

Minutes for February 10, 2022

Commissioners Present: Crooks, Porter, Cameron
Staff Present: Susan Reese

RES 22-0135 Meeting was called to order at 10:00 a.m. on the motion of Commissioner Cameron and the second of Commissioner Porter.
Vote was Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

Commissioner Cameron moved to approve the payment of bills, pending review.
Seconded by Commissioner Porter.
Vote was Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

Scott Lee will be coming in today to update the Commissioners on the jail progress.

Commissioner Crooks gave an update on the Budget work sessions

- All departments complete except for Sheriff's

Commissioner Crooks noted that she sent everyone the design for the waterline at the fairgrounds

- Mark had sent it to her asking her to forward to Rodney Crooks
- Rodney took it to the Grounds Committee: Jim Bunting, Rodney and John Graham
 - Grounds Committee reviewed
- Fair Board meeting was Tuesday night; Jim Bunting presented the design
 - Fair Board is fine with design

Commissioner Crooks reported that she saw Kelly Ashby at Chamber Board and told her that Captain had requested a meeting.
Commissioner Porter said Captain called him last night. Commissioner Porter told him that the Clerk would be putting together a meeting.
Commissioner Crooks would consider it a personnel issue to qualify for Executive Session.

The Clerk was asked to re-schedule a meeting with Debra Nye and Stephanie Spencer regarding County Debt.

Commissioner Porter asked about rescheduling Ron King to come in to talk with the Commissioners and Debra Nye about the re-evaluation process for real estate. Commissioner Porter is also curious about the process, as well, in how they come up with these prices.
Commissioner Crooks said that Debra has already talked with Mr. King.

Commissioner Porter reported that he saw Dave Goss at the barbershop a few days ago and he asked Commissioner Porter if he would check to see if there was ever a sewer easement on his property on Rusty Rifle Road.

Jeff Jadwin, EMA Director, called with a river update.

- River levels are down
- Jam at Terrace Shores is busted up

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- Talked with Army Corps; they will open gates at Wills Creek to see if that will push the jam out
- Jeff will check again between 1:00-2:00 this afternoon
- Can now see the dam at Ellis
- Jeff would suggest waiting until Monday to lift the State of Emergency

Commissioner Porter said in regards to Dave Goss, we tore the road up when we did some work down there after the Township had paved it. There was a verbal agreement to re-pave it and they did. Dave says there still is no easement across his property.

- Commissioner Porter called Stan yesterday and he seems to think Dave is right
- Stan will get in touch with Dave Goss

Commissioner Porter said Stan also mentioned the Animal Shelter.

- Commissioner Cameron explained that she received a phone call from Steve Baldwin who had been at the Animal Shelter dropping off a donation
- Steve said the Animal Shelter Parking lot was like an ice rink
 - He told Commissioner Cameron that he was met at the door by the Director and said that last year one of her employees fell and broke her arm... the building is the Animal Shelter's, but not the land and indicated that it is the County's responsibility...their ground, their lot
- Steve mentioned that one of the places the Rogge Foundation gives money to is the Animal Shelter and if, in fact, it is the County's responsibility to fix the water that is coming off the hill and onto the parking lot, the Rogge Foundation might be willing to help
 - Commissioner Cameron told him there is something about a slip on that hillside and the Engineer and Sewer Department Manager said not to touch that for fear of the hill caving in
- Stan said that he was asked if he could fix it and he was leery of doing anything with it
 - He called the County Engineer who said, don't touch it
 - But, could easily ditch there
- Stan said he was told by the Animal Shelter Director that there are videos and pictures and if anyone got hurt, the County would be liable
 - Commissioner Cameron told him she would tell the other Commissioners to get their opinions on how to handle
 - Stan did offer the suggestion to the Animal Shelter to consider plowing the snow in a different direction so when it melts it doesn't run onto the parking lot
- Commissioner Porter would recommend renegotiating the contract with the Animal Shelter and requiring them to have a liability policy, as well
- Commissioner Crooks pointed out that their agreement says that the "Animal Shelter keeps and maintains the leased premises in good condition and repair and makes all improvement, repairs and decoration on and to the leased premises, whether structural or non-structural".
- Commissioner Cameron said that the question is, is the pipe that comes from the Dog Pound running on to their parking lot

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- Commissioner Porter might suggest putting an elbow in the pipe to pipe it behind the building
- Commissioner Crooks said it's disappointing we were not made aware if this is a new issue
- Mark Zanghi should be asked about liability responsibility
- Commissioner Porter asked if we could sell them the property

Commissioner Cameron said during Unified Command Dr. Butterfield was asked about mask requirements and he said he thinks until guidelines change or numbers go down per capita, signs should still be posted requiring masks.

Commissioner Porter struggles with having the signs but not enforcing in our office. As far as he's concerned we can take the signs off the doors...stick with the sign or forget it.

Commissioner Porter brought an email from Mayor Mason to the Commissioners' attention, regarding Perry Township JEDD.

- When Commissioner Porter called Dave Danison Thursday night about the roads, Dave asked Commissioner Porter if he knew anything about the JEDD and then this email shows up from the Mayor
 - Commissioner Cameron said she told Commissioner Porter when he asked, that they'd not talked about it at Port Authority
- Commissioner Crooks reported that Matt Abbott stopped by yesterday and she suggested that all parties be in the same room at the same time
- Commissioner Porter not sure going to fly with Perry Township...how much has the City invested out there. Who decided the percentages? Should Bimbo employees be asked if they want to pay an additional 1.9% income tax

It was decided to call Stan later in session regarding the Animal Shelter situation.

Commissioner Crooks said she texted him this morning asking if Animal Shelter employees were still walking dogs around the Sewer Department building and letting the dogs "crap" on our property. Yes, issue has not be resolved.

Commissioner Cameron said she just asked Stan if it is our water running on their parking lot.

Commissioner Porter thinks we're hearing two different things;

- Don't disturb the hillside, but dig a ditch
- Is there an exaggeration?
- We need to fix the liability issue
- Send the lease to Mark Zanghi; make sure County is not liable

The following legislation was now considered:

RESOLUTION 22-0136 accept and sign State of Ohio – Ohio Department of Transportation State Infrastructure Bank Loan Term Sheet for the Gaysport Bridge Replacement; Blue Rock Township, Muskingum County. Requested by Mark Eicher, Engineer. Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

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RESOLUTION 22-0137 hereby sign PUCO Recertification as requested by Bob Snavely, Palmer Energy.
 Motion made by Commissioner Porter, seconded by Commissioner Crooks.
 Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

RESOLUTION 22-0138 approve the payment of invoices incurred in 2021 with 2022 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Tom Smith, Fiscal Supervisor of MCJFS.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
CBTS	Phones	\$1,759.66
CBTS	Phones	\$ 112.33

Motion made by Commissioner Cameron, seconded by Commissioner Porter.
 Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

RESOLUTION 22-0139 approve the payment of invoices incurred in 2021 with 2022 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Vicki Vallee, finance Manager of Juvenile Division.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Staples Credit Plan	Invoice # 486	\$269.99

Motion made by Commissioner Porter, seconded by Commissioner Cameron.
 Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

RESOLUTION 22-0140 approve the payment of invoices incurred in 2021 with 2022 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Stephanie Neuhart, Business Manager of Board of Developmental Disabilities.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Ohio Assoc. of County Boards of DD	Invoice ACN257-62	\$1,305.00

Motion made by Commissioner Cameron, seconded by Commissioner Porter.
 Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

RESOLUTION 22-0141 approve the Supplemental Appropriation of Funds within Fund Number 118, for the Muskingum County Common Pleas Court, as requested by Wendy Sowers, Clerk of Court.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Transfer out	118-122-510002	\$250,000.00

FUND TRANSFER OF MONIES

<u>From Fund</u>	<u>To Fund</u>	<u>Amount</u>
118-122-51002	001-000-414002	\$250,000.00

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Vehicles	118-122-510002	\$250,000.00

Motion made by Commissioner Porter, seconded by Commissioner Cameron.
 Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

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RESOLUTION 22-0142 approve the payment of invoices incurred in 2021 with 2022 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Crystal Brokaw, Clerk of County Court.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Averhealth	CAM Indigent Program	\$1,807.95

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0143 approve the hiring of George Reynolds as Muskingum County Apiary Inspector for 2022.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0144 approve the decrease in Appropriations within Fund Number 085 for Muskingum County Court, Requested by, Crystal Brokaw.

DECREASE APPROPRIATIONS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Program Expenses	085-242-504024	\$3,798.00

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RIGHT OF WAY SIGNED:

Lumen

5350 Narrows Road

Rode Bore Cable

Begin upon receiving permit; Completion 90days

Eric Reed, ARPA Compliance Officer, came to update the Commissioners.

- Avondale
 - Presented advertisement from Energility for bids for the Window Replacement Project
 - Two separate projects per Mark

The following was now considered:

RESOLUTION 22-0145 accept the specification and authorize the advertisement of Avondale Youth Center Window Replacement Project, pending approval of Mark Zanghi.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

There was discussion regarding Munson proposed renovations. In light of the return of the Scope Evaluation of \$5 million the following was considered:

RESOLUTION 22-0146 authorize to rescind Resolution 21-0984 dated October 07, 2022 for funding of the former Munson Roof in the amount of \$88,988.40 from Muskingum County's Unrestricted ARPA funds.

This project is no longer moving forward.

Motion made by Commissioner Crooks, seconded by Commissioner Cameron.

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

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- International and Zion Ridge Roads
 - ARPA or General Fund monies?

Commissioner Porter would have no problem building the Engineer office using General Fund money if no new license tax; Juanita not a top priority, Licking View top priority and Weber a must.

Commissioner Crooks has no problem with it being General or ARPA dollars; use the money to make the greatest impact; what is the better perception

Commissioner Porter asked if the Engineer would consider this towards his \$1 million from the Commissioners

- It's Eric's understanding that they plan to use the \$1 million for paving
 - Commissioner Crooks would like to see International Road taken from General Fund giving more flexibility with ARPA funds
 - Commissioner Porter noted that the road is going to happen...there are two other partners at this point
 - No decision
- Genesis
 - Eric's understanding was that we would fund the second half unless Genesis gets other money, Federal monies
 - Commissioner Cameron said that the hospital does not have to ask for the money, it's her understanding that the Feds will distribute more money to the hospitals
 - Commissioner Crooks' question would be if they do receive the Federal money, will they use it for this purpose
- Fairgrounds
 - Move forward with Clean Face?
 - The Fair Board did have a few ideas; review of drawing first step
 - Commissioner Porter would suggest letting the Fair Board approve the plans
 - Commissioner Crooks took the plans to the full Board
 - Commissioner Cameron asked if there are perimeters on the cost
 - Initial estimate \$305,000
 - Commissioner Porter's opinion is \$305,000 is outrageous
 - Commissioner Crooks said the original design was preliminary to prepare to put out to bid; she doesn't think the \$305,000 is outrageous because basically gutting the entire facility
 - Commissioner Cameron says the question is now then, are we going to spend \$300,000 on a bathroom
 - Eric says that Jeremy drew the basic design and then the details are decided from that point...you can make it as basic or elaborate as you want
 - Commissioner Porter would suggest making it "bullet proof" so they can't tear it up...no marble on the walls

Eric said he talked with Adam Hile and asked if he has seen the turn valve that Chad Hutchens says will fall apart when turned.

- Adam said he has not seen it, but if Chad Hutchens says it'll fall apart, Chad is right because he knows more about water than I do

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Scott Lee, Facilities Superintendent came to talk with the Commissioners about the cost to replace air handlers in the jail

- It is strongly recommended to upgrade controls at the same time for the building
- \$28,093.00 to furnish and install two units
- Cost per unit would be higher (\$16,546.00) if they are in the same area which is extremely cramped and if both are installed they can save time
- Six to eight weeks for new units
- Jail can still function; inmates have heat, just no air conditioning
- All agreed to purchasing the air handlers

Scott also reported that they are still waiting on the generator.

While waiting, the guards are painting and Maintenance has re-done the showers and are doing some other repairs and replacing lights with LED's.

Scott said the parking lot is not going to be an easy fix.

- Be careful of steel plates, large hole underneath
- Commissioner Cameron asked if Scott should have a conversation with the owners of the Masonic building about their demolition crew and point out the damages to the parking lot
 - We understood that Columbia Gas would come back and fix their damage
- Commissioner Porter pointed out that technically we're responsible for those damages
- Scott said we won't know the significance of the damage until the ice has melted and the lot is cleaned
- Commissioner Porter suggested we start by meeting with the demolition company to find out their intent; they damaged the parking lot that we're responsible for

Commissioner Crooks asked the Mayor if AEP would be taking down the metal structures in the alley.

- The Mayor will make a call to AEP

The Commissioners adjourned for lunch to resume session at 1:30 p.m.

Eric Reed came back in to discuss the Clean Face project

- Commissioner Crooks reported that the Fair Board felt the two storage areas were not necessary
- Gail mentioned more counter space for the girls and another urinal for the guys
- Commissioner Crooks says that any changes on Jeremy's design would only be a tweak
- No decisions....will let it rest for a while

A call was placed to Judge Kalis regarding her email about court recording grant application.

- She was not available and a message was left for her
- A message was also left for Wendy Rousch

Commissioner Porter moved to approve the minutes of February 03, 2022 with changes.

Commissioner Crooks seconded.

Vote was Crooks, aye; Porter, aye; Cameron, abstain.

Motion carried.

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- 2:00 p.m. Virtual meeting with ODOT regarding IR70 updates
- Project is currently shut down, due to weather, until February 21
 - Overhead detection system at railroad overpass and Linden Avenue annual fee to the City will be \$1,432
 - Cameras installed at SR93/Airport and Maple/Adair
 - Overhead street lights at Adamsville Road heading West
 - Commissioner Porter expressed concerns with ZPD patrolling I70 project...extremely dangerous position to put them in
 - The Mayor suggested signage a West Main Street for Y-Bridge notifications, rather than waiting until the motorist is already on bridge
 - Commissioner Cameron asked about the street lights on I70 heading west from Adamsville Road...none on the right are working until you get to Underwood

Mayor Mason came up to meet with the Commissioners at Commissioner Porter's request. Commissioner Porter explained that he talked with Dave Danison last week who asked him about the Perry Township JEDD.

- Mayor Mason said they were supposed to have a meeting on February 1, but it was cancelled and he wasn't available to attend the rescheduled meeting on February 8
- The only money the National Road JEDD has brought in at this time is off of the payroll on the people working on the construction site
- The Mayor suggested to Matt Abbott and asked if they should put the additional 468 acres into the JEDD
 - Matt said he would welcome it
- In early 2020 Bimbo Bakery talked to the City about expanding a line either at the existing facility at EastPointe or Airport
- Presently, two of the acres that Bimbo operates on belongs to the City
- Property behind Bimbo includes eight acres that the City owns that they don't need; the City would like to sell those eight acres; Bimbo has proposed purchasing three acres at \$100,000
- Mayor has talked with Matt Abbott; not asking anyone to put in any money; all assets from the City of Zanesville; 100%
- Mayor is proposing 75% City; 10% County; 10% Port Authority and 5% Township; income tax on all existing operations on any of the JEDD property
- City will have an ordinance on for first reading, to add that additional acreage to the City
 - All parties must in agreement

The Mayor reported that the new planters for downtown will be arriving March 1-4.

The Master Gardners will be placing them March 7, weather permitting.

The Mayor reported that he talked with Dan Arter of the Soldiers and Sailors lot last week

- They are waiting until crews are done with the demolition and clean-up of the Masonic Building to evaluate their property

Mayor Mason also reported on the Lear Linden property

- It will be a clean site, but soil samples will determine its use

The Commissioners returned a call to Judge Kalis.

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- She answered the question of what does General Division include.
 - Judges Fleegle and Cottrill
- Judge Kalis is willing to apply for the grant, but her issue is that if they apply for the grant it has to be applied to the Courtview system upgrade and be installed; her hesitation is applying for the grant before making sure everyone is on board to pay for it
 - Cost to the General Division is \$217,444.50, which would also include Clerk of Courts
 - Annual maintenance \$42,994.34 for the first year
- Judge Kalis will contact Judge Fleegle to determine his commitment to the project and she will report back to the Board
- Commissioner Porter would prefer everyone to be on board before he makes a decision

Andy Roberts, GIS, came to see the Commissioners regarding the Rusty Rifle Lift Station easements.

- There is a sewer line across Dave Goss' property
 - There is a water easement, but no sewer easement
- Commissioner Porter asked Andy to relay that to Stan Lucas, Sewer Department Manager

Andy also reported that he has talked with one of the Falls Township Trustees regarding the Kearns annexation request. This Trustee feels that there will be no problem with the Trustees accepting the annexation. The 25 day period has already passed for the Township to respond. The following was then considered:

RESOLUTION 22-0147

WHEREAS, a petition was filed with the Board of County Commissioners, Muskingum County, Ohio on January 03, 2022, the object and prayer of which was the annexation of properties owned by Grant R. Kearns, Trustee, Jean A. Kearns, Trustee and Sue A. Norris; Kearns Development Company LTD into the city of Zanesville, Muskingum County, Ohio and

WHEREAS, the acreage is 8.95 acres

WHEREAS, Resolution Number 22-0147 passed today stating the requirements of the annexation have been met and a service agreement has been filed with the Board of County Commissioners of Muskingum County, Ohio by the city of Zanesville and as no objections have been filed from the Township of Falls within the 25 day time period, and

WHEREAS, this Board of Commissioners has determined that the petitioners have complied with all the statutory requirements as set forth in Section 709.023 of the Ohio Revised Code, now therefore

BE IT RESOLVED, that this Board of County Commissioners hereby APPROVES the petition for annexation of the above described property in Falls Township into the city of Zanesville, Ohio, and be it further

RESOLVED, that this Board hereby directs the Clerk to enter said annexation approval in the Board of Commissioners' Journal, and be it further

RESOLVED, that this Board directs the Clerk to file the originals of all the proceedings on this annexation with the Clerk of the city of Zanesville who will file the proceedings when appropriate with the Recorder's Office of Muskingum County, Ohio.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

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There was continued discussion regarding the 2022 General Budget

- The Commissioners worked on the Sheriff's requested budget
 - Commissioner Porter said he's never questioned John Deal's figures
 - Commissioner Crooks says the Sheriff never hesitates to come back if he needs money
 - Commissioner Cameron noted that she thought it had been frowned upon to call some of the departments to ask budget questions, but when she called the Prosecutor to come in to go over his budget again, he ended up knocking \$60,000 from his budget
- A call was placed to John Deal at the Sheriff's Department, he was not available and a message was left

There was discussion regarding the grants to the Townships.

- Townships are now receiving ARPA money
- It was agreed to give the townships equal amounts
- Commissioner Crooks thinks it should be stipulated to use for their roads and she doesn't think it really matters to them, because we only got two thank you's out of 25 townships
 - Commissioner Cameron said we know they used the money and it's for the people that live in those townships
- Commissioner Porter says he's a township person and he wouldn't cut it
- Commissioner Porter asked how to answer the email about Trustee Wayne Kilpatrick
 - Commissioner Crooks says she has an answer ready on her behalf
- It was decided to grant \$12,500 to each Township

Commissioner Porter asked about the requested increase in the Prosecutor's salaries being over \$100,000

- The notes indicated that he was hiring 2-3 new employees

He also asked about Adult Probation's increase of \$80,000

- Amount of hours were increased, as well as, salary/market increases

All department salary increases were figured at 3% on their actuals from 2021.

The following was then considered:

RESOLUTION 22-0148 this Board of County Commissioners of Muskingum County, Ohio hereby grants a 3% wage rate increase for non-bargaining unit employees under the jurisdiction of the Board of Muskingum County Commissioners to be effective January 02, 2022;

WITH THE EXCEPTION of those employees who have already experienced an increase in salary during the 2022 calendar year, or those New-Hire employees who are in their 180 day probationary period;

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RESOLVED, that this Board of County Commissioners of Muskingum County, Ohio hereby approves for other General Fund departments, if the elected officials so choose, to grant the increase to their employees if reflected in their 2022 budgets.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

RESOLUTION 22-0149 approves the permanent appropriations for County General Fund 001, submitted February 10, 2022 for Muskingum County for the calendar year 2022 in the amount of \$41,293,277.15.

Motion made by Commissioner Crooks, seconded by Commissioner Cameron.

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

Motion carried.

Commissioner Porter noted his reasoning for voting no on the 2022 General Budget is that the Prosecutor, Common Pleas, Adult Probation involves \$300,000 and also cutting the townships, as well. He also disagrees with the Market Adjustments...call it what you want, it's a raise.

With no further business being before the Board, the meeting was adjourned at approximately 5:19 p.m. on the motion of Commissioner Crooks and the second of Commissioner Cameron.



Mollie S. Crooks



James W. Porter



Cindy S. Cameron

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