

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 8, 2014 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: RONALD L. FEATHERS, PRESIDENT, DAVID A. WHITE, VICE PRESIDENT, TIMOTHY C. IRVINE, MEMBER. THE MEETING WAS CALLED TO ORDER AT 8:00 A.M. BY THE PRESIDENT OF THE BOARD.

Also attending were RSVP Director Lisa Valentine, Amanda Nicholson from *The Marietta Times*, and Clerk Rick Peoples.

RE: PUBLIC HEARING, RSVP GRANT APPLICATION

President Feathers welcomed those attending this Public Hearing for a grant application for the Washington County Retired Senior Volunteer (RSVP) Program.

RSVP Director Lisa Valentine said she is applying for grant funding from the Ohio Department of Transportation and its Ohio New Freedom Program. She noted she is applying for \$4,671 to support the Senior Wheels Program, which has a total budget of \$10,143 for fiscal year 2015.

Ms. Valentine reported the program last year provided 276 trips to seniors for medical visits, 20 trips for social services visits, and 328 trips for personal reasons. She commented:

- The Senior Wheels Program is for homebound senior citizens, those recovering from medical issues, and those simply uncomfortable driving long distances.
- Volunteer drivers are reimbursed for the use of their personal vehicles.
- RSVP staff members ensure drivers are adequately insured, and provide regular training through the County's CORSA insurance program.
- The Washington County program is recognized around the State of Ohio as a model program, with others asking for guidance in establishing a similar program in their areas.
- The Washington County Senior Wheels Program is very successful in connecting eligible senior citizens to medical care, groceries, and appointments.

Commissioner Irvine said the Senior Wheels Program has been well-received and utilized in Washington County, and thanked Ms. Valentine for her leadership and coordination of it. He said the Commissioners and other organizations are supportive of this grant application, which will provide nearly half of the cost of the program.

RE: REQUEST TO PURCHASE TOOLS, BUILDING DEPARTMENT

The Commissioners authorized Connie Hoblitzell to proceed with the purchase of approximately \$779 worth of tools for use by electrical inspectors.

At 9:00 a.m. HR Director Darla Miller, Muskingum Township Trustee Gary Doan, and Justin Hearn from WMOA Radio joined the meeting.

**Washington County Commissioners
AGENDA
May 8, 2014**

- 8:00 Public Hearing – RSVP Grant Application
- 8:30 Connie Hoblitzell, Building Department – Purchase of Tools
- 9:00 Business Meeting
- 11:00 Bill Bradish & Russ Ely, Palmer Energy – Electricity Rate Proposal
- 2:00 Brian Schuck, Mark Warden, Kelly McGilton – Dog & Kennel, EMA

UNFINISHED BUSINESS

Contract for Purchase of Electricity
Architect/Engineer Selection for County Home Boiler Project

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Additional Appropriation – Sheriff
Additional Appropriation – Family & Children First
Transfer – Developmental Disabilities
Then & Now's
Travel – EMA
Travel - Family & Children First
Summer Youth Employment Contract, Job and Family Services
Service Agreement with Joy Exterminators, Job and Family Services
Maintenance Contract with Maximus, Inc., Job and Family Services

Amendment to Section 125 Plan
 Affordable Care Act Resolution to set Measurement Periods
 Jail Contracts – (2)
 Letters to Delinquent Sewer Account Holders
 Letters to County Auditor Certifying Delinquent Sewer Accounts
 Engineer – Request from City of Marietta for Permissive Sales Tax Funds
 Engineer – Contract with Bob Lane’s Welding, Inc.
 Engineer – Millcreek Road Plan Approval

INFORMATION

Ingenuity Center Open House, 2:00 – 4:00 p.m., **Friday**, May 9
 U.S. Army Reserve Center Ribbon Cutting, 4:30 – 5:30 p.m., **Friday**, May 9
 Pre-Bid Meeting, Juvenile Center Roof Replacement Project, 9:00 a.m., **Monday**, May 12
 Monthly County Home Meeting, 8:30 a.m., **Tuesday**, May 13
 Evening Commissioners’ Meeting, 7:00 p.m., **Thursday**, May 15, Little Hocking VFD

RE: AGENDA

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

Add: Horse Barn Fire Damage

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

RE: APPROVAL OF MINUTES

Mr. Irvine moved and Mr. White seconded a motion to approve the minutes of the Commissioners’ May 1, 2014 meeting and to dispense with the reading of them.

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

RE: PAYMENT OF BILLS

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

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

RE: ADDITIONAL APPROPRIATIONS

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

Sheriff	210-0388-57400	\$	500.00
Family & Children First	602-2031-53000	\$	3,910.00

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

RE: TRANSFER

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

	<u>From</u>	<u>To</u>	<u>Amount</u>
Developmental Disabilities	215-0620-54000	215-0620-54400	\$ 1,000.00

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

RE: THEN & NOW’S

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

Dept	Account	Vendor	Amount
Commissioners	400-0113-53000	Fouss Septic Systems	\$ 150.00
Sheriff’s Department	200-0383-54200	Access Corrections	\$ 621.00
Engineer	200-0540-54303	Hydro Supply Co.	\$ 305.30

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

RE: TRAVEL REQUESTS

Mr. Irvine moved and Mr. White 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:

EMA

Jeff Lauer: One-day trip to Meigs County to attend Southeast Ohio Emergency Management Association meeting; May 20, 2014.

Family & Children First

Cindy Davis: One-day trip to Zanesville to attend Ohio Family & Children First Regional Meeting; May 19, 2014.

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

RE: SUMMER YOUTH EMPLOYMENT CONTRACT, JFS

Mr. Irvine moved and Mr. White seconded a motion to approve a Summer Youth Employment Contract for Donavon Boley, at the hourly rate of \$7.95, as requested by Candy Nelson, Washington County Department of Job and Family Services, and to allow Mr. Feathers to sign the contract.

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

RE: SERVICE AGREEMENT WITH JOY EXTERMINATORS, JFS

Mr. Irvine moved and Mr. White seconded a motion to approve an extension to the existing contract with Joy Exterminators for service at the Department of Job and Family Services facility, for the amount of \$536.80, during the period May 28, 2014 through May 27, 2015, as requested by Ruth Burdette, Washington County Department of Job and Family Services.

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

RE: MAINTENANCE CONTRACT WITH MAXIMUS, INC., JFS

Mr. White moved and Mr. Irvine seconded a motion to approve continuation of the existing contract with Maximus, Inc., for software maintenance of the Program Expenditure Tracking (PET) system used by the Department of Job and Family Services, for the amount of \$1,075.00, during the period June 30, 2014 through December 31, 2014, as requested by Ruth Burdette, Washington County Department of Job and Family Services.

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

RE: AMENDMENT TO SECTION 125 PLAN

Director of Human Resources Darla Miller proposed to the Commissioners the following amendment to the County's Section 125 Plan, eliminating the grace period and adding a carryover provision. She commented the amendment will allow participants to carry over up to \$500 of their unused FSA balances at year-end. To allow for this Plan change to be made, the County needs to remove the existing grace period provision from the Plan.

*Article I
Preamble*

1.1 Adoption and effective date of amendment. *Washington County adopts this Amendment to the Section 125 Plan to reflect changes to Internal Revenue Code (IRC), as amended by the Internal Revenue Service (IRS) Notice 2013-71. The employer and Plan sponsor intends this Amendment as good faith compliance with the requirements of this Notice. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.*

1.2 Election of Carryover. *To the extent that the Plan contains "grace period" language, said language for any "grace period" for the health flexible spending account (health FSA) will be voided for Plan years following the Plan year that carryover is adopted and such language shall be replaced with the "carryover" language outlined below.*

1.3 Supersession of inconsistent provisions. *This Amendment shall superseded the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.*

*Article II
Carryover Election*

2.1 Effective Date. *This Amendment is entered into as of the date outline below and shall be effective for the 2014 Plan year and beyond.*

2.2 Carryover Amount. *The Plan shall provide for a carryover of \$500 of any amount remaining unused in a health FSA as of the end of the Plan year. Such carryover amount may be used to pay or reimburse medical expenses under the health FSA incurred during the entire Plan year to which it is carried over.*

2.3 Limited Purpose Health FSA. *Notwithstanding the foregoing, any Plan participant shall be assumed to be enrolled in a Limited Purpose Health FSA if such participant has already enrolled in a health care savings account for the following Plan year.*

This Amendment is executed as of May 8, 2014.

Mr. Irvine moved and Mr. White seconded a motion to approve this Amendment to the Washington County Section 125 Plan, as recommended by Darla Miller, Director of Human Resources.

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

RE: AFFORDABLE CARE ACT MEASUREMENT PERIOD RESOLUTION

Director of Human Resources Darla Miller proposed to the Commissioners a resolution establishing a "look-back measurement period" to help determine eligibility for access to the County's health insurance plan, as required by the Affordable Care Act. She recommended the Commissioners consider a look-back period of October 1, 2013 through September 30, 2014.

Mr. Irvine moved and Mr. White seconded a motion to adopt the following resolution establishing a measurement period retroactive from October 1, 2013 to September 30, 2014:

BE IT RESOLVED *by the Board of Commissioners of Washington County, Ohio, for purposes of authorizing certain Measurement, Administrative and Stability periods under the Patient Protection and Affordable Care Act (ACA) relating to whether employees are considered "full-time" (30 hours/week, 130 hours/month on average) under the ACA and consistent with Internal Revenue Service regulations and/or guidance, the Board of Commissioners of Washington County, Ohio establishes the following periods for ongoing variable and/or seasonal employees under the ACA:*

Standard Measurement Period: Retroactive from October 1, 2013 to September 1, 2014

Administrative Period: October 1, 2014 to December 31, 2014

Stability Period: January 1, 2015 to December 31, 2015

The same period set forth above will apply for subsequent years beginning retroactive to October 1, 2014 unless modified by the Commissioners.

BE IT FURTHER RESOLVED *that with respect to new variable hour employees under the ACA, the following initial Measurement, Administrative and Stability periods are hereby approved and set as follows:*

Initial Measurement Period: A period of 12 months, which shall begin the first day of the first month following the employee's start date

Initial Administrative Period: A period of 30 days, to begin immediately after the initial measurement period

Initial Stability Period: A period of 12 months, to begin immediately after the administrative period

This Resolution is effective and operative for the purpose set forth retroactive from October 1, 2013, regardless of the date of its passage, to allow for utilization of the aforementioned ACA periods prior to January 1, 2015, the date the guidance from the Internal Revenue Service indicates the "pay or play" mandate for employers becomes effective.

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

RE: JAIL CONTRACTS

Mr. Irvine moved and Mr. White seconded a motion to approve contracts with the following entities to house inmates in the Washington County Jail at the daily rate of \$60.00 during the period April 1, 2014 through March 31, 2015:

Gallia County Sheriff
City of Belpre

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

RE: LETTERS TO DELINQUENT SEWER ACCOUNT HOLDERS

Mr. White moved and Mr. Irvine seconded a motion to approve sending letters to the following holders of delinquent sewer accounts requesting they immediately make payment on those accounts: H. Clifton Spencer II, Christopher Marshall.

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

RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNT

Mr. Irvine moved and Mr. White seconded a motion to approve certifying the following seriously delinquent sewer account to County Auditor Bill McFarland, requesting him to add the delinquent amount to the property tax bill: Mike and Ashley Matheny.

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

RE: REQUEST FROM CITY OF MARIETTA FOR PERMISSIVE SALES TAX FUNDS

Mr. Irvine moved and Mr. White seconded a motion to approve a request from the City of Marietta for permissive sales tax funds in the amount of \$45,000 to be used for its 2014 asphalt paving and ADA curb ramps program, total project cost of \$475,100, as requested by County Engineer Roger Wright.

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

RE: CONTRACT WITH BOB LANE'S WELDING, INC.

Mr. White moved and Mr. Irvine seconded a motion to approve a contract with Bob Lane's Welding, Inc., for the repair of a landslip on County Road 126, for the amount of \$7,676.00, as requested by County Engineer Roger Wright.

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

RE: MILLCREEK ROAD PLAN APPROVAL

Mr. White moved and Mr. Irvine seconded a motion to approve the plan documents and the LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation for the Millcreek Road Improvements Project, WAS-TR-342-0.00, and to allow Mr. Feathers to sign the Agreement, as requested by County Engineer Roger Wright.

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

RE: ARCHITECT SELECTION FOR THE COUNTY HOME BOILER REPLACEMENT PROJECT

Mr. Irvine moved and Mr. White seconded a motion to return from Unfinished Business consideration of selection of an architect for the County Home Boiler Replacement Project.

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

Commissioner White commented there were two proposals received, one from DLH Design and one from Pickering Associates. His review of the proposals, he said, suggests that Pickering Associates is the better of the two for this particular boiler replacement project.

Mr. Irvine noted both companies are well-qualified, but due to the inclusion/exclusion of reimbursables the proposal from Pickering Associates is the lowest and best.

Mr. White moved and Mr. Irvine seconded a motion to contract with Pickering Associates for the Washington County Home Boiler Replacement Project, for the amount of \$19,500.00 fixed fee, with buildings permit(s) to be paid directly by the County, and reimbursables included in the fixed fee, and to allow Mr. Feathers to sign the proposal.

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

RE: DAMAGED HORSE BARN AT FAIRGROUNDS

President Feathers commented that a recent fire at a horse barn on the Washington County Fairgrounds resulted in an estimated \$5,000 to \$7,000 in damages. The Fair Board and Commissioners will not submit this as an insurance claim, intending to do much of the repair work in-house. If it had been an insurance claim, the County would pay a \$2,500 deductible.

Mr. Irvine moved and Mr. White seconded a motion to pay to the Washington County Fair Board the amount of \$2,500.00 to assist in the repair of the fire-damaged horse barn at the Washington County Fairgrounds.

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

RE: ELECTRICITY RATE PROPOSAL FROM PALMER ENERGY

Bill Bradish and Russ Ely from Palmer Energy Company talked with the Commissioners about contracting for the purchase of electricity. The current contract the County has for electricity purchase expires July of 2014.

Mr. Bradish said they requested quotes from thirteen suppliers of electricity, but received only three feasible responses, from Border, Constellation, and Dayton Power & Light. He noted that capacity charges will greatly impact the County's rate over the next two years of implementation. From his review of rates proposed to Washington County, Mr. Bradish recommended the County only consider a 36-month rate.

Mr. Ely said that, although demand for electricity is not currently managed in County facilities, energy conservation measures could reasonably be taken to help control the increasing cost for electricity.

Mr. Irvine commented the County is currently in an agreement with AEP Energy through Buckeye Energy Brokers, and Buckeye Energy has secured quotes from a variety of vendors, including a price of \$0.06504/kWh from Direct Energy for 36 months (compared to \$0.06530/kWh from Direct Energy through BidURenergy). He noted the County also has experienced cost reductions in areas including health insurance and liability insurance as a result of working through the County Commissioners Association of Ohio (CCAO) and being grouped with other Ohio counties. Palmer Energy, he said, is working with CCAO to group together counties for the purchase of electricity as well.

The Commissioners decided to:

1. Request from Buckeye Energy a contract with Direct Energy for a 36-month period.
2. Request from Palmer Energy a contract with Border Energy for a 36-month period.
3. Forward contracts from Direct Energy and Border Energy to the Prosecutor for review.
4. Request Buckeye Energy to obtain a price from Direct Energy on May 15, 2014.
5. Request Palmer Energy to obtain a price from Border Energy on May 15, 2014.
6. Review on May 15 the proposals from Buckeye Energy and Palmer Energy.

At 2:00 p.m. Commissioner White excused himself from the remainder of the meeting.

RE: DOG & KENNEL FUND

Dog Warden Kelly McGilton, Major Brian Schuck and Chief Deputy Mark Warden from the Sheriff's Office talked with the Commissioners about the Dog & Kennel Fund.

Ms. McGilton reviewed for the Commissioners the requirements and restrictions set forth in the Ohio Revised Code, specifically in Chapter 955. She noted:

- While it is acceptable for the County to pay from the Dog & Kennel Fund to the Humane Society for their housing of dogs, it is not acceptable to pay for the spaying and neutering of dogs.
- The County currently pays from the Dog & Kennel Fund \$12,000 each year for the spaying and neutering of dogs.
- It is not acceptable or appropriate to pay the Dog Warden for her response to calls of cruelty to animals, or for her assistance with sick or injured animals.
- The Humane Society does not currently provide an annual financial statement and status report for the spaying and neutering of animals, as required by the contract between the Commissioners and the Humane Society.
- The Revised Code requires all funds received by the Dog Warden and Humane Society for the registration, impoundment, and redemption of dogs to be deposited in the County Treasury to the credit of the Dog & Kennel Fund, but the \$30 reclamation fee charged and received by the Humane Society is not deposited in the County Treasury.
- A record of dogs impounded and their disposition must be maintained, and a report of same made quarterly to the County Treasurer, but it is believed this hasn't been done.

Ms. McGilton proposed the following revised fee structure for animal reclaims:

\$20.00 reclaim fee
\$10.00 per day for food/water/housing
Additional \$10.00 for second impoundment within one year
Additional \$20.00 for third impoundment within one year
Additional \$30.00 for fourth impoundment within one year
If vaccines or medical attention is given, the owner shall also be responsible for those expenses

President Feathers directed the Clerk to request a copy of monthly financial reports and/or an annual financial report from the Humane Society. The Commissioners expressed their appreciation to the Sheriff's Department representatives for their review of the Dog & Kennel Fund.

RE: EMERGENCY MANAGEMENT AGENCY

Major Brian Schuck and Chief Deputy Mark Warden from the Sheriff's Department talked with the Commissioners about the Washington County Emergency Management Agency (EMA). They expressed their interest in transferring responsibility for, and oversight of, EMA from the Commissioners to the Sheriff. They noted the need for much collaboration between the two County departments, not only in times of emergency, but also in times of preparing, practicing and training. They said it is not now common in Ohio for EMA's to be under the umbrella of the Sheriff, but there seems to be growing interest in it.

Commissioner Irvine commented the County now has an equipped Emergency Operations Center, and a plan for its appropriate use in times of need must be further developed and shared with appropriate agencies and individuals. Since the Sheriff already has established relationships with many of those involved in disaster response situations, Mr. Irvine said it would be in the best interest of the County to explore the pros and cons of the Sheriff's Department overseeing the operations of the EMA/EOC.

Chief Deputy Warden said it is not common in Ohio for EMA Coordinators to report directly to the Sheriff, but there seems to be some movement that direction. The Commissioners said they don't want to lose access to resources needed during emergencies as a result of the EMA Coordinator reporting to the Sheriff.

Commissioner Irvine said he will consult with the State Director of Emergency Management about the requested transfer of the Washington County Emergency Management Agency from the Commissioners to the Sheriff. Mr. Feathers said he and Major Schuck will talk with the Prosecutor about the proposed change, and a resolution allowing for that change.

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 3:10 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk