

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON NOVEMBER 7, 2013 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: DAVID A. WHITE, PRESIDENT, RONALD L. FEATHERS, VICE PRESIDENT, AND TIMOTHY C. IRVINE, 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. MR. FEATHERS THEN LED THOSE ATTENDING IN PRAYER.

Also attending were Fred Vogel from the Ohio Department of Transportation, County Administrator Paul Cunningham and Clerk Rick Peoples.

**Washington County Commissioners  
AGENDA  
November 7, 2013**

9:00 Business Meeting  
9:30 Dawn Rauch, Community Action – CHIP & Moving Ohio Forward Programs  
10:00 Tim Marty, Bldgs & Grounds Superintendent – Proposals to Renovate Storage Room  
10:30 Terry Tamburini, Southeastern Ohio Port Authority – Project Updates  
11:00 Suzanne Dulaney, Executive Director, County Commissioners Association of Ohio (CCAO)

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting's minutes  
Bills from various departments  
Disposal of County Property  
Resolution Authorizing an Agreement with GovDeals, Inc.  
Resolution Authorizing On-Line Sales to Dispose of Property (GovDeals.com)  
Memorandum of Understanding, GovDeals On-Line Auction  
Legal Notice  
Additional Appropriations – Sheriff (3)  
Transfer – Auditor (2)  
Transfer - Treasurer  
Transfer – Department of Job & Family Services  
Transfer – Family & Children First  
Transfer - Sheriff  
Travel – Auditor  
Travel – Family & Children First  
Travel – Director of Human Resources  
Letter of Support to Buckeye Hills for Housing Assistance Grant Application  
Job & Family Services HVAC Project  
Drawdown – CHIP  
Court Order, 2014 Appropriations for Washington County Courts  
Notice from Co. Auditor that Treasurer, Recorder, and Auditor Offices will be Closed Nov. 29  
Letters to Delinquent Sewer Account Holders  
Letter to County Auditor Certifying Delinquent Sewer Accounts  
Engineer – Change Order #1, County Road 16 Landslip Repairs  
Engineer – Contract with Marietta Industrial Enterprises for Debris Removal

**INFORMATION**

Courthouse Closed for Veterans Day, **Monday**, November 11  
Monthly Meeting at Washington County Home, 8:30 a.m., **Tuesday**, November 12  
Evening Commissioners' Meeting, 7:00 p.m., **Thursday**, November 14, Lawrence Elementary School  
Joint Solid Waste Committee Meeting, 12:00 p.m., **Monday**, November 18, Caldwell  
Monthly Finance Committee Meeting, 10:00 a.m., **Tuesday**, November 19

**RE: AGENDA**

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

Add: 2:00 Doug Matheny – “Count on Coal”  
Delete: Transfer – Auditor (1)

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

**RE: APPROVAL OF MINUTES**

Mr. Feathers moved and Mr. Irvine seconded a motion to dispense with the reading of the October 31, 2013 minutes and approve them as submitted.

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

#### **RE: PAYMENT OF BILLS**

Mr. Irvine moved and Mr. Feathers 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, Ronald Feathers aye, Timothy Irvine aye. Motion passed.

#### **RE: DISPOSAL OF COUNTY PROPERTY**

The Clerk presented documents pertaining to a proposal to implement disposing of County property by on-line public auction, specifically through GovDeals.com. He said the documents were prepared by the Director of Human Resources, Safety and Loss Control, and were reviewed by Alison Cauthorn, Assistant County Prosecutor. He noted:

- The arrangement with GovDeals will be for a one-year period, renewable each year thereafter.
- Items for sale will be posted for 15 days.
- Payment for purchases will be made direct to Washington County.
- GovDeals will invoice the County for 7.5% of the sales price.
- The County will link from its website to GovDeals.com, will post notice in the Courthouse of the availability of items for sale on the website, and will publish notice in the local newspaper announcing this method of disposing of County property.

Mr. Irvine moved and Mr. Feathers seconded a motion to adopt the following resolution:

**WHEREAS**, section 307.12 of the Ohio Revised Code (ORC), as amended by the 124<sup>th</sup> General Assembly, House Bill 226, authorizes a Board of County Commissioners to dispose of unneeded, obsolete or unfit personal property, including motor vehicles, through the use of Internet Auction; and

**WHEREAS**, the Board of County Commissioners is not limited to only using **GovDeals Incorporated** for auctions, and may utilize any method to sell its surplus property including, but not limited to, traditional auctioneer services as well as any other on-line internet based auction service; and

**WHEREAS**, the Board of County Commissioners wishes to dispose of certain personal property that the board has determined, by resolution, is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by **GovDeals, Incorporated**, an Internet Auction site; and

**WHEREAS**, Washington County employees may bid on the property listed for auction, so long as they DO NOT place bids on county time; and

**WHEREAS**, per the contract, Washington County will pay a fee equal to 7.5% of goods sold on the internet auction site to **GovDeals, Incorporated** or a minimum of \$2.50; and

**WHEREAS**, all items being auctioned on the Internet will be listed on the Washington County website (<http://www.washingtongov.org>) double clicking on the GovDeals icon which is linked to the **GovDeals, Incorporated** website, which hosts the auction; and

**WHEREAS**, the Board of County Commissioners will post notice of such Internet auction on the bulletin board on the first floor of the courthouse on a continuous basis; and

**WHEREAS**, all items will be listed for a minimum of fifteen (15) days including Saturdays, Sundays and legal holidays; and

**WHEREAS**, the Board of County Commissioners reserves the right to reject any and all bids and to withdraw from sale any of the items listed; and

**WHEREAS**, all items will be sold "as is" with Washington County making no guarantee as to the condition of said items, and "as is" with the purchaser being responsible for removal of said items from Washington County; and

**WHEREAS**, the Board of Washington County Commissioners makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect, or consequential; and

**WHEREAS**, the purchaser will be required to make payment in full within five (5) days following the close of the auction, by an acceptable form of payment of U.S. Currency, certified check, cash, check, money order, or company check (with bank letter guaranteeing funds – mandatory), before any property can be released; and

**WHEREAS**, the buyer purchases the property at his/her sole risk, and upon removal of the property within ten (10) days of the close of the auction, all sales are final, and in no event shall Washington County, Ohio, its Board of Commissioners, its officers, employees or agents be liable to a bidder or any other person or entity for any claim, damage or loss whatsoever; and

**WHEREAS**, information on items being auctioned may be obtained by contacting the Clerk of the Board of County Commissioners, the website <http://www.washingtongov.org> and double clicking on the GovDeals icon which is linked to the **GovDeals, Incorporated** website; and

**WHEREAS**, the Board of Commissioners of Washington County approves the terms in the GovDeals, Incorporated Memorandum of Understanding, and attaches this resolution to the **GovDeals, Incorporated Memorandum of Understanding**; and

**WHEREAS**, this resolution is for the period November 7, 2013 through November 6, 2014, permitting additional one-year renewal periods at the same terms and conditions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Clerk of the Board of Washington County Commissioners is hereby directed to deliver a certified copy of this resolution to the County Auditor of Washington County, Ohio so that the County Auditor can act on the Certificate of Availability of Funds that is to be attached to the Agreement pursuant to R.C. §54705.42 (D) (1); and

**BE IT FURTHER RESOLVED**, that the Clerk of the Board of County Commissioners is hereby authorized to take the steps necessary to implement this Resolution including making arrangements for publication in the newspaper a summary of the information contained in this resolution and for posting the required notices in the first floor of the Courthouse and on the Washington County website.

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

Mr. Irvine moved and Mr. Feathers seconded a motion to adopt the following resolution:

**WHEREAS**, section 307.12 (E) of the Ohio Revised Code (ORC), as amended by 124th General Assembly, House Bill 226, requires a board of county commissioners to adopt, during each calendar year, a resolution expressing its intent to sell unneeded, obsolete, or unfit personal property, including vehicles, by Internet auction; and

**WHEREAS**, Internet auction will be conducted in the following manner under the following general terms and conditions:

1. All auctions shall be conducted by a representative of the Board, that being: **GovDeals, Incorporated**, a Delaware corporation having its principal place of business at 5907 Carmichael Place, Montgomery, AL 36177, (800) 613-0156. The representative can be found on the Internet at [www.GovDeals.com](http://www.GovDeals.com) or viewing the Washington County website at [www.washingtongov.org](http://www.washingtongov.org) and accessing the GovDeals link.
2. Any property listed and sold by Internet auction shall be on an "As is, Where is" basis. The Board of Washington County Commissioners expressly disclaims any and all warranties of any kind, whether expressed or implied. The bidder purchases the property at his or her own risk.
3. In no event shall Washington County, Ohio, its Board of Commissioners, its officers, employees or agents be liable to a bidder or any other person or entity for any claim, damage or loss whatsoever.

**WHEREAS**, the number of days of bidding on the property prior to sale, as specified in ORC 307.12, will be at least 15 days, including Saturdays, Sundays and legal holidays.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Washington County, Ohio, that on-line sales to dispose of unneeded, obsolete, or unfit personal property, including vehicles, such property belonging to Washington County, is authorized and shall be conducted in the manner prescribed herein.

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

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the following Memo of Understanding for on-line auction of County property on GovDeals.com, and to allow Mr. White to sign the document:

*This Online Auction Memo of Understanding (MOU) is between GovDeals, Inc. ("GovDeals"), a Delaware corporation having its principal place of business at 5907 Carmichael Place, Montgomery, Alabama, 36117 and the Washington County ("Client"), having its principal place of business at 223 Putnam Street, Marietta, Ohio 45750.*

- 1.0 **Description of Services:** GovDeals provides a means for Client to post assets for sale and for potential buyers to bid on these assets via an online auction system. Although GovDeals provides system access for Client to list assets, GovDeals is not a party to the actual sale and has no control over the listed information or the ability of the buyer and Client to complete the transaction.
- 2.0 **GovDeals' Responsibilities:** In addition to maintaining and operating an online auction system, GovDeals will provide Client with the following services for the period agreed to in 5.0 below:
  - 2.1 Access to a GovDeals online "Client Asset Server" (CAS), which will allow Client to load assets to the online auction system, maintain information about assets and view and run reports. The CAS will provide Client with the following capabilities:
    - Accept descriptive information concerning an asset including unlimited photos
    - Allow different auction phases based upon dates and times
    - Allow Client to set minimum starting prices, bid increments and reserves

2.2 Training and support services to assist Client in implementing the GovDeals online auction system, which will include:

- Familiarization with the nature and operation of CAS
- Guidance in the posting of assets and provide ongoing support
- Procedures for taking and posting pictures of assets
- Based on mutual agreement between GovDeals and Client, training and support services will be provided on-site or via telephone or Internet

2.3 Help Desk support available via telephone or email during normal business hours, except announced holidays.

2.4 Provide marketing of assets posted to the online auction site and promote use of the site to potential buyers.

- Work with Client to identify items that may benefit from marketing attention.
- Provide documented proof of all marketing efforts made on behalf of Client.
- Assist in determining values and starting prices for unique and high dollar assets.

3.0 **Fees:** The Client elects the payment of fees in accordance with Exhibit A to this MOU, Option A2.

4.0 **Payment:**

4.1 If Client elects to collect auction proceeds, GovDeals will invoice Client for fees on the first business day of the month following the month assets are sold. Client agrees to remit payment to GovDeals within thirty (30) calendar days from receipt of invoice, unless an applicable prompt payment act or similar legislation specifies a different time period.

4.2 Client shall promptly, but no more than fifteen (15) business days after the auction end date, notify GovDeals of any transaction that was not completed. The fees for said transaction shall be credited to Client during the next invoice period.

5.0 **Term of MOU:** This MOU shall commence on the date it is signed by the second party and will continue for a period of twelve months unless otherwise terminated upon sixty days written notice by either party. This MOU shall automatically extend for additional one-year periods, unless either party notifies the other in writing of its intent not to renew at least sixty days prior to the anniversary date.

6.0 **Terms and Conditions:** Please find Exhibit B attached as an example of suggested Client Terms and Conditions. At any time during the term of this MOU, Client may modify the Terms and Conditions. Any substitutions or modification must be submitted to GovDeals in writing before posting assets to the GovDeals auction site.

7.0 **Governance:** This MOU will be governed, interpreted, construed and enforced in accordance with the laws of the State of Ohio.

8.0 **Non-Exclusive Engagement:** This MOU is not exclusive. Client may utilize other approaches, including traditional auctioneer services or sealed bids. However, it is understood and agreed that Client will not utilize other disposal approaches for an asset at the same time the asset is listed on the GovDeals online auction site or sell by some other means to a prior bidder any item currently or previously listed on the GovDeals site for the purpose of avoiding payment of the GovDeals fee. Client agrees to not manipulate or interfere with the bidding process on the GovDeals site.

This online auction memo of understanding is agreed to by:

GovDeals, Inc

Client: Washington County

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: Robert L. DeBardelaben

Print Name: David A. White

Title: President

Title: President, Board of Commissioners

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Memo of Understanding Contact:**

Attention: Sales Support  
5907 Carmichael Place  
Montgomery, AL 36117  
Telephone Number: 866.377.1494  
Fax Number: 334.387.0519  
Email: [salesupport@govdeals.com](mailto:salesupport@govdeals.com)

Flexible Pricing Options (FPO)	
Select one from options described in GovDeals Memo of Understanding- Exhibit A:	
Client Collects Proceeds	
MACROBUTTON HTMLDirect	<input type="checkbox"/>
Option A1 (7.5% Seller- 0% Buyer)	
X Option A2 (0% Seller- 7.5% Buyer)	
Client elects FSS (GovDeals collects Proceeds)	
MACROBUTTON HTMLDirect	<input type="checkbox"/>
Option B1 (7.5% Seller- 5% Buyer)	



## EXHIBIT A - Online Auction Memo of Understanding

### **Flexible Pricing Options (FPO)**

**The Client has the option to choose from the following alternative plans:**

#### **A - Client Collects Proceeds**

**Option A1:** The Client pays a 7.5%\* fee which will be reduced according to the Tiered Fee Reduction Schedule (described below). GovDeals will invoice the client each month for fees on items sold in the previous month. The client is allowed thirty (30) calendar days from date of invoice receipt to remit payment.

**Option A2:** The Client pays a 7.5%\* fee but is given the capability to easily pass the entire fee on to the winning bidder as an Administrative Fee. The client is only allowed to pass on to the winning bidder the amount charged to them based on the tiered pricing schedule above. The amount invoiced to the winning bidder will include the gross sale amount of the item, the administrative fee, any special fees and sales taxes, if any. By passing this fee on to the winning bidder, the client's effective fee is zero percent (0%). GovDeals will invoice the client each month for fees on items sold in the previous month. The client is allowed thirty (30) calendar days from date of invoice receipt to remit payment.

**B - Client Elects GovDeals Financial Settlement Services (FSS) allowing GovDeals to Collect Proceeds. Only one option below can be used and once this option is chosen, it cannot be changed for twelve (12) months.**

**Option B1:** The Client pays a 7.5%\* fee and the winning bidder pays a 5% Buyers Premium. \*\*

**Option B2:** The Client pays a 5%\* fee and the winning bidder pays a 7.5% Buyers Premium.

**Option B3:** The Client pays a 2.5%\* fee and the winning bidder pays a 10% Buyers Premium.

**Option B4:** The Client pays zero percent fees (0%) and the winning bidder pays a 12.50% Buyers Premium.

#### **Tiered Fee Reduction Schedule**

GovDeals' **Tiered Fee Reduction Schedule** below explains how the base auction fee of 7.5% is reduced for assets that sell in excess of \$100,000 on [www.govdeals.com](http://www.govdeals.com).

1. **When an asset sells for up to \$100,000 in a winning bid, the GovDeals fee is seven and one-half percent (7.5%\*) of the winning bid, but not less than \$5.00.**
2. **Where an asset sells for more than \$100,000, and up to \$500,000 the GovDeals fee is seven and one-half percent (7.5%) of the winning bid up to \$100,000, plus five and one-half percent (5.5%) of the winning bid for auction proceeds in excess of \$100,000 up to \$500,000.**
3. **Where an asset sells for greater than \$500,000, and up to \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the bid amount in excess of \$500,000 up to \$1,000,000.**
4. **Where an asset sells for greater than \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the next \$500,000 of the winning bid, plus a fee of two and one-half percent (2.5%) of the bid amount in excess of \$1,000,000.**  
\*Subject to a minimum per asset/lot fee of \$5.00. \*\*If the Client chooses to pay the full 7.5% fee, they will have access to the **Tiered Fee Reduction Schedule**.

## EXHIBIT B - Online Auction Memo of Understanding



### **Washington County**

**Marietta, Ohio**

### **Online Sales - Terms and Conditions**

**All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.**

**Guaranty Waiver.** All assets are offered for sale "AS IS, WHERE IS." Washington County (Seller) makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

**Description Warranty.** Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If Seller

confirms the property does not conform to the description, **Seller** will keep the property and refund any money paid. The liability of the **Seller** shall not exceed the actual purchase price of the property. Please note upon removal of the property, **all sales are final**.

**Personal and property risk.** Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the seller and **GovDeals** from liability therefore.

**Inspection.** Most assets offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the asset description. See special instructions on each asset page for inspection details.

**Consideration of Bid.** **Seller** reserves the right to reject any and all bids and to withdraw from sale any of the assets listed.

**Buyer's Certificate.** Successful bidders will receive a Buyer's Certificate by email from **GovDeals**.

**\*Payment.** Payment in full is due not later than **5 business days** from the time and date of the Buyer's Certificate. Acceptable forms of payment are:

- U. S. Currency
- Certified Cashier's Check
- Money Order
- Company Check (with Bank Letter guaranteeing funds – **mandatory**)

Checks shall be made payable to: **Washington County**. Payments shall be made at the location listed in the Buyer's Certificate.

**Removal.** All assets must be removed within **ten (10) business days** from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Seller** assume responsibility for packing, loading or shipping. See special instructions on each asset page for removal details. A daily storage fee of \$10.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

**Vehicle Titles.** **Seller** will issue a title or certificate upon receipt of payment. Titles may be subject to restrictions as indicated in the asset description on the website.

**Default.** Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. **Seller** reserves the right to reclaim and resell all items not removed by the specified removal date.

**Acceptance of Terms and Conditions.** By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each asset listed on **GovDeals**. Special Instructions appearing on the asset page will override certain sections of the terms and conditions.

**State/Local Sales and/or Use Tax.** Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed.

**Sales to Employees.** Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.

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

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the following Legal Notice to be published one time in *The Marietta Times*:

On November 7, 2013, the Board of Washington County Commissioners entered into an agreement with GovDeals, Inc. to provide online auction services to the County for the one period of November 7, 2013 through November 6, 2014. Washington County hereby creates the following rules pursuant to Ohio Revised Code 307.12:

The Washington County Board of Commissioners has determined that surplus property including motor vehicles acquired for the use of County offices and departments, and road machinery, equipment, tools or supplies, which is not needed for the public use, or is obsolete or unfit for the use it was acquired is appropriate to be sold by Internet auction, and by a resolution dated November 7, 2013, the Board of Washington County Commissioners declared

its intent to sell property through the Internet.

The auctions shall be conducted on a continuous basis through accessing the Washington County surplus property through the Washington County web site located at [www.washingtongov.org](http://www.washingtongov.org) and double clicking on the GovDeals icon.

All property is offered for sale "As Is, Where Is". Washington County makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The surplus items shall be posted for fifteen days including Saturdays, Sundays and legal holidays during which time bidders may make bids, and the general terms and conditions of sale shall be for U. S. Currency, Certified Cashiers Check, Money Order or Company Check with bank letter guaranteeing funds, no trade or barter, with delivery to take place at the property's present Washington County location.

The Buyer is not entitled to any payment for loss of profit or any other money damages - special, direct, indirect or consequential - and the County reserves the right to reject any and all bids and to withdraw from sale of any of the items listed.

A notice will appear continuously on the County's web site that surplus property is available through Internet auction.

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

#### **RE: ADDITIONAL APPROPRIATIONS**

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

Sheriff	100-0384-54000	\$ 15,000.00
Sheriff	100-0384-54400	\$ 10,000.00
Sheriff	100-0384-57100	\$ 55,038.00

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

#### **RE: TRANSFERS**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve requests for the following transfers:

<u>Department</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Auditor	100-0120-51001	100-0120-53000	\$ 3,350.00
Job & Family Services	200-0720-57400	200-0720-53400	\$ 28,000.00
Treasurer	200-0131-55200	200-0131-57400	\$ 5,000.00
Sheriff	100-0384-57100	210-0406-49100	\$ 55,038.00
Family & Children First	602-2033-55204	602-2033-52003	\$ 150.00

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

Mr. Feathers noted the transfer of \$55,038.00 by the Sheriff is from the Sheriff's Sales Tax Fund.

Mr. White commented that Family & Children First has apparently used all of their travel funds allocated for this fiscal year, and is now asking for the transfer of funds into their travel expense account. He expressed his concern over the number of out-of-town trips taken by Family & Children First staff.

#### **RE: TRAVEL REQUESTS**

Mr. Irvine moved and Mr. Feathers 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 2013 and any and all amendments subsequent thereto:

##### Auditor

Bill McFarland: Four-day trip to Columbus to attend County Auditors Association of Ohio Conference; November 19-22, 2013.

##### Family & Children First

Lashley Earley: Two-day trip to Zanesville to attend mandated Help Me Grow training; November 7 & 8, 2013.

##### Director of Human Resources

Darla Miller: One-day trip to Columbus to attend CCAO Annual Winter Conference; December 9, 2013.

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

**RE: LETTER OF SUPPORT FOR BUCKEYE HILLS GRANT APPLICATION**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve a letter of support to Misty Casto, Executive Director, Buckeye Hills-Hocking Valley Regional Development District, for her agency's application for \$500,000.00 from the Ohio Housing Trust Fund, Housing Assistance Grant Program, for the 2014-2015 funding cycle.

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

**RE: JOB & FAMILY SERVICES HVAC PROJECT**

The Clerk informed the Commissioners they received a memo from Tom Ballengee, Director of Washington County Job and Family Services, indicating he has reviewed the proposals for architectural/engineer services for the HVAC project, and he recommends contracting with Pickering Associates.

The Commissioners acknowledged receipt of the memo from Mr. Ballengee.

**RE: DRAWDOWN OF CHIP FUNDS**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the drawdown of Community Housing Improvement Program (CHIP) funds, grant B-C-12-1CY-2, in the amount of \$24,683.00, and to allow Mr. White and Mr. Feathers to sign the request, as prepared by Gerry Spencer, Washington-Morgan Community Action Program.

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

**RE: COURT ORDER, 2014 APPROPRIATIONS FOR WASHINGTON COUNTY COURTS**

The Clerk informed the Commissioners they received on November 5, 2013 a Court Order, General Division Case No. 13 MISC 17 and Probate Court Case No. 2013 SE 00045, from Judges Ed Lane, Randall Burnworth, and Timothy Williams, in the matter of the appropriations of the 2014 operating budgets for the Washington County Common Pleas Courts: General Division, and the Probate-Juvenile Division, including the Washington County Juvenile Center. The Order, on file in the Commissioners' Office, reads as follows:

*This matter is before the Courts with respect to the appropriating of the Courts' 2014 Operating Budgets by Court order for the Washington County Common Pleas Courts: General Division, and the Probate-Juvenile Division, including the Washington County Juvenile Center.*

*The Courts find that the submitted budgets attached hereto and incorporated herein accurately reflect the minimum needed appropriations that are necessary and reasonable for the proper administration of the Washington County Common Pleas Courts: General Division, and the Probate-Juvenile Division, including the Washington County Juvenile Center.*

***IT IS, THEREFORE, ORDERED*** that the Washington County Commissioners appropriate the 2014 Operating Budgets for the Washington County Common Pleas Courts: General Division, and the Probate-Juvenile Division, including the Washington County Juvenile Center, in the amounts as are shown in the budgets attached hereto.

Mr. Feathers commented the personnel schedule submitted in the Court Order reflects a 5.0% increase in total salaries for the Common Pleas and Probate Courts, and an increase of 8.1% for Juvenile Court. He said this Court Order represents a blatant disregard of the needs of all other Washington County departments.

The Commissioners acknowledged receipt of the Court Order.

**RE: CLOSING OF OFFICES ON FRIDAY, NOVEMBER 29, 2013**

The Commissioners acknowledged receipt of a Memo from County Auditor Bill McFarland that the Auditor's, Treasurer's, and Recorder's offices will be closed on Friday, November 29, 2013, with all staff taking authorized leave of absence.

**RE: DELINQUENT SEWER ACCOUNTS**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve sending letters to the following residents, notifying them that their sewer accounts are delinquent and that payment must immediately be made: Edward Pifer, Joseph Hungate, Evan Campbell, Fred & Savannah Newlon, Diana Funk (for 3844 School House Road, Little Hocking), Richard Rohr, Chad & Jennifer Rowley.



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

**RE: CERTIFICATION OF DELINQUENT SEWER ACCOUNTS TO COUNTY AUDITOR**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve certifying the following delinquent sewer accounts to County Auditor Bill McFarland, and requesting him to add the delinquent amounts to property taxes due for the properties: Theresa Hescht, Patricia Eagle, Angela Parker, HSBC Bank USA National Association, Ernest Cornell, Ted Williams.

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

**RE: CHANGE ORDER #1, CR 16 LANDSLIP REPAIRS**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve Change Order #1 for the County Road 16 Landslip Repair Projects, contractor Larry Lang Excavating, Inc., in the amount of \$11,339.90, a result of greatly worsened conditions of the landslips after the signing of the original contract for repair, bringing the new contract amount to \$64,515.80, as requested by County Engineer Roger Wright.

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

**RE: CONTRACT WITH MARIETTA INDUSTRIAL ENTERPRISES FOR DEBRIS REMOVAL**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve a contract with Marietta Industrial Enterprises for debris removal at the Lowell T-Bridge, in preparation for underwater bridge inspection, in the amount of \$29,600.00, as requested by County Engineer Roger Wright.

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

**RE: OHIO DEPARTMENT OF TRANSPORTATION**

Fred Vogel introduced himself as the Regional Manager for the Office of Jobs & Commerce, Ohio Department of Transportation (ODOT). He said his assigned territory includes all eighteen counties in ODOT Districts 7 and 10.

Mr. Vogel informed the Commissioners his responsibility is to align transportation investments with the business needs of local communities. He said economic development is a top priority of ODOT, and he is available to work with entities and businesses to pursue collaborative funding mechanisms for local projects. He noted ODOT works with cities, counties, townships, the Appalachian Partnership for Economic Growth (APEG), and businesses. He said he works with the County Engineer, Buckeye Hills-Hocking Valley Regional Development District, and the Southeastern Ohio Port Authority. He encouraged the Commissioners to contact him as needed.

**RE: CHIP STATUS REPORT**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the Ohio Community Development Block Grant Program Status Report, Grant B-C-12-1CY-1, and the Ohio Home Program Status Report, Grant B-C-12-1CY-2, both for the Community Home Improvement Program (CHIP), for the period through September 30, 2013, as prepared and requested by Dawn Rauch, Washington-Morgan Community Action Program, and to allow Mr. White and Mr. Feathers to sign the reports.

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

**RE: REIMBURSEMENT REQUEST, MOVING OHIO FORWARD PROGRAM**

Mr. Feathers moved and Mr. Irvine seconded a motion to approve the Reimbursement/Disbursement Request Report, in the amount of \$16,153.00, for the removal of a structure at 718 Main Street, Belpre, Ohio, through the Moving Ohio Forward Program, as prepared and requested by Dawn Rauch, Washington-Morgan Community Action Program, and to allow Mr. White to sign the report.

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

**RE: AUTHORIZATION TO DEMOLISH STRUCTURES, MOVING OHIO FORWARD PROGRAM**

Mr. Irvine moved and Mr. Feathers seconded a motion to approve the demolition, with the owners' consents, of the following structures, in accordance with the Moving Ohio Forward Program:

208 Market Street, Marietta, Ohio, owner Mark and Amy Beardmore  
11 Goose Run Road, Marietta, Ohio, owner Scott Eggleston

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

**RE: RENOVATION OF COURTHOUSE STORAGE ROOM**

Buildings and Grounds Superintendent Tim Marty presented a proposal to convert the large storage room on the second floor of the Courthouse to meeting room(s). He said the room has been emptied, and he has received quotes for the construction, electric, and floor covering work to be done by separate contractors, and a quote for all the work to be done by one contractor. He recommended the quotes from separate contractors, as they are lower than the other. Mr. White asked him to seek additional quote(s) for the work to be done by separate contractors so the County can demonstrate efficient, effective use of public funds for this job.

**RE: SOUTHEASTERN OHIO PORT AUTHORITY**

Terry Tamburini, Executive Director of the Southeastern Ohio Port Authority, updated the Commissioners and County Commissioners Association of Ohio (CCAO) Executive Director Suzanne Dulaney on the following:

Mission and goals of the Port Authority  
Wincore Windows site selection  
State Route 7 Sewer Line  
Toll Compaction proposed move  
Collaborative efforts from Washington County Career Center, Washington State Community College, and West Virginia University at Parkersburg for area workforce development

Ms. Dulaney offered her assistance in connecting the Commissioners and the Port Authority to State of Ohio workforce development resources.

**RE: SUZANNE DULANEY, CCAO**

Suzanne Dulaney introduced herself to the Commissioners as the recently selected Executive Director of the County Commissioners Association of Ohio (CCAO). She replaces Larry Long in that capacity, who served CCAO from 1974 to 2013.

Ms. Dulaney said she has visited 15 to 20 counties since assuming her role in August. She noted some high priority concerns from them:

- Capital project investments are suffering in light of budget reductions, resulting in use of equipment, vehicles, and facilities long beyond their useful lives.
- Funds for justice, including courts and corrections, and mental health and housing, are gradually being restored but not at the level they once were.
- The cost of indigent defense is too much for counties to absorb, and the State should assume more of the responsibility.
- Costs for children services consume much of counties' budgets.

The Commissioners added their concerns to her list:

- Mandates from the Ohio EPA for installation of expensive sewer lines in local communities are inappropriate and unnecessary.
- Court Orders to accommodate budget requests from County judges make it difficult for the Commissioners to develop, implement and maintain a county-wide budget that is equitable and responsible.
- The Veterans Services Commission has budgetary control over their funds, and there is concern that veterans' services may be considered a lesser priority than administrative costs.
- Generation 911 may be too costly for counties to implement.
- Changes to flood plain and insurance are having a major impact on businesses in the Cities of Marietta and Belpre, and along both the Ohio and Muskingum Rivers.

**RE: DOUG MATHENY, "COUNT ON COAL"**

Doug Matheny, Director for the National Mining Association, State of Ohio, shared with the Commissioners his concern about rising costs of electricity and the movement away from use of coal to generate that electricity. He asked the Commissioners to consider the following resolution:

***WHEREAS**, America's and Ohio's businesses, homes, hospitals, schools and government functions all rely on affordable, reliable electricity generated using a variety of fuels – coal, natural gas, nuclear and other sources – and this diversity keeps energy prices low and reliability high; and*

***WHEREAS**, advanced technology is leading the way to cleaner use of all available fuels – including coal, which today burns cleaner than ever before, with new technologies on the horizon that will allow coal to burn with virtually no carbon dioxide emissions; and*

**WHEREAS**, maintaining coal-fired generation, particularly, is a key to keep electricity abundant and its cost low (coal generates 43% of the nation's power and 78% in the State of Ohio); and

**WHEREAS**, coal represents the most abundant source of energy in the United States, with a 250-year supply within our borders, and provides a significant job base in many states; and

**WHEREAS**, the Environmental Protection Agency's proposed greenhouse gas (GHG) new source performance standard (NSPS) for new fossil fuel-based electric generation jeopardizes the diversity of fuels used for power generation, thereby putting price and reliability at risk.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Washington County, Ohio supports continued use of a diverse fuel portfolio for electricity generation both in Ohio and throughout the United States; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners of Washington County, Ohio supports continued development of coal-based power in the United States, and petitions leaders and elected officials to pursue new policies and halt the EPA's costly and harmful pursuit of regulations that restrict fuel diversity for electricity generation.

Mr. Feathers moved and Mr. Irvine seconded a motion to adopt the foregoing resolution.

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

**RE: ADJOURNMENT**

Mr. Feathers 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 2:10 p.m.

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

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

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

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