<u>From</u>	<u>To</u>	<u>Amount</u>
Commissioners	100-0870-57100	215-0840-49100	\$ 54,500.00
Soil & Water Conservation	100-0107-57100	200-2040-49100	\$ 80,000.00
Auditor	100-0130-57100	200-0540-48200	\$ 2,569.94

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

Dept	Account	Vendor	Amount
Sheriff Department	100-0384-53000	American Telephone Tech.	\$ 412.50
MR/DD	210-0620-54400	Crescent Sprague Supply	\$ 624.00
Family & Children First	602-2031-53000	Mended Reeds	\$ 270.00
Commissioners	100-0109-53000	CAM Refrigeration	\$ 219.63
Commissioners	100-0109-53102	City Of Marietta	\$ 1,303.89
Commissioners	100-0109-53200	Windstream	\$ 738.83
Commissioners	100-0190-54000	Lowe's	\$ 217.92
Commissioners	210-0821-57400	Buckeye Hills – Hocking Valley	\$ 15,000.00
Sheriff Department	100-0384-54000	Crescent & Sprague	\$ 109.16
Commissioners	100-0101-57000	Wash. Co. JFS	\$ 1,121.76
Commissioners	100-0109-53000	Otis Elevator	\$ 10,355.16
Commissioners	100-0109-53000	Otis Elevator	\$ 4,280.64
Commissioners	100-0109-53000	Empire Builders	\$ 3,200.00
Commissioners	200-0364-57501	NENA 911	\$ 137.00
Commissioners	100-0100-53500	Poynter's	\$ 1,087.44
Commissioners	100-0100-53500	Poynter's	\$ 1,123.20
Commissioners	200-2050-53000	Court Witschey	\$ 180.00
Commissioners	100-0100-57501	Belpre Area Chamber of Commerce	\$ 150.00
Dept. Of Job & Family Service	200-0720-53400	Kim Wagner	\$ 140.80
Dept. Of Job & Family Service	200-0720-53400	Anderson Propane	\$ 500.00
Dept. Of Job & Family Service	200-0720-53400	Colonial Terrace	\$ 358.00
Commissioners	100-0109-53200	AT & T	\$ 423.74
Commissioners	210-0821-55000	Larry Lang Excavating	\$ 56,200.00
Commissioners	100-0101-53301	SR Properties	\$ 1,500.00
Commissioners	100-0109-53000	Am. Telephone Technologies	\$ 170.00
Soil & Water	200-2040-54000	Walmart	\$ 621.43
Soil & Water	200-2040-54000	BP Oil	\$ 121.35
Maintenance	100-0109-53000	Rogenski Electric	\$ 322.50
Common Pleas Court	100-0209-53000	William Adams	\$ 285.00
Common Pleas Court	100-0209-53000	Michael Buell	\$ 760.00
Common Pleas Court	100-0209-53000	Barbara Danford	\$ 142.50
Common Pleas Court	100-0209-53000	Megan Krivchenia	\$ 190.00
Common Pleas Court	100-0209-53000	Christina Thomas	\$ 997.50
Veterans	100-0700-54000	Verizon	\$ 504.58
Wash. Co. Home	200-0630-54000	Haessly Hardwood Lumber	\$ 220.00
Wash. Co. Home	200-0630-54000	Pine Ridge Meat Processing	\$ 842.45
Wash. Co. Home	200-0630-54000	Arnold's Repair Shop LLC	\$ 180.00
Wash. Co. Home	200-0630-53000	Simplex Grinnell	\$ 979.71
Wash. Co. Home	200-0630-53000	DLH Design LLC	\$ 500.00

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

#### RE: TRAVEL REQUESTS

Mr. Feathers moved and Mr. Irvine 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 2014 and any and all amendments subsequent thereto:

##### Family & Children First

Regina Duff: One-day trip to St. Clairsville to assist parent in transporting child to treatment facility; January 8, 2014.

Cindy Davis: One-day trip to Columbus to attend Ohio Family & Children first Coordinators' Association Executive Committee meeting; January 10, 2014.

Cindy Davis: One-day trip to Caldwell to attend WIA Youth Advisory Council meeting; January 23, 2014.

Cindy Davis: One-day trip to Zanesville to attend OFCFC Regional Meeting; January 27, 2014.

Cindy Davis, LeAnn Welch, Lashley Early, Jennifer Klintworth: One-day trip to Columbus to attend Help Me Grow Home Visiting training; January 29, 2014.

Auditor

Paul Beach: One-day trip to Reynoldsburg for equipment testing and inspection.

Child Support

Kim Hinkle, Betty Lynch: Two-day trip to Columbus to attend TPOC Information Session; March 4 and 5, 2014.

Engineer

Roger Wright: Trips to Columbus on the following dates to attend CEO Board Meetings and conferences:

Jan. 30 and Feb. 1, 2014	August 7, 2014
Feb. 26, 2014	September 4, 2014
March 7, 2014	October 2, 2014
April 3, 2014	November 6, 2014
May 1, 2014	December 8 – 10, 2014
June 5, 2014	

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

**RE: AUDITOR OF STATE ENGAGEMENT LETTER**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the Engagement Letter from the Auditor of State for the audit of Washington County financial statements for the fiscal year ending December 31, 2013, for an amount not to exceed \$88,000.00, and to allow Mr. White to sign the letter, as prepared by the Auditor of State.

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

**RE: REQUEST TO DSA PERTAINING TO INGENUITY CENTER**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve sending a request to the Ohio Development Services Agency (DSA) to utilize the entire \$250,000 ARC grant for the construction of the Ingenuity Center for the Southeastern Ohio Port Authority, even though the grant percentage will go from 9% to 11.8% of total project costs due to revisions during the planning and construction phases of the project, and to allow Mr. White to sign the request letter, as prepared and requested by Melissa Zoller, Buckeye Hills-Hocking Valley Regional Development District.

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

**RE: LEASE BETWEEN O'NEILL SENIOR CENTER AND RSVP**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve a Lease between the O'Neill Senior Center and the Retired and Senior Volunteer Program (RSVP), allowing RSVP to use office space in the O'Neill Senior Center during the period January 1 through December 31, 2014, for the amount of \$267.00 per month.

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

**RE: DRAWDOWN OF FUNDS FOR CHIP**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve a request for drawdown of funds in the amount of \$7,100.00 for the Community Housing Improvement Program (CHIP), and to allow Mr. White and Mr. Feathers to sign the request, as prepared and requested by Gerry Spencer, Washington-Morgan Community Action Program.

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

**RE: POOLED FUNDING AGREEMENTS**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve six (6) Pooled Funding Agreements, as prepared and requested by Cindy Davis, Washington County Family & Children First Council.

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

**RE: ENGINEER'S REQUEST TO USE CREDIT CARDS IN 2014**

Mr. Feathers moved and Mr. Irvine seconded a motion to authorize the use of credit cards by County Engineer Roger Wright and his department employees for appropriate travel expenses including the purchase of fuel, accommodations, and road and bridge supplies, as requested 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: CONTRACT WITH JOY EXCAVATING FOR REPAIR OF BRIDGE ON CO. ROAD 4**

Mr. Irvine moved Mr. Feathers seconded a motion to approve a contract with Joy Excavating Company to repair Bridge No. WAS-C-4-0802 on County Road 4, Waterford Road, for the amount of \$3,055.00, as requested 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: LEASE OF COUNTY-OWNED MINERAL RIGHTS**

Attorney Jim Huggins asked the Commissioners to consider leasing county-owned mineral rights on property near the Washington County Home. County Prosecutor Jim Schneider also participated in the discussion.

Mr. Huggins noted the County had entered into an agreement with SGM as part of Caywood Landowners Group, but that agreement ended when the company failed to close by July 31, 2013. That allowed the County and group to seek other opportunities for the leasing of mineral rights.

Mr. Huggins recommended the Commissioners sign agreement(s) with MNW, LLC, for the leasing of approximately 265 acres for exploration and/or extraction of oil and gas. He said the agreement is for five (5) years, with a five (5) year extension option. Mr. Huggins said this agreement requires payment of \$4,750.00 per acre, less \$15 per acre for attorney fees. MNW also will pay attorney fees of \$15 per acre. If the extension is enacted, payment at that time will be \$5,462.50 per acre. He said he anticipates a closing turn-around time of 65 days, beginning after the acreage threshold is met. He noted property restrictions remain intact, protecting areas of residency, livestock and farming.

Mr. Irvine moved and Mr. Feathers seconded a motion to enter into the following agreements, prepared and presented by Attorney Jim Huggins:

- **Memorandum of Lease of Oil and Gas Rights** between Washington County Commissioners and MNW Energy, LLC, for the purpose of exploring for, extracting, and/or transporting oil and/or gas on Parcels 230096280000 and 230096281000, containing 264.5 acres, more or less, with a signing bonus of \$4,750.00 per net mineral acre, less \$15.00 attorney fees, during the period of five (5) years beginning January 9, 2014, with a royalty equal to 17.50% of gross proceeds from the sale of oil and gas produced and sold from the leased premises, renewable for an additional five (5) years for a signing bonus of \$5,462.50 per net mineral acre at the end of the first five (5) years, with Addendum A excluding and/or restricting certain portions of the leased parcels from drilling activity and surface disturbance.
- **Oil and Gas Lease** between the Washington County Commissioners and MNW Energy, LLC, for the terms included in the Memorandum of Lease, dated January 9, 2014.
- **Purchase and Sale Agreement** between the Washington County Commissioners and MNW Energy, LLC, of the mineral rights as indicated in the Memorandum of Lease, with a Trigger Date once MNW has executed and recorded at least 6,120 acres of leases in the Caywood II Group Leases, with an option of termination after February 14, 2014 if specific requirements are not met by MNW.
- **Theisen Brock, LPA, Fee Agreement**, dated January 9, 2014, requiring the deduction of \$15.00 from the net mineral acres bonus payment, payable to Theisen Brock, LPA, for legal services rendered on this project.

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

**RE: VETERANS SERVICES BUDGET ALLOCATION**

Veterans Services Officer Roy Ash talked with the Commissioners about their budget allocations to the Veterans Services Department for 2014. He noted that a corrective bookkeeping entry reducing his appropriations by \$0.03 was made and documented.

Mr. Ash asked the Commissioners to reconsider their allocation to Veterans Services. He said he had requested an increase in compensation for Veterans Services Board members to

\$7,200 per year, or \$600 per month. He noted the Ohio Public Employees' Retirement System (OPERS) now has a minimum monthly earnings requirement of \$600 to be eligible for maximum service credit for retirement purposes. Mr. Ash indicated his department has sufficient carryover funds to allow for this increase.

Commissioner Irvine expressed his concern that benefits for veterans would be reduced to allow for an increase in board members' compensation. Mr. Ash said that wouldn't be necessary due to the carryover of funds and the lack of distribution of Soldier Relief funds.

Mr. Irvine said it is not his desire to approve a 33% increase in compensation just so members of his board can earn maximum service credit.

Mr. Ash indicated a board member attends 12 to 20 local meetings each year, and additional region, district, and schooling events. He noted the difficulty state-wide in securing appropriate individuals to serve on Veterans Services Boards. He said his board members are deserving of the increase in pay to \$600 per month. In light of additional financial data now available for last fiscal year, he said he is justified in asking for reconsideration of the Commissioners' appropriations to Veterans Services.

Commissioner Irvine said he cannot justify or support pay of \$7,200 per year for Veterans Services Board members.

Commissioner Feathers said he cannot support the request as funds provided to the Veterans Services Office should be primarily used for benefits to veterans, rather than compensation to board members.

President White said that merely having sufficient or even surplus funds doesn't justify paying more than what is reasonable and fair compensation for services rendered. He said he doesn't believe attendance at 20 to 30 meetings per year warrants pay of \$600 per month. He noted members of local school boards attend as many meetings, but are paid much less. Mr. White said that all County departments have been limited to 2% increase in budget allocations for 2014, and he will not support an exception for Veterans Services.

#### **RE: FAMILY & CHILDREN FIRST**

Cindy Davis, Administrator of Washington County Family & Children First Council, informed the Commissioners that Athens County has secured a grant which supports a Big Brothers & Big Sisters program in Athens, Meigs, Vinton, and Washington Counties. She said Eric Long is the Program Coordinator for Athens County, but a Coordinator for Washington County will be sought. Office space for this position, scheduled to begin in March or April, is available at Family & Children First. Some of the responsibilities for the local coordinator will be to provide an after-school program at Washington Elementary School, to grow mentoring from six currently active matches to twenty matches, and to develop a partnership with Marietta College to provide mentors. Eric Long introduced himself to the Commissioners and briefly described the outlook for Big Brothers & Big Sisters in Washington County.

#### **RE: EXECUTIVE SESSION**

Mr. Irvine moved and Mr. Feathers seconded a motion to enter into Executive Session for the purpose of discussing the appointment, employment, and/or compensation of a public employee.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed, and the Commissioners entered Executive Session at 11:00 a.m. County Auditor Bill McFarland was invited to attend.

The Commissioners returned to Regular Session at 11:13 a.m.

#### **RE: SPYGLASS**

Rob Seiple, Regional Director of Sales for SpyGlass, presented a proposal to review the County's monthly communications invoices, including telephone, internet and data services, to determine if there might be opportunity for cost savings. Also attending was Washington County I.T. Director Gerry Lockhart. Mr. Seiple noted SpyGlass has performed such services with much success in at least thirty Ohio counties. He said SpyGlass is compensated for their services only if savings are found, and there is no cost for their review of current invoices.

The Commissioners authorized Mr. Seiple to proceed with his review of two months of invoices. Mr. Seiple asked the Commissioners to sign a SpyGlass Snapshot Audit Agreement, which will be reviewed by the County Prosecutor prior to approval by the Commissioners. If SpyGlass determines there are savings, refunds and/or cost reductions available to the County and the County opts to proceed with them, the Agreement requires payment by the County to SpyGlass as follows:

- 50% of any "Cost Recovery"
- 12 times any "Service Elimination Savings"
- 12 times any "Cost Reduction Savings"

Mr. Seiple agreed to pick up copies of invoices to the County on or about February 18, 2014.

**RE: EXECUTIVE SESSION**

Mr. Feathers moved and Mr. Irvine seconded a motion to enter into Executive Session for the purpose of discussing personnel and security arrangements, disclosure of which could be expected to jeopardize the security of Washington County and/or the Sheriff's Department.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed, and the Commissioners entered Executive Session at 2:24 p.m. Sheriff Larry Mincks and Jail Administrator Brad Thorpe were invited to attend.

The Commissioners returned to Regular Session at 2:47 p.m.

**RE: URBAN TRANSIT PROGRAM**

Dawn Rauch from Washington-Morgan Community Action Program presented the Fee for Service Contract for Transit Services 2014 to the Commissioners for their review and acceptance. She noted the hourly rate is the same as last year, but there are 100 fewer hours of service for the year.

Mr. Feathers moved and Mr. Irvine seconded a motion to approve the Fee for Service Contract for Transit Services 2014 with Washington-Morgan Community Action Program for the period January 1, 2014 through December 31, 2014, providing or a maximum of 8,137 hours of transportation service at \$47.20 per hour minus the farebox revenue estimated at \$1.18 per hour, for an hourly rate of \$46.02, as prepared and presented by Dawn Rauch, Washington-Morgan Community Action Program.

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

**RE: DUCK CREEK EARLY FLOOD WARNING SYSTEM**

Darlene Lukshin, Community Development Program Specialist with the OSU Extension Office, expressed her appreciation to the Commissioners for their financial support and guidance in her efforts to enhance the well-being of residents of Washington County. She offered to continue to assist the Southeastern Ohio Port Authority as needed and as requested.

Ms. Lukshin reviewed for the Commissioners the Duck Creek Early Flood Warning System project to date, and asked them to consider appropriate distribution of a refund check from the U.S. Army Corps of Engineers in the amount of \$6,971.13. Her recommendation is to reduce by \$627.40 the next invoice to Noble County for annual operations and maintenance costs associated with the project.

Mr. Feathers moved and Mr. Irvine seconded a motion to approve reduction in the amount of \$627.40 in the next invoice to Noble County for their annual support of operations and maintenance costs associated with the Duck Creek Early Flood Warning System, and to send the following letter to the Noble County Commissioners, as prepared and recommended by Darlene Lukshin, OSU Extension Office:

*January 9, 2014*

*Noble County Board of Commissioners  
Noble County Courthouse, Room 210  
Caldwell, Ohio 43724*

*Honorable Commissioners:*

*As the fiscal agent for the Duck Creek Flood Warning System project, we have received a refund check in the amount of \$6,971.13. This refund represents the final accounting of the project on which Washington and Noble counties were signatory to both a Feasibility Phase (FSCA) and Construction Phase (PPA) contract in January, 2011.*

*Attached you will find a breakdown reflecting the crediting per county. Per agreement with Muskingum Watershed Conservancy District, which provided the original cash match for these projects, the refund will be applied to the United States Geological Survey (USGS) annual operation and maintenance (O & M) charges.*

*The amount of \$627.40 will be deducted from the next invoice submitted to Noble County for annual O & M costs based on an MOU between Washington and Noble counties dated August 30, 2012.*

*Thank you for your participation in the Duck Creek Flood Warning System which reported by the United States Army Corps of Engineers is expected to have an annual benefit in saved property damage of \$131,260 per year for 50 years equaling a total impact of over \$6.5 million.*

*Sincerely,*

**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: EXECUTIVE SESSION**

Mr. Feathers moved and Mr. Irvine seconded a motion to enter into Executive Session for the purpose of discussing the appointment, employment, and/or compensation of a public employee.

A calling of the roll resulted in the following vote: David White aye, Ronald Feathers aye, Timothy Irvine aye. Motion passed, and the Commissioners entered Executive Session at 3:40 p.m. Clerk Rick Peoples was invited to attend.

The Commissioners returned to Regular Session at 4:05 p.m.

**RE: ADJOURNMENT**

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

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 4:05 p.m.

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

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

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

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