

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 21, 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 were Justin Bradley from WMOA Radio, Amanda Nicholson from *The Marietta Times*, Muskingum Township Trustee Gary Doan, Common Pleas Judge Randall Burnworth, and Clerk Rick Peoples.

**Washington County Commissioners  
AGENDA  
9:00 a.m., May 21, 2015**

9:00 Business Meeting  
9:30 Glen Pawloski – Devola Phase II Sewer Project  
10:00 Wendy Dillingham, CEBCO – Health Insurance Program Update  
11:30 Gala Goldsmith, Wayne National Forest – Project Updates

**UNFINISHED BUSINESS**

Sheriff's Office Renovation Project

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Additional Appropriation – Common Pleas Court (2)  
Additional Appropriation – Probate/Juvenile Court (2)  
Then & Now's  
Travel – Auditor  
Consideration of Cooling Water System  
Contract Amendment, Help Me Grow Home Visiting Provider Contract  
Request to Transfer Vehicle from Ewing School to WASCO Workshop  
Request from CSEA to Fill New Hearing Officer Position  
Contract with Murray Glass Company for Courthouse Windows Project  
Engineer – Contract with Tom Mayle & Sons Construction for CR 6C Widening Project  
Engineer – Bid Specifications for CR 11 Paving Project  
Engineer – Bid Specifications for CR 10 Paving Project  
Engineer – Bid Specifications for CR 25 Paving Project  
Engineer – Recommendation for Health Department Roadway Project

**INFORMATION**

RSVP Appreciation Cruise, 2:00 p.m., **Today**, on the Valley Gem  
Courthouse Closed, **Monday**, May 25, Memorial Day  
Sixth Congressional District Collaboration Forum, 8:30 a.m., **Friday**, June 5, Lafayette Hotel  
Joint Solid Waste Committee Meeting, 12:00 p.m., **Monday**, June 8, Lori's Restaurant

**RE: AGENDA**

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

Add: Additional Appropriation – Auditor  
Letter of Resignation/Retirement from County Prosecutor Jim Schneider  
10:30 Tim Marty, Buildings & Grounds Superintendent – Project Updates

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 for May 14, 2015, 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: ADDITIONAL APPROPRIATIONS**

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

Common Pleas Court	100-0201-57400	\$ 6,178.00
--------------------	----------------	-------------

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

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

Common Pleas Court	100-0201-51001	\$ 3,391.00
	100-0201-51101	\$ 50.00
	100-0201-51102	\$ 475.00

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

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

Probate Court	100-0220-51001	\$13,000.00
	100-0220-51101	\$ 190.00
	100-0220-51102	\$ 1,820.00
	100-0220-51104	\$ 9,228.00
	100-0220-51105	\$ 12.00

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

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

Indigent Guardianship	200-0212-57400	\$ 4,168.70
-----------------------	----------------	-------------

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

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

Unclaimed Monies	200-0106-57400	\$ 1,209.13
------------------	----------------	-------------

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

Dept	Account	Vendor	Amount
Commissioners	100-0109-54000	Greenleaf Landscapes	\$ 134.89
Commissioners	100-0109-54000	Greenleaf Landscapes	\$ 244.85
Commissioners	100-0109-54000	Greenleaf Landscapes	\$ 249.87
Sheriff's Dept.	100-0384-54403	Smith & Wesson	\$ 1,230.00
Commissioners	100-0109-53000	Wash. Co. Engineer	\$ 749.45
Commissioners	100-0109-53000	Classic Carpet Cleaning	\$ 450.00
Commissioners	400-0113-53000	Larry Lang Excavating	\$ 1,711.95
Commissioners	100-0101-53000	Ullman Body Shop	\$ 1,600.80

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

**RE: TRAVEL REQUEST**

Mr. Walters moved and Mr. Feathers seconded a motion to approve the following request for reimbursement of expenses for training and travel pursuant to the policies and procedures and in compliance with the Annual Appropriations for Fiscal Year 2015 and any and all amendments subsequent thereto:

Auditor

Bill McFarland: Five-day trip to Painesville to attend County Auditors' Association of Ohio Summer Conference; May 31-June 4, 2015.

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

**RE: AMENDMENT TO HELP ME GROW HOME VISITING PROVIDER CONTRACT**

Mr. Walters moved and Mr. Feathers seconded a motion to approve an amendment to the Ohio Department of Health Help Me Grow Home Visiting Provider Contract for the period July 1, 2014 through June 30, 2015, for the purpose of allowing for reimbursement for training and clarification of person qualified to do the training, and to allow Mr. White to sign the amendment, as prepared and requested by Cindy Davis, Washington County 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: REQUEST TO TRANSFER VEHICLE FROM DEVELOPMENTAL DISABILITIES TO WASCO**

Mr. Feathers moved and Mr. Walters seconded a motion to approve transfer of a 1989 GMC Truck, VIN 1GTGK24K6KE524078, from the Department of Developmental Disabilities to the WASCO Workshop, as the truck is no longer needed by Developmental Disabilities and has been replaced with a newer vehicle.

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

**RE: REQUEST FOR NEW HEARING OFFICER IN CSEA**

Mr. Walters moved and Mr. Feathers seconded a motion to approve a part-time Hearing Officer position in the Washington County Child Support Enforcement Agency (CSEA), as requested by Kim Hinkle, Child Support Enforcement Agency.

President White said this is technically not a new position, as the previous CSEA Director had combined two positions into one, but the current Director has determined it really needs to be one and one-half position to effectively do all that is required. He said Ms. Hinkle also is concerned about a possible conflict of interest with the current situation of case manager establishing orders. He said she believes the two functions should be distinctly separate from each other.

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

**RE: CONTRACT WITH MURRAY GLASS COMPANY FOR COURTHOUSE WINDOWS PROJECT**

Mr. Feathers moved and Mr. Walters seconded a motion to contract with Murray Glass Company for the Courthouse Windows Project, for the amount of \$45,835.00, as recommended by Project Consultant David Haught, DLH Design, and to allow Mr. White to sign the contract.

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

**RE: LETTER OF RESIGNATION AND RETIREMENT FROM COUNTY PROSECUTOR**

The Commissioners acknowledged receipt of a letter from County Prosecutor Jim Schneider notifying them of his resignation June 30, 2015 in order to retire July 1, 2015.

**RE: CONTRACT WITH TOM MAYLE & SONS CONSTRUCTION FOR CR 6C WIDENING PROJECT**

Mr. Walters moved and Mr. Feathers seconded a motion to approve a contract with Tom Mayle & Sons Construction for the County Road 6C Widening Project, for a sum not to exceed \$10,000.00, as prepared and requested 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: SPECIFICATIONS FOR PAVING PROJECTS**

Mr. Feathers moved and Mr. Walters seconded a motion to approve specifications and advertising for the following pavement projects, with sealed bids to be separately submitted for each project, as prepared and requested by County Engineer Roger Wright:

County Road 11, estimate \$1,167,932.00  
County Road 10, estimate \$ 327,572.63  
County Road 25, estimate \$1,118,202.00

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

**RE: RECOMMENDATION FOR HEALTH DEPARTMENT ROADWAY PROJECT**

Mr. Walters moved and Mr. Feathers seconded a motion to approve the selection of United Sealing for the Washington County Health Department Roadway Project, for the amount of \$124,644.50, the only sealed bid received, as recommended by County Engineer Roger Wright.

Commissioner Feathers said the Commissioners set aside \$58,000 in capital projects funds for this project, and the Board of Developmental Disabilities has agreed to contribute \$29,500. The remaining \$37,145 will come from capital projects funds as well, he said, because this project is both necessary and long overdue, and because of the difficulty in finding a contractor to do such a small job.

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

**RE: SHERIFF'S OFFICE RENOVATION PROJECT**

Mr. Feathers moved and Mr. Walters seconded a motion to return from Unfinished Business consideration of the Sheriff's Office Renovation Project.

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

Mr. Feathers moved and Mr. Walters seconded a motion to approve entering into contract with Westfall Construction for the Sheriff's Office Renovation Project, for the amount of \$36,737.00.

Commissioner Feathers said the proposal from Westfall Construction is \$3,341 higher than the low proposal from Lepi Enterprises, but he recommended selecting Westfall because:

- Contracting with Westfall was recommended by the Sheriff's Office.
- Westfall is a local contractor.
- Westfall can immediately begin the job.

Mr. Feathers said 50% of the funding for this project will come from capital projects funds and 50% will be paid from Sheriff's funds.

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

**RE: DEVOLA SEWER PROJECT**

Devola resident Glen Pawloski talked with the Commissioners about the proposed Devola Phase II Sewer Project. Also attending were Muskingum Township Trustee Gary Doan, Justin Bradley from WMOA Radio, Amanda Nicholson from *The Marietta Times*, and Clerk Rick Peoples.

Commissioner Feathers said the Commissioners had a working conversation with representatives from the Ohio EPA, the Ohio Department of Health, and the Washington County Health Department. He reported the result of that discussion to tentatively be:

- Downsizing of the scope of the project, from over 300 Devola properties to about 60 properties.
- Re-writing the Findings & Orders by the Director of the Ohio EPA.
- Conducting of additional tests in Devola to determine if larger project is warranted.

Mr. Feathers said the Commissioners will await receipt of revised Findings & Orders from the EPA before proceeding with any size of project or testing. He said he asked the EPA representatives to completely dismiss this project, to which they responded they would not.

Mr. Pawloski provided to the Commissioners a list of 22 questions compiled from a recent ad-hoc meeting of Devola residents, and read portions of the Ohio EPA's January 1, 2013 Finding of No Significant Impact, WSRLA #FS391300-0001, pertaining to the Putnam Community Water Corporation Water Treatment Plant Upgrade (document is on file in the Commissioners' Office). He also provided to the Commissioners a letter he had written May 19, 2015 to Commissioner Feathers, suggesting that any further study in Devola would be wasteful, unnecessary and unwelcome.

Mr. Pawloski said he believes the proposed action by the Ohio EPA is ~~very~~ *may be* favorable to the residents of Devola in that it ~~will~~ *may* lower the scope of the project, and ~~thus possibly~~ reduce the number of homeowners impacted by the project. He ~~said this is likely partially due to the recognition by the EPA of the discontent and dissatisfaction of so many Devola residents.~~ Mr. Pawloski recognized the Commissioners for their pursuit of alternate remedies to the EPA's determination to sewer all of Devola, and then Oak Grove, and then Reno.

Mr. Feathers said the Ohio EPA and Department of Health representatives were provided a tour of the Devola community. He said they recommended the County begin a project in Oak Grove at the same time they begin a project in Devola. Mr. Feathers reported the Washington County Health Department has identified approximately 14 homes with septic problems in Oak Grove, and they are working with each of them to rectify their problems. This, according to Commissioner Feathers, does not warrant construction of a new sewer line and mandatory tie-in to that line.

President White said the Commissioners “thread the needle as closely as possible” because the EPA was ready to initiate a Devola project, proceed with it, and then require the County to pay for it. Mr. White said he is pleased this approach apparently will now be unnecessary.

Commissioners Feathers and White agreed with Mr. Pawloski the “duel remedy” proposed by the Ohio EPA for Devola, including action taken by the Putnam Water Association and action by Washington County Commissioners, was excessive and “overreach” by the EPA. To Mr. Pawloski’s question as to whether the Commissioners believe Devola Phase I Sewer Project satisfied the requirements of the City/County Memo of Understanding, Mr. Feathers suggested he re-address this question to the City Law Director.

Mr. Feathers, referring to Devola, Oak Grove and Reno as “sugar plums” for the City of Marietta, said he suspects the City of Marietta is interested in ~~boosting its population for a variety of reasons, including grant writing~~ *feeding the water treatment plant*. Mr. White questioned whether the City of Marietta is in fact interested in expanding its boundaries to include the smaller communities, as expenses in those communities would likely exceed revenues generated through city income taxes.

Mr. Pawloski concluded that if there is now an effective reverse osmosis system in Devola, and drinking water is once again safe, then there is really no need for any new sewer system in that community.

#### **RE: CEBCO**

Wendy Dillingham, the County Commissioners’ Association of Ohio (CCAO) reviewed with the Commissioners a report of first quarter 2015 activity in the County Employee Benefits Consortium of Ohio (CEBCO) plan by employees of Washington County and their dependents. Also attending was Director of Human Resources Darla Miller.

Ms. Dillingham said the County has a running 12-month loss ratio of 74.9%, and a 2015 year-to-date ratio of 66.1%. She said the report lists the top ten healthcare facilities used by employees, the top physicians, and the most utilized pharmacies. Ms. Dillingham said this first quarter report is good, but it is still early in the year. She encouraged continuing emphasis on wellness and preventive features of the County’s health insurance program.

Ms. Dillingham talked with the Commissioners about the Affordable Care Act and its provision for an Excise Tax beginning in 2018. Although four Ohio CEBCO counties may be required to pay the tax in 2018, Washington County is projected to not be recognized as one of those high cost medical insurance plans until at least the year 2023 for single coverage plans, and the year 2028 for family plans. She said this projection is based upon many assumptions, and is of course very preliminary. She indicated CEBCO will monitor this very closely and offer appropriate advice to member counties prior to the implementation of this Excise Tax, also known as the Cadillac Tax.

Ms. Miller reminded the Commissioners that Children Services has a health insurance program that will likely reach “high cost” status long before the County’s program unless significant changes are made to the benefits provided by that plan. President White said Children Services has made some changes to their health insurance plan, but that more changes are necessary. Ms. Dillingham commented that Children Services uses the same federal tax identification number as the County and, because of that, the County will incur the Excise Tax liability if and when it occurs.

#### **RE: CAPITAL AND MAINTENANCE PROJECTS**

Tim Marty, Superintendent of Grounds and Maintenance, talked with the Commissioners about the following projects:

Children Services facility parking lot: Mr. Marty said the lot is currently being re-sealed, but the contractor has discovered a sink hole which must be repaired near a drain in the lot. Mr. Marty said that will involve digging, investigating, and repairing, and that will add to the overall project cost.

Health Department roof: Mr. Marty reported the roof at the Health Department is leaking, and he is considering options for repair.

Courthouse cooling water system: Mr. Marty said the County has in the past replaced one cooling tower, and rebuilt another. He said cooling towers will be replaced the week of May 25. Mr. Marty said he has been advised by a reputable contractor that the County should consider a water treatment system to effectively control algae, bacteria and fungi. He said the initial cost to the County would be \$1,200 for equipment, and then \$4,150 each year for chemicals and service.

Mr. Feathers moved and Mr. Walters seconded a motion to enter into an agreement with DuBois Chemicals for a cooling tower treatment program to control scaling, corrosion and bio-fouling, with a one-time equipment cost of \$1,178.52 and an annual chemical/service cost of \$4,150.00, as recommended by Tim Marty, Buildings and Grounds Superintendent.

A calling of the roll resulted in the following vote: David White no, Rick Walters aye, Ronald Feathers aye. Motion passed.

**RE: WAYNE NATIONAL FOREST PROJECT**

Gala Goldsmith, Gary Chancey and Sierra Patterson provided to the Commissioners information on the Ailanthus tree. They said:

- *Ailanthus Altissima* is a non-native invasive tree.
- The tree is commonly referred to as the “tree of heaven”.
- Now most prevalent in Washington and Morgan County portions of Wayne National Forest, this tree from China was first introduced in 1784 by a gardener in Philadelphia.
- Rangers are now developing an eradication program for Wayne National Forest.
- Ailanthus has the potential of replacing oak and other native tree species, resulting in a devastating effect on wildlife.
- The Marietta unit of the forest is hardest hit, with approximately 3,000 female Ailanthus identified and mapped.
- Private lands within the Marietta unit are also invaded, with about 1,230 female trees identified and mapped.
- Rangers are actively proceeding with a plan to eradicate, consisting of treating the trees with a native fungus that will kill them.
- The fungus will be introduced in Grandview, Independence, and Newport Townships in Washington County, as part of a controlled study.
- Research is intended to result in an effective management program for this undesired tree.
- The Rangers will collaborate with OSU Extension, Soil & Water Conservation, the National Wild Turkey Federation, private landowners and other agencies to pursue this program.

**RE: ADJOURNMENT**

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

A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 11:30 a .m.

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

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

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

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

**NOTE: The above section RE: DEVOLA SEWER PROJECT contains strike-through's, some of which are followed by italicized word(s). This reflects corrective action taken by the Board of Commissioners at its subsequent May 28, 2015 meeting.**