

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 3, 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, Muskingum Township Trustee Gary Doan, Glen Pawloski, County Engineer Roger Wright, County Auditor Bill McFarland, and Clerk Rick Peoples.

**Washington County Commissioners  
AGENDA  
9:00 a.m., September 3, 2015**

9:00 Business Meeting  
9:30 Kirk Frazee, Peoples Bank – Amendment to Terms of Depository Agreement  
10:00 Jeff Lauer, EMA Director – Project Updates

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Additional Appropriation – Bond Retirement  
Transfer – Senior Citizens Levy  
Transfer – Sewer  
Transfer - WCBDD  
Then & Now's  
Travel – Family & Children First (2)  
Professional Service Agreement with Memorial Health Care Physicians for Jail Service  
Change Order 1, Little Muskingum VFD CDBG Project  
Bid Recommendation, WASCO Roof Replacement Project  
Delinquent Sewer Accounts  
Certification of Delinquent Sewer Accounts to County Auditor

**INFORMATION**

Labor Day, **Monday**, September 7, Courthouse Closed  
Monthly County Home Meeting, 8:30 a.m., **Tuesday**, September 8, at County Home  
Monthly Finance Committee Meeting, 10:00 a.m., **Tuesday**, September 8  
Witten Farm Tour, 9:30 a.m., **Tuesday**, September 15  
Departmental Budget Hearings begin **Wednesday**, September 23

**RE: AGENDA**

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

Add: 9:45 County Engineer Roger Wright – OPWC Documents  
10:30 County Auditor Bill McFarland – Additional Appropriation

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

**RE: COMMENTS FROM VISITOR**

Glen Pawloski asked to address the Commissioners. He said he appreciates having received Assistant Prosecutor Nicole Coil's letters to the Ohio EPA and City of Marietta last week, but noted the dates on those letters are the same as the date the Commissioners approved them, all on August 27, 2015. That, he said, didn't allow time for any public comments prior to those letters being sent. He noted he specifically would have requested insertion of Washington County Board of Health's recent actions and communications pertaining to the issue in Devola. He said there has been much work done by the Board of Health, including delineation of multiple reasons to terminate this Devola project. He said he believes the efforts, and conclusions, of the Board of Health should have been included in the letters, especially the one addressed to the Ohio EPA. Mr. Pawloski said he does not agree with the Commissioners' and Assistant Prosecutor's request that additional studies of septic systems be done in Devola.

President White invited Mr. Pawloski to hold additional comments until the conclusion of the business portion of the Commissioners' meeting.

**RE: APPROVAL OF MINUTES**

Mr. Feathers moved and Mr. Walters seconded a motion to approve the minutes for the August 27, 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.

**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 requests for additional appropriations:

Bond Retirement	700-0114-57500	\$ 94.11
	700-0114-57502	\$ 1,028.83
	700-0114-57504	\$ 2,231.54
Behavioral Health	200-0610-51102	\$ 10,000.00

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 requests for transfer of funds:

	<u>From</u>	<u>To</u>	<u>Amount</u>
Senior Citizens Levy	200-0703-53000	200-0703-57400	\$ 6,007.04
Sewer	400-0113-53100	400-0113-53101	\$ 240.00
Developmental Disabilities	200-0620-53000	200-0620-57500	\$ 221.55

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	100-0100-54000	The Marietta Times	\$ 172.00
Commissioners	100-0101-53400	Lindsey Angler	\$ 360.00
Commissioners	100-0101-53400	Robert Bright	\$ 200.00
Job & Family Services	200-7200-57400	Wash.-Morgan Community Action	\$ 778.00
Commissioners	100-0101-53000	U.S. Geological Survey	\$ 5,240.00
Commissioners	100-0109-53000	Crooked Tree Woodworks	\$ 300.00
Child Support	200-0730-53501	Sheriff's Department	\$ 985.74
Child Support	200-0730-53503	Common Pleas Juvenile Division	\$ 2,253.45

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 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 2015 and any and all amendments subsequent thereto:

Family & Children First

Cindy Davis: One-day trip to Caldwell to attend WIOA Meeting; September 14, 2015.

Cindy Davis: One-day trip to Athens to attend Ohio Children's Trust Fund Stakeholders Forum; September 15, 2015.

Cindy Davis: One-day trip to Zanesville to attend Ohio Family & Children First Regional Meeting; September 21, 2015.

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

**RE: PROFESSIONAL SERVICE AGREEMENT, NURSING SERVICE FOR COUNTY JAIL**

Mr. Walters moved and Mr. Feathers seconded a motion to approve a Professional Service Agreement with Marietta Health Care Physicians, Inc., to provide nursing services to the Washington County Jail during the period July 1, 2015 through June 30, 2016, renewable automatically for one-year terms thereafter, for the annual amount of \$25,955, as prepared and requested by Sheriff Larry Mincks.

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

**RE: CHANGE ORDER #1, LITTLE MUSKINGUM VFD CDBG PROJECT**

Mr. Feathers moved and Mr. Walters seconded a motion to approve Change Order #1 for the Little Muskingum Volunteer Fire Department (VFD) 2014 Community Development Block Grant (CDBG), extending the completion date by forty-eight (48) calendar days to October 10, 2015, and to allow Mr. White to sign the document, as prepared and requested by Michelle Hyer, Buckeye Hills-Hocking Valley Regional Development District.

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

**RE: BID RECOMMENDATION, WASCO ROOF REPLACEMENT PROJECT**

Mr. Walters moved and Mr. Feathers seconded a motion to award contract to Tri-State Roofing for the amount of \$149,645.00, the lowest of four sealed bids received, for the WASCO Roof Replacement Project, to be paid for by the Washington County Board of Developmental Disabilities, as recommended by Architect David Haught, DLH Design, consultant for the project.

The Clerk said the following sealed bids were received and opened on August 27, 2015 at the Board of Developmental Disabilities:

Hash's Construction	\$184,943
Hittle Roofing	\$262,000
K&W Roofing	\$208,459
Tri-State Roofing	\$147,285

President White said he consulted with Susan Tilton, Superintendent of the Board of Developmental Disabilities, and she agrees with David Haught's recommendation to enter into contract with Tri-State Roofing for the project.

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 letters to the following holders of delinquent sewer accounts, requesting them to immediately make payment on their accounts: Turner's Car Wash, Roger Roberts, John and JoAnn Edwards, Joseph and Desiree Sigman, Christopher and Patty Carver, Debora Wingrove, Janet McGuinness (855 Warrior Drive), Sheila Riffey, Randall Cunningham.

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 ACCOUNTS TO COUNTY AUDITOR**

Mr. Walters moved and Mr. Feathers seconded a motion to certify the following seriously delinquent sewer accounts to County Auditor Bill McFarland, requesting him to add those delinquent amounts to property tax bills: Heather Mannix/Bretthauer, David Burt.

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

**RE: COMMENTS FROM VISITOR**

Glen Pawloski distributed to each of the Commissioners a copy of a letter he and others recently sent to Richard Daniell, President of the Washington County Board of Health, and to the Washington County Board of Health. He said the letter is intended to rally behind the Board of Health, and to encourage the Board to continue its challenge of the Ohio EPA in earnest. He said it appears to him that Assistant Prosecutor Coil's letter to the EPA invites that agency to conduct additional tests on septic systems in Devola. Mr. Pawloski said additional tests are not needed, or wanted, in Devola. He noted the Board of Health has determined there is no need for testing systems and properties in Devola, but instead recommended testing waters of the Muskingum River.

Mr. Pawloski then read aloud his letter to Mr. Daniell and the Washington County Board of Health, dated August 31, 2015, which is on file in the Commissioners' Office. That letter was signed by Glen E. and Marcia Pawloski, Gary A. Miller, Laura A. Bradley, Steve and Kathy Hutchinson, and Robert H. and Barbara J. Vernon.

#### **RE: REQUEST FROM PEOPLES BANK TO AMEND THE TERMS OF DEPOSITORY AGREEMENT**

Kirk Frazee from Peoples Bank (the Bank) talked with the Commissioners about Washington County's (the County) Depository Agreement (the Agreement) for the period May 1, 2015 through April 30, 2019. He said the Bank is requesting the compensating balance requirement be increased from \$200,000 to \$3,000,000, due to the recent transfer by the County of \$22,000,000 out of its account at the Bank. He noted the Bank's bid to be the depository for the County was predicated on the assumption the County would maintain a substantially higher cash balance throughout the term of the Agreement, but this large transfer of funds won't allow that to happen. Mr. Frazee noted he is not authorized to transfer County funds to accommodate this increase in compensating balance, and said the County would have to direct such a transfer.

Mr. Frazee said the lower cash balance from the County doesn't justify the waiver of fees provided by the Bank to the County. He noted the long-standing relationship between the Bank and the County, and said this transfer of funds was unanticipated by the Bank.

Commissioner Feathers said the Bank is apparently estimating the value of the waived fees for this amount of funds to be \$8,000 to \$9,000 per year.

Mr. Frazee said an option might be for the County to eliminate use of its warrant account.

To Commissioner Walters' question of how other governmental entities are treated by the Bank, Mr. Frazee responded all are treated the same as the County, but the County receives a fixed interest rate a little higher than others due to its high balances.

President White said the Bank is asking to break the Agreement with the County, and he is not pleased with this. Mr. Frazee said the Bank looks at it as though the County is breaking the Agreement, as the Request for Proposal indicated the County would have on deposit with the Bank up to \$45,000,000. Commissioners White and Walters said the County has not broken its contract with the Bank, and doesn't intend to.

Commissioner Feathers said that if the Bank is interested in breaking the Agreement, then the Commissioners will need to send out a new Request for Proposal to serve as the depository of County funds. President White agreed, and said he considers this request from Peoples Bank to be reprehensible.

Commissioner Walters said he can sympathize with the Bank, but he cannot see anything the County has done contrary to the Depository Agreement. He noted the County has done all it can do to include the Bank in the County's strategy to earn higher interest revenues on its investment of public funds. He said the County's investment manager has been instructed to first contact the Bank when purchasing Certificates of Deposit or other legal instruments to see if the Bank's rate is competitive with others. This allows the Bank to retain the County's funds if it so desires, but also allows the County to earn a significantly higher rate of return than the 0.35% provided for in the Agreement.

President White said the Bank was awarded the Agreement based on its offer relative to other offers. He again said he is disappointed in this request from the Bank to alter the Agreement.

Commissioner Walters noted the Bank is in an interesting situation where it can more easily obtain cash from the federal government than from the County.

President White said the County is not interested in changing the Agreement with the Bank. Commissioner Feathers said this would necessitate re-bidding so that other financial institutions have opportunity. Commissioner Walters noted the County will need to consult with the Prosecutor before taking any action. Mr. Frazee said he is not able to negotiate on the amount of \$3,000,000 for the compensating balance, as he is "merely the messenger" from the Bank. He thanked the Commissioners for their consideration of this request, and said the Bank will provide a bid if the Commissioners opt to issue another Request for Proposal for a new Depository Contract.

#### **RE: OPWC APPLICATION FORMS**

President White signed Ohio Public Works Commission (OPWC) Application Forms to provide funding for paving and base stabilization of various county roads, as prepared and requested by County Engineer Roger Wright, and as authorized by Commissioners' action on August 27, 2015.

#### **RE: EMA UPDATE**

EMA Director Jeff Lauer updated the Commissioners on the following projects:

Everbridge

Received five commitments to utilize system next year.  
Five organizations declined to participate.  
Twelve organizations are considering it.  
Will continue to pursue others.

EOC Volunteers

Received no volunteers from townships.  
Will continue to pursue.  
Will request volunteers from fire chiefs as well.

Staffing

Have yet to secure the right person from Mancan for the part-time position.  
Seeking additional funding from Ohio EMA to support part-time position.

Other

Updated Mutual Aid Maps with fire chiefs.  
Updating Annex B of the Emergency Operations Plan.  
Fixed air truck.  
Working on all-hazard mitigation plan update.  
Seeking air truck volunteers, and developing training for them.  
Preparing EOC training and exercise.

**RE: ADDITIONAL APPROPRIATION**

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

Behavioral Health	1000-0120-53000	\$ 5,832.00
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County Auditor Bill McFarland explained this amount is needed to hire a temporary part-time replacement for an employee soon to be on extended sick leave. He said he is unable to transfer funds from one line to another within the department, as those funds just aren't available.

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

**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 10:35 a.m.

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

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

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

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