

**MORGAN COUNTY COMMISSIONERS
RIECKER BUILDING**

The Board of the Morgan County Commissioners met in their offices on Monday, August 28, 2006 with the following members present:

Rick Shriver, President
Dean Cain, Vice-President
Ron Moore, Member

Ms. Marlys Barbee, Morgan County Citizen was also present.

The meeting was called to order at 8:30 am with the pledge of allegiance to the flag.
The minutes of the August 21, 2006 meeting were read and approved.

06-375 Motion by Mr. Dean Cain and seconded by Mr. Rick Shriver to approve the minutes from August 21, 2006.

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

The commissioners reported on their activities from the preceding week of August 21, 2006.

On Monday, Commissioner Moore and Cain attended the Governor's of Appalachia meeting.

On Tuesday, Commissioner Moore attended the Area Agency on Aging board meeting at the Senior Center and later met with Mary Lee Humphrey from the Washington-Morgan Community Action Agency to discuss the Senior Aide program. He met with a committee sponsored by Washington State Community College on Wednesday to set up interviews for the Coordinator position for the Morgan County Center for Higher Education. Commissioner Cain and Moore met with Jeff Shaner and perspective new business owners for Morgan County.

On Thursday, Commissioner Shriver met with a prospective employer at the Malta Growth Complex. He also met with area suppliers concerning fixtures for the Adult Learning Center and he met with Financial Institutions concerning additional funding for the Adult Learning Center. Commissioners Cain and Moore attended the Seniors' cookout at the Senior Center and later met with Commissioner Shriver to hold their Community Meeting at the Center Township Fire Department.

On Friday, Commissioner Cain met with J.P. Dutton to discuss funding for the Adult Learning Center and to get an update on the status of funding for an Industrial Park.

The Commissioners are in receipt of a letter from the Morgan County Planning Commission requesting that the Large Lot Development Rules be amended.

06-376 Motion by Mr. Ron Moore and seconded by Mr. Rick Shriver to accept the Planning Commissions' recommendation as written.

Resolution 06-376

**RESOLUTION ADOPTING AN AMENDMENT TO THE
SUBDIVISION REGULATIONS OF MORGAN COUNTY, OHIO
PURSUANT THE OHIO REVISED CODE
SECTIONS 711.10 and 711.133**

WHEREAS, The Morgan County Board of Commissioners originally adopted Subdivision Regulations of Morgan County, Ohio on December 6, 2004.

WHEREAS, Pursuant Ohio Revised Code Section 711.10 the Board of Commissioners has authority to adopt general rules, of uniform application, governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the proper arrangements of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan, for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air, and for the avoidance of congestion of population. The rules may provide for their modification by the Board of Morgan County Commissioners in specific cases where unusual topographical and other exceptional conditions require the modification. In addition, the rules may review and comment on a plat before the Board of Commissioners act upon it and also may require proof of compliance with any applicable zoning resolutions, and with household sewage treatment rules adopted under Section 3718.02 of the Revised Code, as a basis for approval of a plat; and

WHEREAS, Pursuant to Ohio Revised Code Section 711.133, the Boards of Commissioners has the authority to adopt additional regulations for parcels of land ranging in size from not less than five acres and not more than twenty acres; and

WHEREAS, the Board of Commissioners has determined to amend the 1997 Subdivision Regulations by adopting the 2006 Subdivision Regulations of Morgan County, Ohio, (hereinafter the "Regulations") in the form attached hereto; and

WHEREAS, the Board of Commissioners has determined the Regulations be in the best interest of the citizens of Morgan County, Ohio.

NOW THEREFORE, upon introduction and motion of Mr. Ron Moore, seconded by Mr. Rick Shriver, **BE IT RESOLVED BY THE MORGAN COUNTY BOARD OF COMMISSIONERS THAT:**

Section 1. The 2006 Subdivision Regulations of Morgan County, Ohio are hereby amended. A copy of the regulations is attached hereto and incorporated herein and made part of this Resolution.

Section 2. Pursuant to Ohio Revised Code Section 711.132, the 2006 amendment of the Subdivision Regulations of Morgan County, Ohio shall be effective immediately upon approval and adoption by the Morgan County Commissioners.

Section 3. Upon approval and adoption of the 2006 Subdivision Regulations of Morgan County, Ohio by the Morgan County Commissioners, the Board of Commissioners hereby authorizes the Chairperson of the Board of Commissioners to certify a copy of the same to the Recorder of Morgan County, Ohio.

Section 4. It is found and determined that all formal actions of this Board of Commissioners concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board of Commissioners, and that all deliberations of the Board of Commissioners and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This resolution shall be in full force and effect immediately upon its adoption.

I hereby certify that the above Resolution and the attached copy of the 2006 Subdivision Regulations of Morgan County, Ohio adopted by the Morgan County Board of Commissioners area true and exact copy of the Board of Commissioners' Minute Book, Dated August 28, 2006.

Vote Ron Moore, yea Rick Shriver, yea Dean Cain, nay Motion Carried

Commissioner Cain discussed his vote: "In my opinion this will stifle economic growth, cost thousands of dollars in tax money and the majority of people do not want this. I will attempt to rescind this resolution as soon as another Commissioner takes office to vote with me on this."

***Morgan County Planning Commission
Large Lot Development Rules***

With the passage of SB 1 15, the State Legislature has empowered the Morgan County Planning Commission with the authority to implement rules for the proper and orderly development of lots up to 20 acres.

The Morgan County Planning Commission is here by establishing development rules and review procedures for the approval of new parcels larger than 5.000 acres and smaller than 20.000 acres. These rules and reviews will apply to all new parcels in this size range except that parcels to be used for agricultural or personal recreational purposes only shall be exempt from said rules. Any parcel claiming either of these exemptions shall be marked "Not approved for development." Should the owner of an exempt tract desire to change the use of the property, said owner will be required to obtain Morgan County Planning Commission approval prior to the use change. For purposes of these regulations, parcels intended for agricultural or personal recreational purposes cannot contain permanent dwellings nor wells or septic systems. It will be the developer's responsibility to provide assurance of compliance with these requirements for the parcel to be considered exempt.

Any parcels subject to these rules and reviews shall be treated as a minor subdivision to insure that the health, safety and welfare of the general public are protected. In addition, the parcels will be reviewed by the appropriate entities to insure that access management, surface and subsurface drainage issues are adequately addressed. This review will be provided by the various agencies including, but not limited to, the County Health Department, the County Engineer, and the Soil and Water Conservation District. This review will help to insure that the buyer will be able to use the land for its intended purpose and that the new parcel does not create an undue hardship on the local government authorities.

The developer will be required to provide assurance that the proposal does not violate any established conservation practices on the property. Arrangements will need to be made for CAUV recoupment for the conversion of any CAUV acreage from agricultural use.

Only maintained roads will be recognized as viable road frontage. The developer will not be allowed to split along an abandoned or "Class X roads. In addition, the developer will be responsible for road upgrades to support the increased traffic that their project will generate.

The Morgan County Planning Commission has established a width to depth ratio for these regulated parcels as follows:

Lot Size (LS)	Width to Depth
4 ac.< LS < 10 ac.	1:4.0
10 ac.< LS <15 ac.	1:4.0
15 ac.< LS < 20 ac.	1:4.5

The average width and average depth of the parcel will be used to verify compliance with this requirement. Flag lots may be considered.

The developer shall submit a sketch of the proposed development to the Morgan County Planning Commission for review. Review fees for these developments will be paid when the sketch is submitted for review, In addition, the other reviewing agencies may have fees for their review services. The time frame for the review will comply with the schedule as spelled out in the legislation.

Any property to be sold at auction that will result in regulated size tracts must be submitted in sketch form for review and approval prior to the auction. The proposal must reflect the maximum number of parcels that may be sold.

No deeds for new large lots subject to these regulations will be approved without the required reviews.

06-377 Motion by Ron Moore and seconded by Mr. Rick Shriver to allow the chair to certify resolution 06-376 to the Morgan County Recorder’s office. Mr. Moore stated “This will allow the certification to occur immediately.”

Vote Ron Moore, yea Rick Shriver, yea Dean Cain, nay Motion Carried

Mr. Jeff Shaner, OSU Extension, reported that the Extension office is in full swing in preparation for the 2006 Morgan County Fair. Livestock Skilathons have been completed, 99 percent of the livestock entries are in, and Jenny Lindimore, Office Assistant, is completing the JR. Fair showbooks. Mr. Shaner reported that the CIC meeting will be held on September 13th at 8 AM. On Wednesday at 1 PM he will be meeting with ODOT and KZF concerning the bridge study. Letters have been sent out to representatives from the township. Mr. Shaner reported that the Planning Commission will meet Tuesday evening. September 8th the Region II Department Development will be holding a quarterly meeting, concerning job ready sites. Mr. Shaner also reported that he has spoken with Mr. McConnell and Mr. Anderson with MIBA concerning renovations at the Gould site. He has met with Ms. Wells concerning the Brownfield sites grant program.

Mr. Bill Hart stopped by the commissioners’ office to continue his discussion on the Homelessness issue.

Mr. Jim Ridenour, Department of Job and Family Services, submitted meeting requests for himself to attend the Canton District Directors Meeting on September 5th in LaFayette, Kim Reed, Julia Porter and Freda Van

Horn to Child Care Networking meeting on September 12th in Athens and DeeAnn Vandine and Mr. Ridenour to TANF Demo meeting on September 21st in Zanesville.

Mr. Ridenour made a request to change Social Worker 1 position to a Social Worker 2 position.

06-378 Motion by Mr. Ron Moore and seconded by Mr. Dean Cain to approve the request to change the Social Worker 1 position to a Social Worker 2 position.

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

The Commissioners are in receipt of a letter from Elizabeth Shuster requesting to use the Commons in McConnellsville for the Shuster family reunion on Saturday, September 2, 2006 starting at 11:00 AM. Approval was given.

The Commissioners are in receipt of a letter from the M & M Kiwanis and Twin Community Jaycees requesting permission for the placement of an Outdoor Extravaganza Banner on the corner of the Commons from September 4th to September 25th, 2006. Approval was given.

The Commissioners are in receipt of a leave request for Jeff P. King.

06-379 Motion by Mr. Dean Cain and seconded by Mr. Ron Moore to approve a supplemental appropriation in the amount \$50000.00 to 002-0002-5301-00 (Capital Improvements) for payment of anticipated expenses for the remainder of 2006 as submitted by Gary D. Woodward, Morgan County Auditor.

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

06-380 Motion by Mr. Ron Moore and seconded by Mr. Dean Cain to approve the following transfer in the amount of \$1489.29 from 001-0402-5310-00 to 012-0012-5301-00 as submitted by Gary D. Woodward, Morgan County Auditor.

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

06-381 Motion by Mr. Dean Cain and seconded by Mr. Ron Moore to pass a Then and Now Resolution to pay the following invoice:

Finton Equipment	\$1018.75	004-0004-330.02
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As submitted by Stevan Hook, Morgan County Engineer.

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

06-382 Motion by Mr. Dean Cain and seconded by Mr. Ron Moore to un-table motion 06-370 Issue II Paving Project opened on August 21, 2006.

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

06-383 Motion by Mr. Ron Moore and seconded by Mr. Dean Cain to accept the recommendation of Mr. Steven Hook, Morgan County Engineer, to accept the single bid and award it to Shelly & Sands Co., Thornville, Ohio represented by Mr. Wade Hamm, in the following amounts: Round 18 - \$48,966.30, Round

19- \$559,459.27 and Round 20- \$498,017.33. Final acceptance of these contracts, are subject to the final “Approval to Proceed” by the Ohio Public Works Commission as submitted by Mr. Stevan Hook, Morgan County Engineer.

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

Mr. Stevan Hook, Morgan County Engineer, reported that the Morgan County Engineer’s Office will be having an informational booth at the Morgan County Fair. He reported that County Road 84 paving will begin next week. County Road 66 project has been approved by the Ohio EMA and has been sent to the Federal EMA for final approval.

Ms. Linda Sheets, Area Office on Aging, reported that on September 5th at 10:00 AM the Morgan County United Way Kick-Off meeting will be held at the Senior Center. Ms. Sheets reported that she had received a call from Ms. Nancy Robinson, Election Board, requesting to use the Senior Center for the Special Election on September 14th, and the request was approved. Ms. Sheets said the Senior Center will be open on the 14th of September and functioning as normal. They are planning a shopping trip to Zanesville.

Mr. Terry Robinson, EMA Director, reported that his office is securing 3 estimates for Reverse 911 services. It was stated that before Reverse 911 can be pursued it is critical that accurate mapping data be obtained.

Ms. Shannon Wells, Development Office, reported that her office has been awarded a \$300,000.00 Community Distress grant for the Village of Malta. The Commissioners congratulated Ms. Wells on obtaining the Community Distress Grant. Mr. Moore stated, “This is the third or fourth year Morgan County has applied for the grant, but this is the first time we have been successful in receiving the grant.” This grant will be for Community Improvements in the Village of Malta.

Ms. Wells reported on the proposed Lease Agreement with PrimeCare. There are some changes that need to be addressed and submitted to the Morgan County Prosecutor for review.

The commissioners made a clarification on Resolution 06-167, dated April 3, 2006, signatures were added.

06-384 Motion by Mr. Dean Cain and seconded by Mr. Ron Moore to establish new line items for FY 2007 for 068-2007-4001-00 Morgan County Health Department, Bioterrorism fund in the amount of \$46000.00, and establish the following supplemental appropriations.

Salaries	068-2007-5102.00	25256.00
Supplies & Materials	068-2007-5303.00	5000.00
Equipment	068-2007-5304.00	4224.00
PERS	068-2007-5367.00	3500.00
Medicare	068-2007-5368.00	370.00
Workers Compensation	068-2007-5369.00	.00
Travel	068-2007-5307.00	3000.00
Advertising & Printing	068-2007-5308.00	750.00
Other	068-2007-5309.00	1500.00
Contract Services	068-2007-5306.00	2400.00

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

Mr. Jeff Driggs, Dog Warden, submitted mileage sheets for the week, showing a total of 234.5

miles driven responding to dog calls.

The Columbus Dog Connection donated dog beds to Mr. Jeff Driggs for use at the Morgan County Dog Pound.

06-385 Motion by Mr. Dean Cain and seconded by Mr. Ron Moore to approve the following invoices:

VENDOR NAME	DEPARTMENT	CODE	FUND	AMOUNT
Columbia Gas of Ohio	Veterans Service Office	001	General	\$229.00
Shrivers Pharmacy	Board Of Elections	001	General	\$26.77
Gutberlet Chevrolet	Job & Family Services	006	899-30	\$970.66
Muskingum Valley Grocery	Job & Family Services	006	010-20	\$55.18
Morris Hardware	Board Of Elections	001	General	\$13.50
E-Z Stop	Job & Family Services	006	850-53	\$185.00
Morgan County Herald	Morgan County Health Dept.	068	Health	\$174.25
Central Market	Prosecuting Atty	345	Ohio Crime Victims	\$52.71
Central Market	Prosecuting Atty	345	Ohio Crime Victims	\$36.72
Shrivers Pharmacy	Job & Family Services	349	480-90	\$24.90
Shrivers Pharmacy	Job & Family Services	349	480-90	\$23.68
Shrivers Pharmacy	Job & Family Services	349	480-90	\$22.90
Shrivers Pharmacy	Job & Family Services	006	010-20	\$16.01
Shrivers Pharmacy	Job & Family Services	349	474-90	\$19.08
Aramark	Engineer	004	G & M	\$682.61
Business Equip	Morgan County Clerk of Courts	001	Common Pleas	\$118.12
Business Equip	Morgan County Health Dept.	068	Bio-Terrorism	\$2,323.19
Poynter's Bus. Products	Job & Family Services	006	010-20	\$1,936.22
FNB	Morgan County Court	001	General	\$176.83
Apperson Enterprises	Engineer	004	G & M	\$7.00
ACS	Recorder	038	Equipment	\$798.30
BA Disposal	Job & Family Services	006	010-20	\$130.00
Mar Zane	Engineer	004	G & M	\$14,667.32
Mar Zane	Engineer	004	G & M	\$8,224.70
Southeastern Equip	Engineer	004	G & M	\$123.18
Bragg's	C.H. Maintenance/Auditor	001	General	\$959.85
Anthem Blue Cross	Morgan County Health Dept.	063	Health Dept.	\$2,262.67
Anthem Blue Cross	Morgan County Health Dept.	075	Health Dept.	\$470.34
Anthem Blue Cross	Morgan County Health Dept.	077	Health Dept.	\$470.34
Morgan County Engineer	Morgan County Health Dept.	063	Health Dept.	\$80.70
McConnelsville Postmaster	Senior Citizens	028	Senior Citizens	\$78.00
Goss Supply	Engineer	004	G & M	\$240.38
Jeff Driggs	D&K/Auditor	005	D & K	\$62.62
Asphalt Material	Engineer	004	G & M	\$4,907.58
Treas. Of State	Morgan County Health Dept.	064	Health Dept.	\$28.00
Auditor of State	Bur. Insp. Co Exam/Auditor	001	General	\$1,480.00
Auditor of State	Bur. Insp. Co Exam/Auditor	001	General	\$9,629.67
Morgan County Commiss.	Job & Family Services	006	010-20	\$12,657.56
Morgan County Commiss.	Board Of Elections	001	General	\$24.71
Wayne Manufacturing	Engineer	004	G & M	\$124.44
Kroger Co.	Veterans Service Office	001	General	\$148.14
Kroger Co.	Veterans Service Office	001	General	\$196.91

Warrens Morgan Co IGA	Childrens Services	050	790-53	\$19.80
John Wells	Common Pleas	001	Indigent Defense	\$100.74
Channing Bete	Morgan County Health Dept.	068	Bio-Terrorism	\$678.36
Quill	Veterens Service Office	001	General	\$1,107.43
Central Office Supply	Job & Family Services	006	010-20,020-20	\$27.36
CEAO	Engineer	004	G & M	\$200.00
Mo.Co. Agriculture Society	Engineer	004	G & M	\$100.00
Riverside Marathon	Job & Family Services	006	531-30,850-53,899-30	\$365.00
Riverside Marathon	Job & Family Services	050	421-53	\$50.00
Mason Truck	Engineer	004	G & M	\$632.39
Mo.Co. Board of MR/DD	Job & Family Services	006	430-53	\$18,197.00
Jack Worstall	Engineer	004	G & M	\$366.36
Cingular	Morgan County Health Dept.	068	Bio-Terrorism	\$68.27
Gordon Flesch Co.Inc.	Job & Family Services	006	010-20	\$181.59
Washington Co. Career Ctr.	Job & Family Services	349	480-90	\$4,050.00
Debbie Valentine	Senior Citizens	028	Senior Citizens	\$50.05
United Rotary	Engineer	004	G & M	\$1,117.44
WYBZ Radio Station	Job & Family Services	006	010-20	\$498.00
Imlay's Uniforms	Job & Family Services	349	480-90	\$61.16
Kutscherenko Starter	Engineer	004	G & M	\$143.00
Nancy Robinson	Board Of Elections	001	General	\$18.67
Portersville E. Water	Job & Family Services	006	899-30	\$233.14
Greueys Fuel & Farm	Morgan County Health Dept.	063	Health	\$38.26
Wolf Radiator	Engineer	004	G & M	\$140.00
First Communication	C.H. Maintenance/Auditor	001	General	\$241.71
Citizens National Bank	Auditor	012	TIF	\$7,132.95
Jamie Weiner	Job & Family Services	349	480-90	\$48.00
First Communication	Senior Citizens	028	Senior Citizens	\$3.66
Susan Alderman	Senior Citizens	028	Senior Citizens	\$34.65
Skinner Firestone	Engineer	004	G & M	\$463.98
American Electric Power	Job & Family Services	050	420-53	\$33.69
William DeLong	Veterens Service Office	001	General	\$200.00
Safety Kleen	Engineer	004	G & M	\$84.85
McKee Insurance Agency	Job & Family Services	006	899-30	\$119.00
VISA	Job & Family Services	006	010-20	\$369.63
College Book Store	Job & Family Services	349	480-90	\$169.53
John Wagner	Job & Family Services	006	230-53	\$500.00
Shelly Material	Engineer	004	G & M	\$229.81
Shelly Material	Engineer	004	G & M	\$16,868.05
Kimball Midwest	Engineer	004	G & M	\$392.16
Miranda Mullen	Board Of Elections	001	General	\$56.54
Timmy V's	Job & Family Services	006	850-53,580-30	\$165.00
Timmy V's	Job & Family Services	006	850-53	\$210.00
Timmy V's	Job & Family Services	349	480-90	\$219.65
Amanda Wright	Job & Family Services	006	899-30	\$800.00
Teresa Lemon	Senior Citizens	028	Senior Citizens	\$46.20
Crystal Waite	Job & Family Services	349	472-90	\$88.00
Bonda Ewart	Mo. County Health Department	063	Health	\$60.00
Crooksville Child Care	Job & Family Services	006	321-53	\$816.00
Safe4people Inc.	Morgan County Health Dept.	075	Health	\$98.38

Douglas Bennett	Morgan County Court	001	General	\$26.60
Cardinal Concrete	Engineer	004	G & M	\$1,532.14
Cardinal Concrete	Engineer	004	G & M	\$1,814.77
Treasurer of State	EMA & OHS	009	Other	\$180.00
Kari Krause	Job & Family Services	006	030-20	\$159.83
Raymond Starrett	Job & Family Services	349	474-90	\$48.00
Finton Equipment	Engineer	004	G & M	\$1,018.75
Office Depot	Engineer	004	G & M	\$41.88
A T & T	Job & Family Services	006	010-20	\$450.00
Ohio General Merchandise	Auditor	004	G & M	\$63.00
Pamela Miller	Job & Family Services	349	480-90	\$22.00
Brandy Allman	Job & Family Services	349	480-90	\$92.00
Robert Carnes	Job & Family Services	349	480-90	\$88.00
AVW Inc	Job & Family Services	006	020-20	\$115.15
Terry Burkhart	Job & Family Services	006	899-50	\$976.00
Lisa Pletcher	Job & Family Services	006	899-30	\$500.00
CitiFinancial Auto	Job & Family Services	006	230-53	\$241.20
Charles Newcome	Job & Family Services	006	899-30	\$1,000.00
Silverheels, Inc.	Capital Improvements/Auditor	002	Cap. Imp.	\$14,611.50
Noble Medical	Morgan County Juvenile Court	023	Felony Care & Custody	\$212.72
American Electric Power	Veterens Service Office	001	General	\$360.30
American Electric Power	Reicker/Auditor	274	Reicker	\$4,859.58
American Electric Power	C.H. Maintenance/Auditor	001	General	\$2,045.09
American Electric Power	C.H. Maintenance/Auditor	001	General	\$22.05
American Electric Power	EMA & OHS	009	Contracts	\$174.93
Adelphia	EMA & OHS	009	Contracts	\$56.01
Bloom Twp., etal		702	Twp	\$65,377.90
			TOTAL	\$218,844.60

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

06-386 Motion by Mr. Ron Moore and seconded by Mr. Dean Cain to adjourn the meeting at 4:00 p.m.

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

Commissioners,

Rick Shriver, President

Dean Cain, Vice-President

Ron Moore, Member

Crystal Moler, Clerk