

**MORGAN COUNTY COMMISSIONERS
RIECKER BUILDING**

The Board of the Morgan County Commissioners met in their offices on Monday, July 25, 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 July 18, 2011 meeting were read and approved.

11-272 Motion by Mr. Mike Reed and seconded by Mr. Dean Cain to approve the minutes from July 18, 2011.

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

Becky Thompson, Dog Warden, reported traveling 267.8 miles responding to dog calls. Mrs. Thompson stated 5 dogs were impounded, 4 dogs were euthanized, 3 dogs were redeemed and SPOT took 1 dog.

Stevan Hook, Engineer, met with Commissioners to discuss the copy of the Roadway Use, Repair and Maintenance Agreement between Jefferson County, Ohio and Chesapeake Appalachia LLC, concerning Marcellus Shale drilling that he submitted on July 11th for Commissioners to review. Commissioners agree the county needs to have something in place to preserve our township and county roads. The pros and cons of having a policy in place, as well as, the pros and cons of oil drilling starting in Morgan County was discussed. The Commissioners are confident in Engineer Hook's policy recommendations. Ideally Commissioners and Engineer Hook anticipate having a Roadway Use, Repair and Maintenance Agreement for Morgan County in place in September 2011 pertaining to county and township roads.

Gary Woodward, Auditor, informed Commissioners of an increase in the amount of \$10,687, concerning the County's Workers' Comp invoice; the problem is some departments have transferred their remaining Workers' Comp amount to another line item. Gary mentioned he is mostly concerned with the Riecker Fund. When the Riecker Fund is in the "red", the General Fund has to pick up the difference.

Vicki Quesinberry, Director, Job and Family Services, submitted meeting requests for Ginger Bowen to Fairfield County JFS on August 18th, for "Administrative Hearing Officer" training; Reuben Kittle to Athens on August 3rd, for "Powerful Engagement 1: Counseling Skills"; Reuben Kittle to Athens on August 4th, for "Working with People you can't stand"; Cheryl Bailey to Athens on September 20th, for "Casework Interviewing, problem Solving & Crisis Intervention". Vicki submitted a copy of the public notice for RFP-payroll for NEG Dislocated Worker. Vicki requested Toni Eckert be appointed to the Area 15 Workforce Investment Board for a two year term and Margie Haines to Area 15 Workforce Investment Board, Youth Council member, for a two year term; both terms begin July 2011.

11-273 Motion by Mr. Tim VanHorn and seconded by Mr. Dean Cain to appoint Toni Eckert to the Area 15 Workforce Investment Board for a two year term and Margie Haines to Area 15 Workforce Investment Board, Youth Council member, for a two year term; both terms begin July 2011; as requested by Vicki Quesinberry, Director, Job and Family Services.

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

Shannon Wells, Morgan County Commissioners' Development Office, requested a resolution to apply to the Ohio Department of Development for \$82,000 in FY 2011 Community Development Block Grant funds and to approve an Anti-Displacement and Relocation Assistance Plan for the Office of Housing and Community Partnerships (OHCP). Shannon stated the county is not obligated to use Revolving Loan Fund dollars for the Community Development Block Grant Formula funding in the amount of \$82,000. Mrs. Wells mentioned she met with Prosecutor Howdysshell last week to sign misc documentation for her office and a discussion took place regarding a local manufacturing facility. Shannon notified Commissioners of an applicant for a Microenterprise Loan in the amount of \$15,000 to purchase equipment. Commissioners asked Shannon regarding her conversation with Marietta Memorial concerning the vacant space in the Riecker Building formerly occupied by Muskingum Valley Health Centers. Shannon mentioned Marietta Memorial intends to get back with the county soon regarding the vacant space opportunity within the Riecker Building.

11-274 Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to resolve to apply to the Ohio Department of Development for \$82,000 in FY 2011 Community Development Block Grant funds and do hereby authorize Michael Reed, President, to sign all necessary application materials.

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

11-275 Motion by Mr. Tim VanHorn and seconded by Mr. Dean Cain to approve the following Anti-Displacement and Relocation Assistance Plan, as recommended by Shannon Wells, Morgan County Commissioners' Development Office:

The Morgan County (Community) will replace all occupied and vacant occupiable low and moderate income dwelling units demolished or converted to a use other than low and moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR 570.488. HUD regulations have extended this requirement to the HOME program as well.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Morgan County (Community) will make public and submit to the Office of Housing and Community Partnerships (OHCP) the following information in writing:

1. A description of the proposed assisted activity;
2. The location of each site on a map and the number of dwelling units by bedroom size that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by bedroom size that will be provided as replacement dwelling units;

5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. the basis for concluding that each replacement dwelling unit will remain low and moderate income unit for at least 10 years for the date of initial occupancy;
7. An analysis determining whether a dwelling unit proposed to be demolished is occupiable or not; and
8. An analysis determining whether a dwelling unit proposed to be demolished or converted is considered a low and moderate income unit.

The Morgan County (Community) will provide relocation assistance, as described in 24 CFR 570.488, to each low and moderate income household displaced by the demolition of housing or conversion of a low and moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives under the Act, the Morgan County (Community) agrees to provide substantial levels of assistance to persons displaced by HUD-assisted programs and will further seek to minimize displacement of persons as a result of assisted activities.

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

Commissioners met with Prosecutor Howdyshell and Shannon Wells, Morgan County Commissioners' Development Office, regarding a local manufacturing facility and the restructuring of their loan. Commissioners are in favor of a 10 year loan agreement, which would encompass all late payment fees and interest.

Della Bratton telephoned Commissioners to inquire on the availability of grant dollars to pay for the Commissioners minutes to be published in the Morgan County Herald. Commissioners are unaware of any available grant dollars regarding this.

Brenda Swank, Mathews Insurance, met with Commissioner to inform them of two new products; Cancer Plan and Cancer with Critical Illness.

11-276 Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to approve the request by Bruce Barritt, General Maintenance Supervisor, Central Ohio Coal Company, the release of County Road 11 (South), situated between the junction of Morgan County Road 5, southerly to its junction with Meigsville Township Road 224, for a total length of 1.75 miles from their responsibility and returned to the care of the Morgan County Commissioners.

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

11-277 Motion by Mr. Tim VanHorn and seconded by Mr. Dean Cain to approve the following:

**A RESOLUTION TO PLACE A RENEWAL TAX LEVY IN THE AMOUNT OF 1.97 MILLS
UPON THE NOVEMBER 8, 2011 GENERAL ELECTION BALLOT
FOR THE BENEFIT OF THE MORGAN COUNTY BOARD OF DEVELOPMENTAL
DISABILITIES**

WHEREAS, the Morgan County Board of Developmental Disabilities has provided the undersigned Commissioners with a copy of Resolution #2011-06-01 declaring that the current 1.97 mill levy for the operation of programs, services and facilities of the Morgan County Board of Developmental Disabilities, known locally as the Mary Hammond Programs (but separate and distinct from the legal

entity known as the "Mary Hammond Enterprises, Inc.") will expire December 31, 2011, thereby reducing available funds, and declaring that it is necessary to renew said levy to continue raising monies for the operation of programs, services and facilities by the Morgan County Board of Developmental Disabilities and for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, and that the amount of taxes that may be raised within the ten mill limitation, without renewal of said levy, may be insufficient to provide the necessary requirements of the Morgan County Board of Developmental Disabilities; and

WHEREAS, the Morgan County Board of Developmental Disabilities determines that the amount of additional funds necessary to operate the Programs of the Board is \$448,744 per year, for the tax years, 2012, 2013, 2014, 2015 and 2016; and

WHEREAS, it is the determination of the Morgan County Board of County Commissioners that the amount of tax within the ten mill limitation of levies on the current tax duplicate will be insufficient to provide the necessary requirements of Morgan County's contribution to the Morgan County Board of Developmental Disabilities, of which the County is a part, as described in this resolution for the tax years, 2012, 2013, 2014, 2015 and 2016 for the purposes stated above and pursuant to Ohio Revised Code Section 5705.19 and 5705.222, and that a renewal of said levy is necessary to raise said monies; and

NOW THEREFORE, BE IT RESOLVED, that in accordance with the provisions of O.R.C. Section 5705.19 and 5705.222 the Board of County Commissioners of Morgan County, Ohio declares it necessary to levy a tax in excess of such limitation for the operation of programs and services and for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities known locally as the MARY HAMMOND PROGRAMS FOR CITIZENS OF MORGAN COUNTY WHO ARE MENTALLY RETARDED AND/OR DEVELOPMENTALLY DISABLED (but separate and distinct from the legal entity known as the "Mary Hammond Enterprises, Inc."), and submit to the electors a renewal tax levy; and

NOW THEREFORE, BE IT FURTHER RESOLVED, that such renewal levy shall be at a rate not exceeding 1.97 mills for each one dollar of tax valuation which amounts to \$0.197 cents for each one hundred dollars of tax valuation for five (5) years commencing with the tax year of 2012; and now

BE IT FURTHER RESOLVED, that the Board of Elections of Morgan County, Ohio be and is hereby directed to submit this issue to such election to be held on November 8, 2011, said date being the first Tuesday after the first Monday in November; and now

BE IT FURTHER RESOLVED, that the clerk of this Board be and is hereby directed to immediately certify a copy of this Resolution along with the attached suggested ballot language addendum to the Board of Elections of Morgan County, Ohio prior to the date of August 10, 2011.

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

11-278 Motion by Mr. Dean Cain and seconded by Mr. Tim VanHorn to approve the following:

**A RESOLUTION TO PLACE A RENEWAL TAX LEVY IN THE AMOUNT OF 1.28 MILLS
UPON THE NOVEMBER 8, 2011 GENERAL ELECTION BALLOT
FOR THE BENEFIT OF THE MORGAN COUNTY BOARD OF DEVELOPMENTAL
DISABILITIES**

WHEREAS, the Morgan County Board of Developmental Disabilities have requested of the Morgan County Commissioners a sum of \$295,423 per year, for the tax years 2012, 2013, 2014, 2015, 2016, and 2017, to provide programs and services for persons with mental retardation and developmental disabilities and provide for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities. (Programs, services and facilities provided by the Morgan County Board of Developmental Disabilities are commonly called the “Mary Hammond Program” but are separate and distinct from the legal entity known as “Mary Hammond Enterprises, Inc. which operates a sheltered workshop and contracts with the Morgan County Board of Developmental Disabilities to provide services to persons with mental retardation and developmental disabilities); and

WHEREAS, it is the determination of the Morgan County Board of Commissioners that a levy is necessary to continue raising monies for the operation of programs and services by the Morgan County Board of Developmental Disabilities as defined in ORC 5123 and 5126 and for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, and that the amount of taxes that may be raised within the ten mill limitation are insufficient to provide the funding necessary for the Morgan County Board of Developmental Disabilities to provide the programs and services for persons with mental retardation and developmental disabilities and provide for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities; and

WHEREAS, the Morgan County Board of Commissioners determines that the amount of funds necessary to provide the programs and services for persons with mental retardation and developmental disabilities and provide for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities operated by or contracted through the Morgan County Board of Developmental Disabilities is \$295,423 per year, for the tax years 2012, 2013, 2014, 2015, 2016, 2017; and

WHEREAS, the Morgan County Auditor has determined that the estimated property tax millage necessary to produce \$295,423 per year is 1.28 mills for each one dollar of tax valuation; now therefore

BE IT RESOLVED, that in accordance to the provisions of §5705.19 R.C. and §5705.222 R.C. the Board of County Commissioners of Morgan County declares it necessary to levy a renewal tax in excess the ten mill limitation of levies, to provide programs and services for persons with mental retardation and developmental disabilities and provide for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities operated by or contracted through the Morgan County Board of Developmental Disabilities (Programs, services and facilities provided by the Morgan County Board of Developmental Disabilities are commonly called the “Mary Hammond Program” but are separate and distinct from the legal entity known as “Mary Hammond Enterprises, Inc. which operates a sheltered workshop and contracts with the Morgan County Board of Developmental Disabilities to provide services to persons with mental retardation and developmental disabilities) and submit to the electors an renewal tax levy; and

BE IT RESOLVED, that such renewal levy shall be at a rate not exceeding 1.28 mills for each one dollar of tax valuation which amount to \$0.128 cents for each one hundred dollars of tax valuation for six (6) years commencing with the tax year 2012; and

BE IT RESOLVED, that the Board of Elections of Morgan County, Ohio be and is hereby directed to submit this issue to such election to be held on November 8, 2011, said date being the general election; and

BE IT FURTHER RESOLVED, that the Clerk of this Board be and is hereby directed to immediately certify a copy of this resolution along wit the attached suggested ballot language addendum to the Board of Elections of Morgan County, Ohio prior to the date of August 10, 2011.

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

Don and Carla Spedding, representatives for Approved Energy Services, informed Commissioners they could save the county and estimated 8% on the “demand side” on the county’s electric bills. Don mentioned he was aware the county just signed an agreement concerning the county saving money on the “supply side” on the county’s electric bills and commended the Commissioners on doing that. In addition, their product: an energy miser (hard wired to the electric panel), can save the county additional money. The energy miser can be rented or purchased. Don further stated they will only need 3 consecutive bills for each of the county’s electric bills; this information will be sent to corporate for analysis and a free no obligation proposal will be presented to the Commissioners. This proposal will include: the size of miser required per electric panel, purchase price of the miser as well as the rental price, and proposed savings. The Commissioners agree they would like to wait to analyze three months worth of bills involving the county’s savings on the “supply side” first.

11-279 Motion by Mr. Tim VanHorn and seconded by Mr. Dean Cain to approve a transfer of funds in the amount of \$100.00 from 001-0207-5321.00 Other Fees and place into 001-0207-5309.00 Other Expenses; as requested by Kelly Williams, Interim Clerk, County Court.

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

11-280 Motion by Mr. Mike Reed and seconded by Mr. Dean Cain to approve the following invoices as attached to the minutes.

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

11-281 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,

Mike Reed, President

Dean Cain, Vice-President

Tim VanHorn, Member

Andrea Plummer, Clerk