

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 29, 2015 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, PRESIDENT, RICK G. WALTERS, VICE PRESIDENT, AND RONALD L. FEATHERS, 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.

Also attending was Clerk Rick Peoples.

Washington County Commissioners
AGENDA
9:00 a.m., January 29, 2015

9:00 Business Meeting
11:30 Kathy Dodrill, OSU Extension – Program Update
3:00 Judges Burnworth, Lane, and Williams – Commissioners' Violation of Court Order to Appropriate Requested Funds

UNFINISHED BUSINESS

Application for Liquor Permit, Dollar General on SR 7 in Reno

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Additional Appropriation – Auditor
Additional Appropriations – CEBCO Grant
Transfer – Family & Children First
Transfer – Job and Family Services (2)
Transfer – Commissioners
Transfer - Sheriff
Then & Now's (2)
Travel – Auditor
Travel – Job & Family Services
Travel – Child Support Enforcement Agency (3)
Travel – Family & Children First (3)
Travel – Engineer
Designation of Administrative Agent for Family & Children First
Notice of New Hire – Family & Children First
CMI Hardware Maintenance Contract for 911 System
Contract for Building Bridges to Careers Coordinator, Family & Children First
Application for Liquor Permit, Rawhide Family Diner & Pizzeria on SR 60, Lowell
Engineer – Ward Bridge Contract, R.C. Construction Co.
Delinquent Sewer Accounts
Certification of Delinquent Sewer Accounts to County Auditor

INFORMATION

Elected Officials and Dept. Heads Meeting, 9:00 a.m., **Wednesday**, February 4
Regular Commissioners' Meeting, 10:00 a.m., **Thursday**, February 5, at Fort Frye High
Monthly County Home Meeting, 8:30 a.m., **Tuesday**, February 10, at County Home
Courthouse Closed, **Monday**, February 16, Presidents' Day
Monthly Finance Committee Meeting, 10:00 a.m., **Tuesday**, February 17

RE: AGENDA

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

Add: 9:30 Chris Wilson, Building Dept. – Project Updates
Letter for Rob Reitter in Support of Recycling Center Funding

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

RE: APPROVAL OF MINUTES

Mr. Walters moved and Mr. Feathers seconded a motion to approve the minutes of the January 22, 2015 meeting, and to dispense with the reading of them.

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

RE: PAYMENT OF BILLS

Mr. Feathers moved and Mr. Walters 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, Rick Walters aye, Ronald Feathers aye. Motion passed.

RE: APPROPRIATIONS

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

Auditor	200-0106-57400	\$ 104.26
Commissioners	200-2050-53000	\$ 2,000.00
	200-2050-54000	\$ 2,415.14

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

RE: TRANSFERS

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

	<u>From</u>	<u>To</u>	<u>Amount</u>
Family & Children First	602-2030-54001	602-2030-57400	\$ 100.00
Auditor	100-0130-57100	200-0720-48200	\$ 176.86
	100-0130-57100	200-0720-48200	\$ 3.93
Commissioners	100-0107-57100	200-2040-49100	\$80,000.00
Sheriff	100-0384-53408	100-0384-53406	\$ 8,000.00

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

RE: THEN & NOW'S

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

Dept	Account	Vendor	Amount
Commissioners	100-0109-53000	John's Auto Repair	\$ 386.00
Commissioners	100-0109-53000	E.W.Drake	\$ 292.00
Commissioners	100-0109-53000	Murray's Glass	\$ 940.00
Commissioners	100-0109-53101	Dominion	\$ 393.75
Sheriff's Department	200-0391-54000	Publishers Group West	\$ 2,236.00
Commissioners	215-0840-57400	CAP of Wash-Morgan Co.	\$ 27,485.00
Commissioners	400-0113-56100	Oh. Public Works Commission	\$ 17,168.20
Commissioners	700-0113-56100	Oh. Public Works Commission	\$ 10,407.75
Commissioners	700-0113-56200	Oh. Public Works Commission	\$ 253.77
Commissioners	100-0109-54000	Workingman's Store	\$ 134.94
Commissioners	100-0109-54000	Troy Cook	\$ 285.00
Commissioners	200-0364-53000	CMI	\$ 26,165.00
Commissioners	100-0100-53203	WASCO	\$ 3,597.19
Commissioners	100-0101-53400	Eric Fowler	\$ 973.50
Commissioners	100-0101-53400	Eric Fowler	\$ 566.50
Commissioners	100-0101-53400	Eric Fowler	\$ 346.50
Commissioners	100-0101-53400	Robert Henry	\$ 1,243.00
Commissioners	100-0109-53100	AEP	\$ 1,075.49
Commissioners	100-0361-53000	Mont. Co. Coroner	\$ 1,200.00
Commissioners	100-0109-53100	AEP	\$ 286.73
Commissioners	400-0113-53100	AEP	\$ 1,106.63
Commissioners	400-0113-53100	AEP	\$ 242.81
Dept. of Job & Family	200-0720-57400	Auto Tech. & Tire Center	\$ 1,183.95
Dept. of Job & Family	200-0720-57400	Verizon	\$ 300.09
Dept. of Job & Family	200-0720-57400	AEP	\$ 2,634.69
Dept. of Job & Family	200-0720-57400	Information Destruction Serv.	\$ 210.00
Board Of DD	200-0622-53000	Beth Ann Eddy	\$ 448.27
Law Library	200-0520-53000	Poynter's Best Products	\$ 426.50
Commissioners	100-0101-53400	Eric Fowler	\$ 693.00
Commissioners	100-0101-53400	Eric Fowler	\$ 220.00
Clerk of Courts	100-0230-53000	Mancan Inc.	\$ 1,094.34
Sheriff's Department	100-0381-53120	AEP	\$ 518.94
Commissioners	300-0599-55200	Dutro Ford	\$ 20,595.00
Commissioners	300-0599-55200	Dutro Ford	\$ 19,895.00
Commissioners	100-0101-53400	William Adams	\$ 423.50
Commissioners	100-0101-53400	William Adams	\$ 330.00
Commissioners	100-0101-53400	William Adams	\$ 330.00
Law Library	200-0520-54000	Bloomberg BNA	\$ 270.93
Law Library	200-0520-54000	Walters Klulver	\$ 969.60

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

RE: TRAVEL REQUESTS

Mr. Feathers moved and Mr. Walters 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 2015 and any and all amendments subsequent thereto:

Auditor

Bill McFarland: One-day trip to Columbus to attend CAAO Executive/Legislative meeting; February 4, 2015; one-day trip to Columbus to attend annual meeting with CAAO Financial Audit Committee, February 10, 2015; one-day trip to Lancaster to attend SE Ohio District CAAO meeting; February 13, 2015.

JFS

Jesse Dye: One-day trip to Columbus to attend OCATS meeting; January 30, 2015.

CSEA

Kim Hinkle: One-day trips to Akron to attend OCDA Canton/Cleveland District Meetings; March 23, June 15, September 14, and December 14, 2015.

Kim Hinkle: One and two-day trips to Columbus to attend OCDA General Membership meetings; February 19 and 20, May 14, September 10, and November 5, 2015.

Denise Hinton, Barb Danford: One-day trip to Lancaster for Attorney Networking; February 26, 2015

Family & Children First

Cindy Davis: Two-day trip to Columbus to attend Early Childhood Standards and Assessment Project Team Meeting and Help Me Grow Early Intervention Stakeholder Group; February 10-11, 2015.

Cindy Davis: One-day trip to Athens to attend Help Me Grow Reflective Supervision Training; February 6, 2015.

Lashley Earley, LeAnnWelch: Three-day trip to Reynoldsburg to attend Incredible Years Training; February 11-13, 2015.

Engineer

Tim January: One-day trip to Columbus to attend Reinforced Concrete Repair Course; February 10, 2015.

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

RE: DESIGNATION OF ADMINISTRATIVE AGENT FOR FAMILY & CHILDREN FIRST

Mr. Walters moved and Mr. Feathers seconded a motion for the Commissioners to serve as administrative agent for Washington County Family & Children First Council during the period January 1, 2015 through December 31, 2015, and to allow Mr. White to sign the Designation of Administrative Agent Form, as prepared by Cindy Davis, Family & Children First.

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

RE: NOTICE OF NEW HIRE

The Commissioners acknowledged the hiring by Family & Children First of Elaine Corbitt as the Family & Children First Service Coordinator/HOME Choice Transition Coordinator, start date February 2, 2015, at the hourly rate of \$14.00.

RE: CONTRACT FOR 911 EQUIPMENT MAINTENANCE

Mr. Feathers moved and Mr. Walters seconded a motion to approve a contract with Creative Microsystems, Inc. (CMI) to maintain 911 equipment at the City of Marietta Police Department during the period January 1, 2015 through December 31, 2015, for the amount of \$2,900.00, and to allow Mr. White to sign the agreement, as recommended by Rich Hays, 911 Coordinator.

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

President White noted this invoice from CMI is only for the equipment at the Marietta Police Department. The 911 Program also has equipment at the Sheriff's Office and the Belpre Police Department, and annual service for that equipment will be separately invoiced. Commissioner Feathers said the 911 Fund has a declining balance, and consideration needs to begin soon to eliminate unnecessary equipment and locations.

RE: CONTRACT FOR BUILDING BRIDGES TO CAREERS COORDINATOR

Mr. Walters moved and Mr. Feathers seconded a motion to approve a contract with Tonya Anderson to serve as the Building Bridges to Careers Coordinator for Washington County Family & Children First during the period January 1, 2015 through December 31, 2015, for the hourly rate of \$20.00, not to exceed \$31,200.00, as prepared and recommended by Family & Children First.

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

RE: APPLICATION FOR LIQUOR PERMIT, RAWHIDE FAMILY DINER & PIZZERIA

Mr. Feathers moved and Mr. Walters seconded a motion to table consideration of an application to the Ohio Division of Liquor Control from the Rawhide Family Diner & Pizzeria on State Route 60 in the Village of Lowell, until February 19, 2015, allowing residents to offer comments until that date.

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

RE: CONTRACT WITH R.C. CONSTRUCTION FOR WARD BRIDGE REPLACEMENT PROJECT

Mr. Walters moved and Mr. Feathers seconded a motion to approve a contract with R.C. Construction Company, Inc., for the replacement of Ward Bridge in Independence Township, for the sum of \$345,290.00 (80% federal funds, 15% ODOT funds, 5% County funds), as prepared and recommended by County Engineer Roger Wright.

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

RE: DELINQUENT SEWER ACCOUNTS

Mr. Feathers moved and Mr. Walters seconded a motion to approve sending notices of account delinquency to the following sewer account customers: Jeffery Hill, Brian Stine, Kyle Hodge, Angela Rhodes, Robert Strong, Timothy Vaughn, Darren Witte, Nathan and Melissa Arnold, Daniel Brown, Ind. Baptist Mission for Asian, Adam Sprague, Christopher Marshall, Stacy Day, Christopher Marshall, Federal National Mortgage Association.

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

RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNT

Mr. Walters moved and Mr. Feathers seconded a motion to approve certifying the following sewer account to County Auditor Bill McFarland, requesting him to add the delinquent amount to the property tax bill: Federal National Mortgage.

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

RE: BUILDING DEPARTMENT UPDATE

Building Official Chris Wilson updated the Commissioners on several ongoing projects:

- The City will contract with the County for the County to provide service to the City, retroactive to January 1, 2014, and through December 31, 2015, with ongoing discussions relative to subsequent contacts.
- Project planning for installation and training of EnerGov software is beginning.
- The Building Department is scheduled to move into new location January 30.
- Newly-acquired trucks are constantly in use, and are of great value to the department.

President White said he will follow up with the County Engineer to secure space for storage of vehicles.

RE: OSU EXTENSION PROGRAMS

Kathy Dodrill, OSU Extension Office, updated the Commissioners on several programs in her Family & Consumer Sciences division:

- Dining with Diabetes
- Live Healthy, Live Well
- Use of social media to promote programs
- Home Food Preservation
- Successful Co-Parenting
- Nutrition and Obesity Prevention research by Case Western Reserve

Ms. Dodrill informed the Commissioners she intends to retire in May of 2015, after completing 35 years of service with the Extension Office in Ohio and 4 years with an Extension Office in West Virginia. The Commissioners expressed their appreciation to her for her service, her dedication, and her enthusiasm, and wished her well in retirement.

RE: RECYCLING CENTER LETTER

Mr. Feathers moved and Mr. Walters seconded a motion to approve the following letter requested by Rob Reitter:

January 29, 2015

To whom it may concern:

The Board of Commissioners of Washington County, Ohio intends to lease property at 1450 Colegate Drive in Marietta, Ohio for a recycled material transfer station, contingent upon our receipt of adequate funds to reclaim the property for such use.

/s/ WASHINGTON COUNTY COMMISSIONERS

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

RE: VIOLATION OF COURT ORDER TO APPROPRIATE REQUESTED FUNDS

Judges Edward Lane, Randall Burnworth and Timothy Williams met with the Commissioners to share their concerns over the appropriated amounts for their courts and administration for fiscal year 2015. Also attending were about sixty (60) local residents, Amanda Nicholson from *The Marietta Times*, and David Carl from WTAP News.

Judge Williams thanked the Commissioners for taking the time to meet with them. He informed the Commissioners they were in fact *not* in contempt of their court order to appropriate funds they requested, even though word has spread through the community that they *are* in contempt of court. He noted it takes formal action to place someone in contempt of court, and that action has not been taken against the Commissioners.

He also noted the misconception that the judges desire to award a 5% increase to all of their employees.

Judge Williams in his prepared statement said that in the past the judges became aware of higher-than-anticipated increases in various departments throughout the year, some of which were 5.5% to 11.1%. He said he requested sufficient funds in this year's budget to award increases to his staff if that happens again. Judge Williams described the recently-implemented longevity and step increases, which are discretionary rather than automatic.

Judge Williams said he is disappointed there were no funds allocated for a new clerk position he requested, as that position has been needed for some time. He noted he worked with the Office of Human Resources to solicit applicants for the position, and then all of a sudden he had no funds for the position. He said the position is desperately needed, since the office had to close at times when there was no staff available. On other occasions, a Probation Officer was asked to answer the phones but with no training was unable to perform any other functions.

Judge Williams said he operates two courts, but in comparison with the other judges he is very short-staffed. His clerks, he said, have a wide variety of duties. He indicated he could easily ask for six (6) new positions, but is limiting his request to one (1). He said it is not appropriate for the Commissioners to determine that he doesn't need to create a new position, as it is incumbent upon all elected officials to determine that.

Judge Williams noted he returned approximately \$196,000 in unused appropriations last fiscal year. He said the Commissioners have always been very good to him and his courts, and he requested they appropriate additional funds to match what he originally requested.

Judge Burnworth said he returned about \$45,678 in unused appropriations last year, a result of being a vigilant steward of taxpayer funds. He reminded the Commissioners his IVD contract brings in \$17,000 and the Pre Sentence Investigator grant brings in another \$60,000 each year. He reported he increased court costs at the request of the Commissioners, expected to generate approximately \$6,000 each year.

Judge Burnworth said he continues to ask his staff to do more and more, but with no new employees. He noted he has awarded his staff a 2% increase at the start of this year, but wants to have an additional 3% in reserve in case another department awards higher than 2% at some time throughout the year. He said he needs to also provide for a \$2.00 per hour increase to one of his employees, step increases, and longevity pay, or a total of about \$12,429 for the year.

The judge said his caseload warrants three (3) more staff, and possibly an attorney. He said he considers the budget requests from the judges to be necessary and reasonable. Judge

Burnworth said he has done his part in being a conscientious manager of public funds, and he requested the Commissioners restore to his appropriations what has not been allocated.

Judge Lane said he is proud his court operates without the personnel and resources available to other courts, essentially because he has a very strong, capable and dedicated team of employees. He said his employees should be compensated at their skill levels. Other departments, he noted, received higher pay increases last year and that justifies his request for "insurance" funds to be able to award additional increases to his staff if that happens again this year. He said he is pleased the net effect of his general division increase in appropriations is only 1.7% over 2014 expenses.

Judge Lane said he believes he lost out on drug court funding in recent years due in part because of the Commissioners' failure to budget adequately. He noted the removal of approximately \$6,000 in "capital" requests in his appropriations this year.

Judge Lane said he needs the additional funds restored to his salary line item so that he'd have some "negotiating funds" available if one of his key staff members is offered a more appealing employment opportunity.

President White stated that Judge Lane had called the extra 3% in his salaries line item a "reserve", and Judge Burnworth called it "insurance". Mr. White said that by these designations it would be difficult to categorize these funds a "necessary", which is the requirement by statute to be met before ordering the funds.

President White also noted the net effect of the court ordering this appropriation amounts to a demand for preferential consideration for court employees, over and above all other County employees.

The judges revealed there has been a 4% increase for the CSEA director, and between 5 and 11% increases for her staff. They also referenced a 4% increase for staff at Children Services, and a \$25,000 increase for the director at Children Services. Judge Lane said he is not certain other department increases were warranted.

Commissioner Feathers said the Commissioners are not aware of increases at Children Services, but the Children Services Board has been informed of the need to stay within the 2% limit on salary line increase for 2015. He reminded everyone in the room that the Commissioners do not award pay increases to all county departments. The Commissioners, he said, appropriate funds into line items from which other elected officials are able to award increases. Mr. Feathers said salary line item increases this year are 2%.

Mr. Feathers said the Commissioners were disappointed to have received the courts' budgets via court order in October. He said the Commissioners are continuing to deal with a deficit budget, but are narrowing the gap between revenues and expenses. He said everyone working for and in county government needs to be fiscally responsible and a part of the solution.

Judge Lane said he believes all elected officials should be able to "sit together to come up with a plan to equalize pay distribution across all county departments". Judge Williams reiterated that the judges want to protect and adequately provide for their employees. Mr. Feathers asked the judges if it would please the courts to revisit the addition of the requested new position and the capital project(s) funding. Judge Williams said they will discuss this.

The judges and Commissioners agreed the meeting has been positive. The judges excused themselves from the remainder of the meeting.

President White invited comments from others attending. Summarized comments follow:

"One of the judges has an office administrator who is paid more than \$70,000 and has use of a county vehicle. That just isn't right."

"Thanks for inviting us to this meeting. Most of us are not aware of all the courts do. I'm in favor of a halfway house here in Marietta, and that will help out the courts a great deal."

"I am a small business owner, and I know the need to value and appreciate your employees. When I hear Judge Lane say he needs sufficient funds available to him to be able to negotiate with an employee who might be looking elsewhere, then I warn the judge he has become too dependent upon that particular individual. The judge needs to learn how to manage his office, rather than expect the Commissioners to fund whatever is needed to keep any one individual."

"Thanks for trying to get a handle on this county budget. I wish the judges had stayed to hear what we have to say, though, as I am very angry over the letter they sent to the Commissioners. How can Judge Williams say the Commissioners are not in contempt of court, when a letter to the Commissioners signed by all three judges says they are indeed in contempt of court. This sounds like a threat to the Commissioners, and it is unethical for judges to use their position to threaten fellow elected officials."

"We are in a unique position, as we have grown up here in Washington County not only with the Commissioners, but also with the judges. The judges' letter leads one to believe the courts are "outside" of county government and above scrutiny and oversight. During this meeting it's

like they tried to make the Commissioners the defendants!"

Commissioner Feathers said there will be a subsequent meeting to discuss this with the judges, which will again be open to the public. He said the Commissioners are in no way trying to restrict or constrict the courts or any other county department. He said the Commissioners believe they have budgeted fairly and adequately, but the judges feel they haven't. Mr. Feathers said it is sometimes as important to look at the bigger picture, as it is to look at individual pieces of that picture.

RE: ADJOURNMENT

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

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 3:55 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk