

## **MORGAN COUNTY COMMISSIONERS RIECKER BUILDING**

The Board of the Morgan County Commissioners met in their offices on Monday, January 24, 2011 with the following members present:

Mike Reed, President  
Dean Cain, Vice-President  
Tim Vanhorn, Member

The meeting was called to order at 8:30 am with the pledge of allegiance to the flag. The minutes of the January 18, 2011 meeting were read and approved.

**11-59 Motion by Mr. Mike Reed and seconded by Mr. Dean Cain to approve the minutes from January 18, 2011.**

**Vote Mike Reed- yea, Dean Cain- yea, Tim Vanhorn- yea. Motion Carried**

Jim Konkoly, Reporter for the Morgan County Herald, introduced himself to the Commissioners.

Becky Thompson, Dog Warden, reported traveling 66.9 miles responding to dog calls. Mrs. Thompson stated SPOT took 5 dogs and 6 dogs were euthanized. The Dog Warden would like to remind dog owners to buy their dog tags by January 31<sup>st</sup>. Tags are \$8.00 each before the 31<sup>st</sup>, after this date the tags will be \$16.00 each. There will be door-to-door checks for tags after the 31<sup>st</sup>. Those found without tags are in violation of the Ohio Revised Code and could face a fine for that violation. Any questions, call the Morgan County Auditor 740.962.4475; or the Dog Warden, Becky Thompson, 740.962.6424.

Vicki Quesinberry, Director, Job and Family Services, submitted meeting requests for Jan Snouffer to Athens for “Critical Thinking in Assessing Protective Capacities”, on January 26<sup>th</sup>; Jan Snouffer to Athens for “The Role of Mothers Partner in the Home”, on February 8<sup>th</sup>; Jan Snouffer to Athens for “Children without a Conscience” on February 25<sup>th</sup>; Jan Snouffer to Athens for “Assessing Dirty Homes-What’s Too Dirty”, on March 18<sup>th</sup>. Ms. Quesinberry also submitted a supply request for 50 cases of copy paper from The Charles Ritter Company.

David Crow discussed his proposal for his new technology and sought out for advice. Commissioners informed Mr. Crow they cannot advise him on any legality and suggested he contact an attorney. Mr. Crow was also directed to speak with Shannon Wells, Morgan County Commissioners’ Development Office and Mike Workman, Morgan County Community Improvement Corporation, for gain insight on the procedures for his proposal.

Paul Wood provided pictures of Embry Park showing the improvements that were provided by the Ohio Department of Nature Resources Grant.

Shannon Wells, Morgan County Commissioners’ Development Office, and John Sampson, Transit, met with Commissioners. A discussion was held concerning county snow emergency levels 1,2 and 3. Mr. Sampson notified Commissioners he leaves it up to the Transit drivers whether or not they can make it to their scheduled pick up. Mr. Sampson provided an update on transportation. During the year 2010 a total of 3131 Elderly Disabled, 10479 General Service Riders, 16445 Contract-Elderly Disabled, and 6880

Contract-Other Riders were transported. A total of 416,395 miles were driven during those months. Mrs. Wells invited the Commissioners to attend the Convention and Visitor's Bureau 1<sup>st</sup> annual meeting tomorrow in Stockport. Mrs. Wells is the President of the Board for the CVB. It was mentioned Morgan County's new visitor's guide has been printed. Mrs. Wells updated Commissioners on the CHIP Program; 5 households were selected for total rehabilitation and 6 households were chosen for repair. The Housing Inspector will go to the houses and put the specifications together; then the jobs will be put to bid. Shannon stated there are not many local contractors. Commissioner Cain inquired why there were minimal local contractors. Shannon suggested it might be because there is a \$320 out of pocket expense and a certification that must be obtained. Shannon stated there is no prevailing wage for the CHIP Program and informed the Commissioners her office has not heard anything regarding the Septic Grant application that was submitted. Shannon updated Commissioners on the Neighborhood Stabilization Program (NSP): a total of 15 houses were torn down, 2 properties are in limbo due to owners not wanting them torn down. Now, Washington-Morgan Community Action is seeking legal representation to recoup the money that was spent investing in tearing down the properties. Kelly Hardman, Morgan Metropolitan Housing Authority is staying in contact with the agency located in Coshocton that is administering the NSP-2. That agency was awarded 2.9 million and is only investing funds in one household in Morgan County. Mrs. Wells acknowledged the State of Ohio awarded the contract for the new 12-passenger van for the Senior Citizen's Center. The Development Office was approved to spend \$20,000 and the Senior Citizen's Center will have to pick up the remaining balance. Shannon requested permission to apply for another grant for the Village of McConnelsville for a water line project in the amount of \$150,000; Shannon noted there is administrative dollars with this grant. Commissioner Cain inquired if Shannon applies for grants for other villages. Shannon replied she would if she was asked. Commissioner Cain remarked he is fine with it as long as all the villages are being treated the same. Mrs. Wells updated Commissioners on a local manufacturing firm and a discussion was held concerning Governor Kasich privatizing the Ohio Department of Development.

Kelly Caldwell, Humane Agent, informed Commissioners she received a call from a representative with the Ohio SPCA concerning several complaints received concerning Morgan County's Dog Pound. Mrs. Caldwell stated she has a good rapport with the representative. Commissioner Reed declared if Morgan County is in violation of anything- it will be fixed. Kelly found an anonymous donor to donate a hot water tank for the Dog Pound and further stated SPOT is willing to pay for the necessary installation and hookups. Commissioner Reed stated the Commissioners previously mentioned getting a hot water tank to the Dog Warden. The Commissioners appreciates the anonymous donor donating a hot water tank to the county for the Dog Pound. Kelly stated SPOT will hold spay/neuter programs every month beginning after March 2011.

Mike Workman, Morgan County's Community Improvement Corporation, discussed the Morgan Green 60 project and asked for Commissioners support.

**11-60 Motion by Mr. Tim Vanhorn and seconded by Mr. Dean Cain to approve the following resolution, as submitted by Mike Workman, for the Morgan Green 60 project:**

WHEREAS, The Morgan County Improvement corporation is an organization that has shown foresight and determination in the development of certain properties in the Beckwith+McElhiney subdivision for the purpose of establishing a green space and public park site and preserving natural habitat and wildlife, they desire a resolution of support from the Morgan County Commissioners in support of their project known as Green 60 to be funded by the Clean Ohio Conservation Fund.

NOW, THEREFORE, be it resolved by the Morgan County Commissioners that we support the ongoing purchase and eventual restoration of this area to a green space. We understand that the project

will be wholly funded by in-kind donations to the Morgan Community Improvement Corporation and a grant from the Ohio Public Works Clean Ohio Fund and the project will be administered in its entirety by the Morgan County Improvement Corporation.

**Vote Mike Reed- yea, Dean Cain- yea, Tim Vanhorn- yea. Motion Carried**

**11-61 Motion** by Mr. Dean Cain and seconded by Mr. Tim Vanhorn to appoint Wally Olszewski, John D. Mautz and Keith Spare to the Planning Commission for a three-year term to begin January 2011.

**Vote Mike Reed- yea, Dean Cain- yea, Tim Vanhorn- yea. Motion Carried**

Bailey Wilson, Louise Pennock and MaryAnna Wallace, Board of Elections, Sara Baughman, Clerk, Board of Elections, met with Commissioners to discuss their 2011 appropriation. Jim Kinkoly, Herald, and Mark Howdyshell, Prosecutor, was also in attendance. Commissioner Reed started by mentioning the Board of Elections request of \$24,960 into each of the Board's employee salary line items. Commissioners offered the Board of Elections \$10,000; which could pay their employees at the same wage as the Judge ordered last year: \$11.50 per hour and increase their hours to 32 hours a week. Louise and Bailey declared they would not accept the Commissioners offer. Mrs. Pennock stated they desire \$16.00 per hour and if this goes to court the Board of Elections will ask for it to be retroactive. Commissioner Reed stated they do not want to get into another court battle. Commissioner Cain questioned Ms. Baughman being classified as a Clerk and paid \$10.00 per hour until she moved to the county. Louise expressed she does not know where the Commissioners are coming up with that and denied it was ever said. Commissioner Cain confirmed the county simply does not have the funds to pay the offices what they need to be funded at or pay the wages the employees deserve. Louise uttered she does not want to here that excuse. The Board of Elections affirmed they have a Board meeting today at 2pm and asked Prosecutor Howdyshell about his intentions to attend their meeting at 2:30pm. Prosecutor Howdyshell confirmed he would attend their meeting after he speaks with Commissioners.

Prosecutor Howdyshell spoke with Commissioners regarding the county's new health insurance: The Health Plan.

Larry Albert questioned the ethics on Tim Vanhorn doing business with the county with his gas station and being a Commissioner. Commissioner Reed stated the Ethics Commission refused to answer his question; however, they did send examples of similar circumstances. Commissioner Vanhorn mentioned Timmy V's would no longer be doing business with the county unless there is anything that requires a bid. Mr. Albert questioned why his public records request was put in the minutes. Commissioners informed Larry his records request was submitted during the Commissioners regular Monday meeting. Mr. Albert submitted another public records request for copies of the Pound Keeper Log Book beginning July 1, 2010 and ending January 9, 2011.

Mark Howdyshell, Prosecutor, revisited Commissioners to inform them, after attending the Board of Elections meeting, the Board voted and unanimously passed to request to hire outside legal counsel in relation to their 2011 appropriation. Gary Woodward, Auditor, was also in attendance. The Board of Commissioners passed the following resolution.

**11-62 Motion** by Mr. Dean Cain and seconded by Mr. Mike Reed to approve the following:

Whereas, the Morgan County Board of Elections have informed the Morgan County Prosecutor of their intent to bring suit against the Morgan County Commissioners to declare the 2011 appropriation to the Board of

Elections inadequate and to seek a Court Order for an additional appropriation in the amount requested by the Board of Elections; and

Whereas, the Prosecuting Attorney is obligated by law to represent both the Board of Commissioners and the Board of Elections; and

Whereas, the Prosecuting Attorney may not legally represent one statutory client against another in an adversarial proceeding; and

Whereas, the Morgan County Prosecuting Attorney has made arrangements for each Board to be represented by special counsel and now seeks authority under Section 305.14 R.C. to petition the Court of common Pleas for appointment of special counsel to represent the Board of Commissioners and the Board of Elections in the litigation anticipated by the Board of Elections against the Board of Commissioners.

Now Therefore, be it resolved by the Board of Commissioners of Morgan County, Ohio, that the Prosecuting Attorney is hereby granted authority to apply to the Court of Common Pleas of Morgan County, Ohio for an Order granting authority to the Board of Commissioners to employ legal counsel to represent the Board of Commissioners and Board of Elections in the litigation anticipated by the Board of Elections. Passed this 24<sup>th</sup> day of January 2011. Attorney fees are not to exceed \$125 per hour.

**Vote Mike Reed- yea, Dean Cain- yea, Tim Vanhorn- yea. Motion Carried**

**11-63 Motion by Mr. Dean Cain and seconded by Mr. Mike Reed to adjourn the meeting at 4:00 PM.**

**Vote Mike Reed- yea, Dean Cain- yea, Tim Vanhorn- yea. Motion Carried**

**Commissioners,**

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**Mike Reed, President**

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**Dean Cain, Vice-President**

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**Tim Vanhorn, Member**

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**Andrea Plummer, Clerk**