

# Minutes for January 07, 2021

Commissioners Present: Porter, Cameron, Crooks

Staff Present: Susan Reese

**RES 21-0008** Meeting was called to order at 10:00 a.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.

Vote was Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Commissioner Cameron moved to approve the payment of bills, pending review.

Seconded by Commissioner Crooks.

Vote was Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Dan Long stopped in this morning and said he is still working on three IT projects.

- Wi-Fi at the Records storage building on Adamsville Road
- County Court
- Domestic Court

The following legislation was now considered:

**RESOLUTION 21-0009** accept Weight Limit Revision recommendations from the Muskingum County Engineer, Mark Eicher.

In accordance with O.R.C. Section 5591.42, upon evaluation of the following bridges, it is my recommendation that the safe carrying capacity be updated, and the bridges should be posted with warning notice as noted on the attached Bridge Load Rating Summary Reports for the following bridges:

SFN 6034276, CR6, Old River Road	Load limit
SFN 6037615, TR273, Workman Road	Remove load limit
SFN 6031307, CR66, North Street, Gaysport Bridge	Revise load limit
SFN 6035582, TR424, Elmville Road	Revise load limit
SFN 6031021, CR31, Rural Dale Road	Load limit
SFN 6046177, CR40, Mollies Rock Road	Revise load limit

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0010** hereby acknowledge receipt of notice from the Muskingum County Recorder of the Board's duty under Ohio Revised Code Sections 303.11, 303.12, 519.11 or 519.12 to file zoning resolutions and amendments in the office of the county recorder as submitted by Cindy Rodgers, Muskingum County Recorder.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0011** authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Amendment and Summary of Material Modifications – Coronavirus Preventive Services Provisions for the Muskingum County Employee Benefit High Deductible Health Plan Option and Employee Benefit Plan Silver Option. Requested by Mackenzie Hill, Benefits Specialist.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

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**RESOLUTION 21-0012** authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Employee Benefit Plan Amendment No. 3 for Silver and High Deductible Health Plans for Muskingum County as requested by Mackenzie Hill, Benefits Specialist.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0013** approve the payment of invoices incurred in 2020 with 2021 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Sheriff Matthew Lutz.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Commercial Electronics	Havis console – 5 cruisers	\$3,574.50
B & H Towing	Case 20-037125	\$ 790.00
Ford’s Towing	Case 20-033262	\$ 225.00
Image Computer	Inv 38336 Format & Reload; Data Backup	\$ 124.99
Legal & Liability Risk Mgmt	Inv 212803 Training – LeCocq	\$ 99.00
Treas State of Ohio	Inv 0267432 Background Cks – Partial	\$3,524.50
Treas State of Ohio	Inv 0267432 Background Cks – Partial	\$5,000.25
Ford’s Towing	Case 20-037139 – Partial	\$ 153.54
CODE – TF	Active Member Match	\$2,500.00

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0014** Regarding Gaysport Bridge Project

SECTION I – Project Description

WHEREAS, the LPA has determined the need for the described project: Muskingum County CEAO Local Bridge Replacement project to replace the Super Structure and related work on North Street Bridge (SFN 6031307) carrying MUS CR 66A over the Muskingum River. NOW THEREFORE, be it ordained by the Muskingum County Commissioners of Muskingum County, Ohio.

SECTION II – Consent Statement Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into an LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project. For a breakout of costs and funding sources by Phase, please refer to Agreement 33039, Attachment 1. The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project. The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein. The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to

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incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System. PID No.: 101730

SECTION IV – Utilities and Right-of-Way Statement The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way includes eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – Maintenance Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes. SECTION VI Authority to Sign The LPA hereby authorizes, Mark Eicher, P.E. P.S. of the Muskingum County Engineer is hereby empowered on behalf of the Muskingum County Commissioners to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.. Upon request of ODOT, Mark Eicher, P.E. P.S. to execute any appropriate documents to affect the assignment of all rights, title, and interests of the Muskingum County Commissioners to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity. PID No.: 101730

SECTION VII-Emergency measure If required, Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, as an emergency measure, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye.

Motion carried.

**RESOLUTION 21-0015** approve and authorize the forgiveness of the repayment of the ADVANCE of monies in the amount of \$7,865 from Fund 151 to Fund 014 as requested by the Projects Department.

## **FORGIVENESS OF ADVANCE OF FUNDS**

<b><u>From Fund</u></b>	<b><u>To Fund</u></b>	<b><u>Amount</u></b>
151	014	\$7,865.00

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye.

Motion carried.

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**RESOLUTION 21-0016** approve and authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Pay Request Number Eight (8) in the amount of \$558,793.54 to Paul Construction for Health Department Renovation.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0017** rescind Resolution 20-1212, dated 12.21.2020 for Muskingum County Community Development, due to the timeline of the pay-in.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0018** approve and authorize the repayment of an ADVANCE of monies to Muskingum County General Fund 001 from Fund 150 as requested by Sheila Samson, Director, Muskingum County Community Development, as follows:

**REPAYMENT OF ADVANCE OF FUNDS**

<b><u>From Fund</u></b>	<b><u>To Fund</u></b>	<b><u>Amount</u></b>
150-375-510001	001-000-414001	\$23,765.00

Also, requesting partial forgiveness of \$1,235 for Administrative costs. PY2017 Grant did not include Administrative in grant award.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 21-0019** authorize Cindy S. Cameron to sign the archaeological agreement with Professional Archaeological Services Team for an archaeological review of the project area to be submitted to Ohio EPA-DEFA for the Water Main Extension to Big B Road, Mutton Ridge Road, and Sheck Road.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RIGHT-OF-WAY PERMITS SIGNED:**

**Columbia Gas of Ohio, Columbus  
Springfield Township; Potts Lane  
Boring 1" plastic gas service line  
Begin 12/29/2020; Same day completion**

Commissioner Cameron reminded the Board that regarding Pending Litigation and having lived through the Coal Run litigation, she would caution that all emails and how we respond, including emoji's that are used, are public record.

Robert Moore, IT Director, stopped in and asked the Commissioners about the Board of Elections request to have an email address for every employee.

- It was agreed that the Board of Elections will be responsible for the cost initially and each year following

Erin Couch, The Zanesville Times Recorder, came to get statements from the Commissioners' regarding last night's events at the Capital.

She also asked if they would be getting the vaccine.

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Cole Ryan, Architect, called in to give an update on the County Court project.

- Labor was hit by quarantines
  - Lost approximately two weeks with Lepi
  - Lost one month with drywallers
- Ryan is asking how to handle the delay with the contractor (Lepi)
  - He doesn't think the County should have to pay any extra
    - There will be extra charges for file and furniture storage

The Commissioners reviewed the Change Order presented by Cole from Lepi.

- Cole noted that one of the changes was because of a change in Prevailing Wage during the bid process
  - He cautioned that this is something to be aware of with other projects
  - Can we make the contractor responsible for any Prevailing Wage increases
- Cole explained the reason for Item #6 on the Change Order
  - The new bathroom in County Court was designed to the back of the wall of the restroom in Adult Probation (adjacent suite) so it could share plumbing
  - It became more complicated than they ever anticipated
    - They actually had to go down through the floor and through a steel beam and tie in to the Prosecutor's office or the floor below
      - Was this a design issue
        - It was more of cooperation issue. They (Adult Probation) did not want the contractor coming into their suite to tie-in to their plumbing
        - It's not really "their" plumbing, it's a County building
        - In most projects in buildings with shared offices, the tenants are rarely given the option...given notice, yes, but rarely an option
  - Cole also reported that there is a 50 gallon hot water tank that is in Adult Probation that they were planning to tie two new sinks into.
    - They are currently waiting for prices for two stand-alone water heaters for this side so they don't run into the same battle
      - He did talk to Scott who is okay with that
  - Commissioner Porter said he is not in favor of paying for this Item #6... Adult Probation can
    - Cole said that would be between Adult Probation and the Commissioners
    - Commissioner Porter said we can remember that at budget time
  - Contractor even offered to put a new counter in that bathroom, but they simply said NO
  - Commissioner Cameron thinks it needs to be pointed out to Adult Probation that this cost an additional \$2,640 because of their lack of cooperation
- The project should be completed by the end of the month
- Cole offered a tour of the renovations to the Commissioners

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The following was then considered:

**RESOLUTION 21-0020** approve and authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Change Order Number Two (002) in the amount of \$14,913.21 for multiple changes as follows:

- Item #1 – \$170.00 Deduction for Owner expenses for additional month of file storage fees
- Item #2 - \$865.00 Deduction for Owner expenses for additional storage fees to Loth for modular furnishings
- Item #3 - \$3,364.00 Add for replacement of molded drywall in the building lobby/entry
- Item #4 - \$950.00 Add for removal of existing tile flooring and installation of new LVT flooring in restroom
- Item #5 - \$4,204.75 Add for new RTU disconnect
- Item #6 - \$2,640.00 Add for steel beam modification for plumbing tie-in
- Item #7 - \$1,153.00 Add for revising door 309B to full glass
- Item #8 - \$828.00 Add for moving and disposing of Owner's loose furnishings left behind
- Item #9 - \$2,808.46 Add for increase in prevailing wage rates

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye.

Motion carried.

Commissioner Cameron told the Board she would like to ask George Hiotis, but up to the Board, because she is disappointed, frustrated, she doesn't really feel we're doing our part with the COVID situation.

- If anyone would like to have a statement or suggestion, she would like for WHIZ to come Monday and talk briefly with them about things that we think we could do
- We now have a County office and she knows a contractor that's building a house, that just lost his whole staff for a week, at least
  - Also a school that is working without seven of eleven employees because they rode together and went to lunch together
- Masks are great, but to be second in the state....
  - To reiterate, if she just lived in this County she would call the Mayor, the Commissioners, the Health Department and the hospital and say do you have a plan to help this County
- Commissioner Porter believes it takes enforcement and that is getting nowhere
  - He also has an issue with just slamming people
- Commissioner Cameron said she doesn't see it as slamming, but one suggestion would be for employers not to allow going to lunch together
- She's not looking to throw anyone under the bus
- Are masks working?...people that are sick are staying home now
- Commissioner Cameron would like to be encouraging to do better for measurable improvement
  - She not patting herself on the back one more time
- Commissioner Crooks said when businesses put signs on their door to wear a mask, they should not have to be the enforcer
  - It's putting businesses in a difficult position
- Commissioner Porter doesn't want Unified Command to think that we're going around them
  - Would it proper to let PIO know

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- Commissioner Cameron said not interested in doing a commercial because the right ones are doing them and it is working

Commissioner Cameron said that they need to talk with Pat Kelly because there is no plan for phones or computers at the new Dog Warden facility.

**RESOLUTION 21-0021** declare an Executive Session at 11:20 a.m. for the purpose of discussing Pending Litigation/Real Estate Matter pertaining to Muskingum County Water Department. This session ended about 12:01p.m.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Stan Lucas, Sewer Department Manager, came to discuss his 2021 Budget with the Commissioners.

- Jay Shook will be retiring February 27
- Stan talked with Mark Eicher, the County Engineer, about working on some projects for the Sewer Department
  - Licking View
  - Juanita Drive in South Zanesville
  - All agreed to work with Engineer
- Stan would also like to install the SCATA System on four stations this year

Stan reported that Pembroke Force Main bridge is finished and in use.

Commissioner Crooks moved to accept and approve the minutes of the January 04, 2021 session with changes. Commissioner Porter seconded.

Vote was Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Pam Davis, Human Resources, asked if the Commissioners wanted to continue Department Head meetings in 2021.

- Yes, quarterly
- Start by meeting virtually

Commissioner Porter gave a report on the OPWC Road 35 Meeting that he attended Tuesday. He will send documentation and minutes of the meeting to Commissioners Cameron and Crooks.

Commissioner Cameron reported that Sheriff Lutz told her that when he went to meet with the Dog Wardens Monday, Bryan was at lunch and didn't call him back until 5:30 p.m. and won't be back until Monday.

- Alisha asked if she was going to be out of a job
  - Sheriff told her she would have plenty of notice
  - There are three volunteers interested in the Kennel Master position
    - Volunteers cannot be both paid and volunteer
      - Mark Zanghi researching but says appears to be true

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**RESOLUTION 21-0022** appoint Sadie Anderson to the Muskingum County Library Board with a term to commence April 16, 2021 and end on April 14, 2028.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Commissioner Cameron reported that Alma Tennent, Clerk of County Court, called to ask that if the Commissioners see an agreement from NCourt, do not sign, because they (County Court) will not agree to the terms.

Mark Zanghi, Assistant Prosecutor, was called and asked about this.

- Once the new case management software system is integrated, their current payment software system will go away and they will not be able to accept payments online, if they do not sign
  - They'll receive 100% of the payment
- Mark said he would take care of it with County Court

The Clerk shared an email with the Commissioners from Sheetz saying that they are working to keep parking and possibly increase.

- Commissioner Crooks reported that Mayor Mason has told her that the former owners of the Econolodge on Seventh Street used to rent parking spaces to the Health Department and wondered if the new owners would be willing

Commissioner Cameron reported on Travis Roach's new son and asked if the Commissioners would want to put together a care package for them.

Adrian Adornetto informed Commissioner Cameron that they had to close The Market House New Year's Eve for indoor dining because of an employee testing positive for COVID. They still had carry out meals. He wanted to let the Commissioners know that he takes it seriously and he encourages him staff to be upfront.

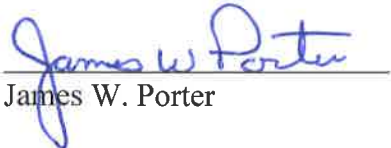
With no further business being before the Board, the meeting was adjourned at approximately 1:26 p.m. on the motion of Commissioner Cameron and the second of Commissioner Porter.



Cindy S. Cameron



Mollie S. Crooks



James W. Porter

*This is a condensed version of today's session. For a more detailed account, feel free to request a DVD recording.*