

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON NOVEMBER 21, 2012 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: TIMOTHY C. IRVINE, PRESIDENT, CORA A. MARSHALL, VICE PRESIDENT, AND STEVEN W. WEBER, 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.

Also attending were Commissioners-elect David White and Ron Feathers, Administrator Paul Cunningham, and Clerk Rick Peoples.

COMMISSIONERS AGENDA

November 21, 2012

9:00 Business Meeting
11:00 Sheriff Mincks - Jail Facility Repair
11:30 Dave Copen, Judge Williams - Budget

UNFINISHED BUSINESS

Dental & Vision Insurance
Utility Construction Permits

NEW BUSINESS

Approve Agenda
Approval of previous meeting's minutes
Bills from various departments
Additional Appropriation - County General (2)
Additional Appropriation - Title
Additional Appropriation - Sheriff
Additional Appropriation - Common Pleas
Transfer - Children Services (2)
Transfer - County General
Transfer - Title Fund
Transfer - Board of Elections
Travel - JFS
Travel - Engineer
Change Order #2, Woodlawn Acres Sanitary Sewer Improvements Project
OPWC Drawdown #5, Woodlawn Acres Sanitary Sewer Improvements Project
Contract for Electricity
Cost Allocation Plan
Request from Sheriff for County to Pay Mailing Costs for Jury Notifications
Engineer - Contract with Goyle Engineering for Soil Testing
Engineer - Notice of Commencement of Lauer Bridge Project
Smoking Policy

INFORMATION

Courthouse Closed, Thursday & Friday, **November 22 and 23**
Connecting Appalachia Broadband Initiative & Smart Networks Ribbon-Cutting,
11:00 a.m., Thursday, **November 29**
Senior Levy Committee, 4:00 p.m., Thursday, **November 29**
Dedication of Marietta Municipal Court, 2:00 p.m., Friday, **November 30**
Sunshine Law Training, 9:00 a.m., **December 4**, WSCC
Devola Sanitary Sewer Project Public Meeting, 6:30 p.m., **December 4**, Devola VFD

RE: AGENDA

Ms. Marshall moved and Mr. Weber seconded a motion to accept the agenda with the following amendments:

Add: Transfer - Probate/Juvenile
Court Order, 2013 Operating Budgets
OPWC Application

The Clerk noted that the Devola Sanitary Sewer Project Public Meeting scheduled for December 4 has been postponed to a later date.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: APPROVAL OF MINUTES

Mr. Weber moved and Ms. Marshall seconded a motion to dispense with the reading of the November 15, 2012 minutes, and to approve them as submitted.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye,

Steven Weber aye. Motion passed.

RE: PAYMENT OF BILLS

Ms. Marshall moved and Mr. Weber seconded a motion to approve the payment of bills from various departments.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: ADDITIONAL APPROPRIATIONS

Ms. Marshall moved and Mr. Weber seconded a motion to approve the following requests for additional appropriations:

100-0101-57100	Transfers Out	\$ 200,000.00
100-0109-53000	Contract Services	\$ 40,000.00
200-0233-57100	Transfers Out	\$ 250,000.00
100-0381-54200	Inmate Supplies	\$ 20,000.00
200-0207-51001	Salaries	\$ 2,000.00
200-0207-51101	Medicare	\$ 29.00
200-0207-51102	PERS	\$ 280.00
200-0207-51104	Health Insurance	\$ 1,420.56
200-0207-52000	Travel	\$ 500.00
200-0207-54000	Supplies	\$ 1,000.00
200-0207-57400	Other Expenses	\$ 500.00

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: TRANSFERS

Ms. Marshall moved and Mr. Weber seconded a motion to approve the following requests for transfer of funds:

	<u>From</u>	<u>To</u>	<u>Amount</u>
Children Services	200-0748-51110		\$ 2,430.00
	200-0748-51120		\$ 98.87
		200-0748-51001	\$ 705.00
		200-0748-51101	\$ 5.00
		200-0748-51102	\$ 300.00
		200-0748-51104	\$ 36.90
		200-0748-52000	\$ 1,481.97
Children Services	200-0741-51120		\$ 969.59
	200-0741-52000		\$ 3,030.41
		200-0741-51001	\$ 3,500.00
		200-0741-51102	\$ 500.00
County General	100-0101-57100	300-0599-49100	\$ 200,000.00
Title	200-0233-57100	100-0100-49100	\$ 400,000.00
Board of Elections	100-0160-57400	100-0160-54001	\$ 3,995.00
Common Pleas Court	100-0220-51001	100-0220-57400	\$ 30,000.00

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: TRAVEL REQUESTS

Ms. Marshall moved and Mr. Weber 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 2012 and any and all amendments subsequent thereto:

JFS

Tom Ballengee: Two-day trip to Portage County to attend Canton District Directors Meeting; December 4, 2012.

Engineer

Bob Badger, Roger Wright: Three-day trip to Columbus to attend CCAO/CEAO Winter Conference; December 9-11, 2012.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: CHANGE ORDER #2, WOODLAWN ACRES SANITARY SEWER PROJECT

Ms. Marshall moved and Mr. Weber seconded a motion to approve Change Order #2 for the Woodlawn Acres Sanitary Sewer Improvements Project, contractor Waugh Excavating, Inc., to add \$22,830.20 and 31 calendar days to the contract due to additional required bore through

rock, bringing the revised contract total to \$320,926.00, and the revised completion date to December 14, 2012, and to allow Ms. Marshall to sign the Change Order, as requested by John Grosse, Consulting Engineer.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: DRAWDOWN REQUEST #5, WOODLAWN ACRES SANITARY SEWER IMPROVEMENTS PROJECT

Ms. Marshall moved and Mr. Weber seconded a motion to approve Drawdown Request #5 for the Woodlawn Acres Sanitary Sewer Project, in the amount of \$101,066.25, for payment to Waugh Excavating, Inc., and to allow Ms. Marshall to sign the Request, as prepared and recommended by John Grosse, Consulting Engineer.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: TIE-IN DATE FOR RESIDENTS OF WOODLAWN ACRES

Ms. Marshall moved and Mr. Weber seconded a motion to require users of the new Woodlawn Acres sanitary sewer line to tie-in prior to May 1, 2013.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: CONTRACT FOR PURCHASE OF ELECTRICITY

Ms. Marshall moved and Mr. Weber seconded a motion to approve a contract with AEP Energy for the purchase of electricity for Washington County during the period July 1, 2013 through June 30, 2014, at the rate of \$55.06/MWh, as negotiated and recommended by Buckeye Energy.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: COST ALLOCATION PLAN

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Cost Allocation Plan prepared and submitted by Maximus Consulting Services, Inc., using actual County expense data from 2011, for calendar year 2013 allocation, and to allow Mr. Irvine to sign the Plan.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: MAILING COSTS FOR PROSPECTIVE JUROR NOTIFICATIONS

Mr. Weber moved and Ms. Marshall seconded a motion to approve payment of mailing costs for notifying Washington County residents of their selection to serve as jurors during 2013, as requested by Sheriff Larry Mincks.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: CONTRACT WITH GOYLE ENGINEERING, INC.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the contract with Goyle Engineering, Inc., to provide soil testing and subsurface investigation for the Alloway Bridge project, in the amount of \$5,475.00, as requested by County Engineer Bob Badger.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: NOTICE OF COMMENCEMENT, LAUER BRIDGE REPLACEMENT PROJECT

Ms. Marshall moved and Mr. Weber seconded a motion to approve the Notice of Commencement of the Lauer Bridge Replacement Project in Salem Township, contractor Joy Excavating Company, as prepared and recommended by County Engineer Bob Badger.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: NO-SMOKING POLICY REVISION

Mr. Irvine commented that the No-Smoking Policy for Washington County has been in place for a number of years and due to new regulations and recent complaints it has been updated. The revised policy prohibits the smoking of tobacco and other materials in County buildings and vehicles.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the revised No-Smoking

Policy for Washington County, as follows:

WASHINGTON COUNTY, OHIO
NON-SMOKING POLICY
EFFECTIVE NOVEMBER 21, 2012

Authority

Ohio Revised Code, Chapter 3794: SMOKING BAN

Purpose

This policy provides a Washington County non-smoking policy in compliance with Ohio Smoking Law, Chapter 3794 of the Ohio Revised Code.

This policy applies to all persons entering, or on the grounds of, all County-owned, leased, operated or occupied buildings and vehicles and is in effect twenty-four (24) hours a day, seven days a week. This policy covers the smoking of any tobacco or other material.

Policy on Nonsmoking - County buildings

Smoking is hereby prohibited in all buildings owned, leased, operated or occupied by Washington County. This includes, but is not limited to, private offices, meeting rooms, libraries, stairwells, hallways, elevators, storage areas, garages, lobbies, entryways, restrooms, mechanical areas, and employee break and lunch areas.

Policy on Nonsmoking - On County-owned or leased property outside of county-owned or leased buildings

Smoking is hereby prohibited within 20 feet of any entrance, exit, window, door, steps, vent, roof, porch, or other openings to any county-owned, leased, or occupied building.

Policy on Nonsmoking - County vehicles

Smoking is prohibited in all vehicles owned or leased by Washington County. This includes all cars, passenger vans, trucks, heavy equipment, and law enforcement vehicles, regardless of whether or not a passenger is in the vehicle with the driver.

Policy - County Home

Ohio Revised Code Section 3794.03 (D) allows an exception to the smoking ban only to the extent necessary to comply with Section 3721.13 of the Ohio Revised Code. Section 3794.03 (D) is hereby incorporated into the Washington County Nonsmoking Policy.

Other Policies and Procedures

Smoking is not permitted by an employee during work hours except during approved breaks and in compliance with this policy. Those employees who are members of a bargaining unit shall be entitled to breaks as set forth in their agreement. Supervisors and department heads of non-bargaining unit employees will develop effective solutions with both smokers and non-smokers that do not interfere with the productivity of the staff.

No person shall refuse to immediately discontinue smoking in a Washington County building, vehicle, or non-smoking area when requested to do so by any Washington County representative or employee.

Enforcement

Signs will be posted at each entrance and shall meet the requirements of Ohio Revised Code section 3794.06 (A). All employees and the general public share the responsibility for adhering to and enforcing the policy. Any violations should be reported to the Commissioners' Office or to the State of Ohio by calling 1-866-559-OHIO (6446). All employees and visitors are personally liable for fines and penalties imposed by the State of Ohio according to Ohio Revised Code section 3794.09 for violating the statewide smoking ban. County employees who are found in violation of this policy may also be subject to disciplinary action by their appointing authority.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: COURT ORDER, 2013 OPERATING BUDGETS

The Commissioners acknowledged receipt of Court Orders from Judges Susan Boyer, Ed Lane, and Timothy Williams, General Division Case No. 12 MIS 14 and Probate Court Case No. 2012 SE 00068, directing the Commissioners to appropriate 2013 funds in accordance with their requests for funds, and directing the Commissioners to notify them of any personnel changes during 2013, including salaries and benefits, negotiated agreements, and hiring and terminations.

RE: VACATION OF WESLEY TOWNSHIP ROAD NO. 192 (ED'S ROAD)

Mr. Cunningham informed the Commissioners he received a petition signed by twenty-three (23) residents of Wesley Township requesting the vacation of a portion of Wesley Township Road No. 192, commonly known as Ed's Road.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the following resolution:

WHEREAS, a petition signed by at least twelve freeholders of the County residing in the

vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate portion of Wesley Township Road 192, Ed's Road, as public road as described therein.

NOW, THEREFORE BE IT RESOLVED, by the Board of Washington County Commissioners that the 12th day of December 2012, at 10 o'clock A.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at Ed's Road where it intersects State Route 555, and go over the line of said proposed improvement; and

BE IT FURTHER RESOLVED, that the 20th day of December 2012, at 11 o'clock A.M., be fixed as the date for a final hearing thereof, which hearing will be at the office of the board; and

BE IT FURTHER RESOLVED, that the Clerk of this Board be and is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the Marietta Times, a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: INTERVIEWS FOR DIRECTOR OF HUMAN RESOURCES POSITION

Mr. Cunningham noted that he has received many applications for the position of Director of Human Resources, and he is ready to assemble a committee to review resumes and interview candidates. Ms. Marshall said it is important to include the County Auditor, a Judge, and the Sheriff on the committee.

RE: JAIL FACILITY REPAIR

President Irvine commented that Sheriff Larry Mincks and Lieutenant Brad Thorpe, County Jail Administrator, recently presented a proposal to repair the shower facilities at the Washington County Jail. Since that time they've had the opportunity to further investigate the recommended product, which is a rubberized membrane. Two operators of facilities currently using the material are satisfied with it, including one in Nelsonville, Ohio. The vendor, Northern Industrial Flooring, Inc., has agreed to extend the warranty to five years from the date of installation, and has proposed an amount of \$38,503 for the job, which would likely be completed within 17 contiguous days. Mr. Irvine noted this job is subject to payment of Prevailing Wages. He commented that another option is to resurface the shower facilities with specialized paint, at a cost of \$72,000.00.

Ms. Marshall moved and Mr. Weber seconded a motion to approve entering into contract with Northern Industrial Flooring, Inc., for the reconditioning of shower facilities at the Washington County Jail, for the amount of \$38,503.00, subject to warranty of floor and walls for a period of five (5) years from the date of installation, and to allow Mr. Irvine to sign the agreement, as recommended by Sheriff Larry Mincks.

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: OPWC GRANT REVISION

Ms. Marshall distributed a spreadsheet of Monthly Sewer Rate Analysis Resulting from Devola Area Sanitary Sewer Improvements. She reviewed in detail the analysis, including the expectation of a \$400,000 grant, new customer assessments of \$8,000, and loans of \$3,485,684. While the total project cost is projected to be \$7,405,684, a portion of those costs has already been paid. Total projected annual payment by the County for the project over a 25 year period is \$152,866.84. Ms. Marshall noted that this Analysis is a projection and was prepared not only with information that is currently available, but also with assumptions and factors that will change as the project moves forward.

Ms. Marshall then noted the County is obligated to pay to the City of Marietta a fair share of the cost of expansion of the Marietta Sewer Plant to accommodate residents of Devola. The County's share is \$271,560.86.

Annual costs for operation and maintenance for the Sewer Department are \$687,000.00.

With total annual costs estimated to be \$1,111,427.70, it is projected that a rate increase of \$4.00 will be needed by 2015 for all County sewer customers. Ms. Marshall and Mr. McFarland suggested this increase may be better accepted if it is a gradual build-up to the \$4.00 per month. Mr. McFarland commended Commissioner Marshall for her oversight of the sewer program, noting her interest in being fiscally responsible and in ensuring compliance with regulations.

Ms. Marshall noted that the numbers in the spreadsheet are projections as of this date, and they will likely change depending largely upon the acceptance of loan applications, the awarding of grants, and the opening of construction bids. Mr. McFarland expressed his interest in the County being both frugal and transparent as the project moves forward, so as to not get in a bind with large payments due and no fund balance available. He asked if construction bids come in lower than anticipated, would the cost of tie-in be the first resulting

reduction to be made? He also noted the reserve fund for sewer projects has gone from \$30,000 to \$-0-, and there is no cushion in the budget for equipment replacement and repair. The budget also, according to Mr. McFarland, allows for no inflationary increases. All agreed it is imperative to closely monitor the project from the outset.

Ms. Marshall moved and Mr. Weber seconded a motion to approve the financing plan for the Devola Area Sanitary Sewer Improvements projects, and to send the following letter to the County Auditor:

November 21, 2012

*Bill McFarland
Washington County Auditor
Washington County Courthouse
Marietta, Ohio 45750*

Dear Bill:

We have reviewed, and we accept and authorize, the finance plan for the Devola Area Sanitary Sewer Improvements Project, as summarized on the spreadsheet dated November 20, 2012.

/s/ WASHINGTON COUNTY COMMISSIONERS

A calling of the roll resulted in the following vote: Timothy Irvine aye, Cora Marshall aye, Steven Weber aye. Motion passed.

RE: ARC GRANT EXPENSES

I.T. Director Eric Skomra informed the Commissioners he is preparing to request reimbursement of \$11,053.00 for expenses incurred relating to the Broadband Project, to be paid by Appalachia Regional Commission (ARC) to Smart Networks. Expenses to date include mounting equipment on towers and mailing promotional materials.

RE: ADJOURNMENT

Ms. Marshall moved and Mr. Weber seconded a motion to adjourn.

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 2:21 p.m.

_____, President

_____, Vice President

_____, Member

_____, Clerk