

## **MORGAN COUNTY COMMISSIONERS RIECKER BUILDING**

Board of the Morgan County Commissioners met in their office on Monday, May 2, 2005, with the following members present:

Ron Moore, President  
Rick Shriver, V. President  
Dean Cain, Member

The meeting was called to order at 8:30 a.m. with the pledge of allegiance to the flag.

The Commissioners reported on their activities of the previous week:

**Monday: Commissioners Ronald Moore and Dean Cain attended the Farm Bureau elected officials breakfast in the Chamber Room of the Riecker Complex and met with Renee Young and Terry Robinson of FEMA.**

**Tuesday: Commissioner Moore attended the Area on Aging meeting at the Senior's Building and traveled with Commissioner Cain to attend the Buckeye Hills General Policy meeting in Marietta. Commissioner Moore conducted job interviews with Dan Richardson of the office of Recycling and Litter Prevention for Supervisor of the Summer Litter Program**

**Thursday: Commissioner Moore met with John Lanning of RHS Solutions to discuss Worker's Compensation programs. The Commissioners held a public meeting in Bishopville.**

Jeff Shaner, OSU Extension & Economic Development, reminded the Commissioners about the AEP meeting tonight at 4:00 p.m. and about the CIC Work Day on Saturday, May 7, 2005 at 8:00 a.m. Mr. Shaner shared his up coming meetings and activities. 4-H camp will be August 1 through August 5, 2005. The camp fee is \$100.00 per child. The 4-H Committee will provide monies to reduce the camp fee by \$20.00 per child. Children of TANF eligible families may qualify for help with the camp fee through the Jobs and Family Service Department.

John Kitts Director of Veterans Service Commission presented the Commissioner's with the County activity report for 2004. The Director reported that there have been 226 total applicants with 223 assisted and 3 denied. Memorial Day Expenses: \$ 1,100.00. Veteran Burial Expenses: \$0. Flags and Holders: \$ 2,854.80. Total number of veterans transported to VA Medical Facilities: 274 at a cost off \$ 412.00.

05- 197 Motion by Rick Shriver and second by Dean Cain to accept the request for transfer of funds from A-9-C-6 to A-9-D-5 in the amount of \$ 500.00 as requested by John Kitts, Morgan County Veterans Service Officer.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

05- 198 Motion by Dean Cain and second by Rick Shriver to grant the request of Michael Totman, Court Administrator & Chief Probation Officer for the Court of Common Pleas of Morgan County for a supplemental appropriation into the Courts special project fund in the amount of \$ 3,500.00.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

The Commissioners are in receipt of the Monthly obligations and securities and inventory report as of April 2005.

05- 199 Motion by Dean Cain and second by Rick Shriver to accept a request for a supplemental appropriation of \$ 5,000.00 into EMA Equipment line item #009-0009-5304.00 as requested by Terry Robison, Director of Morgan County Emergency Management Agency and Office of Homeland Security.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

Commissioner's are in receipt of postage report for April 2005. There were a total of 1308 pieces of mail for a total cost of \$ 1,009.00.

**RESOLUTION #05-200  
INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY**

Whereas, the Office of the Ohio Public Defender has by Rule O.A.C. 120-1-03 adopted regulations for the appointment of counsel for the indigent; and,

Whereas, pursuant to this rule, the Board of County Commissioners needs to adopt a verification procedure and a plan to recoup all or part of the cost of counsel for persons who meet certain income guidelines.

It is hereby resolved that:

The courts of this county shall make the appointment of counsel, either private assigned counsel of the County Public Defender, in accordance with the rules established by the Ohio Public Defender Commission and the State Public Defender to enable this county to receive reimbursement from the state for a part of the indigent defense costs.

Payments shall be made pursuant to the Morgan County Indigent Defense Fee/Cost Recoupment Policy, a copy of which is hereby attached to this resolution

This resolution shall be effective for all cases with an appointment date of May 2, 2005 or later.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

**MORGAN COUNTY  
INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY**

1. The Court shall review each defendant’s indigent status and determine if recovery of assigned counsel fees are appropriate. The Court may waive the fees if it is determined that the imposition of such would result in an undue hardship on the client.
2. The court may order further income verification to determine eligibility. The income verification fee shall be \$ 25.00, subject to waiver by the court in the case of undue hardship.
3. The Court shall order when the reimbursement fee shall be due.
4. The court may request that the defendant sign an agreement regarding the recoupment amount. The agreement form to be used in attached to this policy.
5. Persons shall pay according to the following schedule, determined by the highest degree of offense charged:

Felonies.....	\$ 200.00
Misdemeanors.....	\$ 100.00
Abuse/Dependency/Neglect Cases.....	\$ 100.00
Other Juvenile Cases.....	\$ 50.00

6. Payment shall be remitted to the Clerk of the court in which the defendant was charged, payable by certified check or money order (cash not accepted) made payable to the Morgan County Treasurer.

MaryLee Humphrey of the Senior Service America, Inc. and Community Action Program received authorization for an extra ten (10) hours of work per week for their Senior Aid’s. These special hours will start May 1<sup>st</sup> through May 29<sup>th</sup>.

Jim Ridenour, Director of DJFS, turned in leave and meeting request for himself and staff.

05- 201 Motion by Rick Shriver and second by Dean Cain to approve the meeting and leave request by Mr. Ridenour as follows:

Jan Snouffer to Domestic Violence training May 3<sup>rd</sup> in Athens, Kim Reed and Debbie Griesmyer to One-Stop marketing meeting May 4<sup>th</sup> in Caldwell, Jim Ridenour to Canton District Directors meeting May 17<sup>th</sup> in St. Clairsville, Cathy Apperson and Mary Woodard to Ohio Department of Health and ODJS Medicaid training May 17<sup>th</sup> in Marietta.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

05- 202 Motion by Dean Cain and second by Rick Shriver to approve supply request for 50 cases of copy paper from Central Office Supply as requested by Jim Ridinour.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

05- 203 Motion by Rick Shriver and second by Dean Cain to accept MAXIMUS Contract for QUIC and RMS software agreement for DJ/FS.

***Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried***

Dan Richardson, Recycling & Litter Prevention, turned in his activity sheet, and a request for permission to attend a Legislative Day breakfast and meeting in Columbus, on May 4<sup>th</sup>. Any expenses that may occur will be paid for with Recycle Ohio grant funds, and no county funds will be used. He also introduced Wade Smith. Mr. Smith was hired as the Litter Collection Supervisor and will work 3 days per week. If the Summer Youth Program is funded this year Mr. Smith will then work full time.

County Engineer, Stevan Hook stated County Road 2 is closed for emergency repair. This repair will cost \$49,539 and will be paid for from the Federal Highway Administration.

Linda Sheets, Director of Area Agency on Aging, stated Rev. Carl Dodrill donated a paper shredder to the Sr. Center. Ms. Sheets said it is very much appreciated. Ms. Sheets turned in bills for the Commissioners signature

A Public Hearing for the closing of County Road 11 was held on May 2, 2005 in the Chamber Room of the Riecker Complex. 22 residents of Morgan County were in attendance. Commissioner's President Ron Moore opened the hearing by reading the law concerning road closures from Ohio Revised Code 554. This hearing was held in accordance to a petition to close County Road 11 presented by the Morgan County Gun Club.

President Moore asked for comments from the attendees.

Mr. Fisher commented he had been a resident of Morgan County for 74 years and he wanted to know why the gun club would want to close that road now after all these years. Mrs. VanHorn commented that when her area flooded that road was the only way to get to town.

Tom Archer of the AEP commented his company objects to the closing of the road as it would interfere with future plans and they need to keep this a public access road.

Dean VanHorn commented on the up keep of the power lines, the flooding issue, Emergency Equipment traveling that road, and the access to the Cemeteries on County Road 11.

Kenton Weaver commented that having the road open would be of benefit to the Gun Club as someone might enter the property and close the gate and no one would know they were there.

Chet McCormick commented the gate should be open because of flooding and people wanting to visit the cemeteries. He feels that Central Ohio Coal has broken their contract and the road should be opened totally.

Commissioner Moore is in agreement that the cemetery needs to be accessible on holidays.

Kenton Weaver asked was the road to be opened all the way through, Commissioner Moore stated not at this time. It will be opened as in the past.

Dean VanHorn stated The Gun Club is a good organization and we are glad to have them in our area but why must the road be closed.

Commissioner Moore read a letter from the Gun Club stating why this petition was presented. Their main concern was vandalism to their property.

Mrs. VanHorn commented that a lot of hunting traffic is coming through her road.

Kenton Weaver asked if closing the road would diminish the Twp. Road taxes.

Morgan County Engineer, Stevan Hook commented yes, there would be some loss of Twp. Road taxes but it would not be a significant amount. His personal feeling is that the road should remain open for new expansion in the area. He stated it is a lot harder to get a road voted in than to get one voted closed.

Mr. Fisher commented if lots are sold in this area and houses were built, this would be great help toward vandalism of the Gun Club.

Kenton Weaver commented if anyone wants to steal something, they would steal it.

Gary Miller stated there is a lot more vandalism in the area do to the mine shifts being less.

Terry Kidd stated he has a key and will let anyone in that wants to enter the cemeteries.

Sarah Hurst stated she did not want look someone up and get a key to visit her peoples grave. She stated she hasn't been able to put flowers on her Grandmother's grave for 5 years.

The Commissioners feel that denying this petition will be for the good of the public. This will follow the Ohio Revised Code.

**05-204** Motion by Dean Cain and second by Rick Shriver to deny the petition to close County Road 11, as requested by the Morgan County Gun Club.

**Vote: Ron Moore, yea Rick Shriver, yea Dean Cain, yea  
Motion Carried**

Commissioner Moore stated by the end of 2005 all gates will be down and County Road 11 will be open all the way through.

05-205 Motion by Dean Cain and second by Ron Moore to approve a 20% phase in Cost allocation.

Commissioners set 5-16-05 at 10:00p.m. for the opening of bids for Fire Protection Equipment for the Pennsville Fire Dept.

Jeff Driggs, County Dog Warden, turned in his mileage sheet showing he traveled 229.8 miles throughout Morgan County responding to dog calls.

05-206 Motion by Rick Shriver and second by Dean Cain to adjourn.

**Vote: Ronald Moore, yea Rick Shriver, yea Dean Cain, yea Motion Carried**

Commissioners,

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Ronald Moore

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Rick Shriver

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Dean Cain

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Sharon Travis, Clerk

