

Minutes for February 17, 2022

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

RES 22-0159 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.

Commissioner Crooks reported a message from Benji Williby of Harrison Township, with concerns on Moody Hollow Road.

- Has been to township meetings and called Trustees
- County Engineer referred him to the Commissioners

Commissioner Crooks reported that she reached out to all three County appointments from 2021 TIRC Board.

- Sheila declined
- Jody Spencer and Blair Tom are willing to continue
- Doesn't really relate to Kyle Dunn; wouldn't benefit from serving on TIRC Board
 - Commissioner Cameron couldn't imagine him taking that on, has a lot on his plate at this point learning his new job
- Eric Reed might be a good fit

Andy Roberts mentioned to Commissioner Crooks that Durb Dunzweiler is resigning his position on the Planning Commissioner. The Clerk is to prepare of Certificate of Appreciate for Mr. Dunzweiler.

The Clerk is to ask Stephanie in Bookkeeping for a printout of the final 2022 Budget.

Pam Davis, Human Resources, came to meet with the Commissioners regarding the 3% increases for 2022. She is asking for direction on a couple of situations that are questionable in meeting the requirements for the increase

- There are three County employees in probationary period because of promotions within their department
- It was agreed to allow the 3% and still get the additional \$.50 at the end of the probationary period

Kyle Dunn, Community Development, came to update the Commissioners on his new position.

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

When asked about what he experienced as far as masks at his recent meetings in Columbus, he said that last fall there was a substantial number of folks masked just walking

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outside; yesterday he could count on one hand the number of people wearing masks outside. Masks are not required in the State House. State House sign said "Masks recommended"

- The reception was at the Sheraton; many legislators were there, including the Governor, none of which were wearing masks

Eric presented the final invoice from APG Architects for the Munson Scope evaluation.

- Avondale
 - Energility is developing a draft for HVAC, as well as, a time schedule
 - Previous estimate was \$621,000 but that included solar panels
 - Current estimate is \$310,000
 - March 7 bids for windows will provide a hard figure for the Straker Foundation application which is due March 15

Eric presented updates from yesterday's meeting at the State House

- Eric believes Travis with Tim Schaffer's office will be a great asset in working with the CDL funding
 - Deadline is March 18

Eric gave an update on Tuesday's OMEGA meeting

- There is no official word on Mid-East CDL property
 - Sounding positive
- Should we be reaching out to Capital Budget through Tim Schaeffer's office
 - Contact Travis; who makes decisions? Who influences?
- Is Mark Neal still interested in partnering

Eric reported that he met with Tim Cross of Highland Township to help him with login to the US Treasury portal for ARPA funds

Commissioner Porter would like Eric to get the word to Township Clerks, through email, about logging in to that portal. Ask them to verify receipt of email. Commissioner Porter suggested in-person training. Eric will definitely make himself available.

Stan Lucas, Sewer Department Manager, came to update the Commissioners on the following projects.

- Creamery Road SCADA; \$45,326
- Rusty Rifle Lift Station SCADA; \$43,464
 - Electrical not included on either project
- Purpose built SCADA view computer replacement; \$14,868
- SCADA gives real time updates and full control to check and reset alarms through smart phones; sometimes they will still have to go on site, but they will know what to expect and what to do when they get there
- Stan would like to have these projects completed in 2022
- Total of 71 lift stations
 - Goal is to install SCADA on four per year; 6-8 a year on the smaller ones
- Commissioners agreed to upgrades

Stan also discussed the situation at the Animal Shelter. He went to look at it and doesn't think it's a good idea to do anything with the ditch because the bank is slipping. He believes the best thing at this point, it to open up the existing ditch.

The Clerk has sent an email request to the Prosecutor's office regarding the County's liability for this lot. He was also asked to send a letter to the Animal Shelter clarifying the County's liability.

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No response yet from Mark Zanghi.

Commissioner Crooks also understood that part of the problem was self-imposed because of the way the snow was plowed away from the building and now when melting is running onto the parking lot.

- It is Commissioner Porter's opinion, not to do anything with the ditch
- Stan says that if Mark Eicher and Brian say not to touch it, they are the slip experts, then that's the thing to do
- Stan will go back out and check with the heavy rain today and report back

Stan also reported that he contacted Dave Goss on Rusty Rifle. Stan will meet with him when he's back in town.

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

The following resolutions were now considered:

RESOLUTION 22-0160 WHEREAS, the Board of County Commissioners, Muskingum County, Ohio [Commissioners] adopted Lodging Tax Regulations [Regulations] for the imposition and collection of a Lodging Tax as authorized by former Ohio Revised Code §5739.024 (renumbered as Ohio Revised Code §5739.09); and

WHEREAS, pursuant to the Regulations, all hotels operating within Muskingum County are required to collect a 3% (three-percent) lodging tax on all transient guests; and

WHEREAS, pursuant to the Regulations, all hotels operating within Muskingum County are required to file with the Commissioners a Monthly Lodging Excise Tax Return by the 20th (twentieth) day of the month for the preceding month and remit the 3% lodging tax to the Commissioners; and

WHEREAS, Garland Hotel LLC operates a hotel located at 150 Garland Way, New Concord, Muskingum County, Ohio; and

WHEREAS, Garland Hotel LLC has failed to file a Monthly Lodging Excise Tax Return with the Commissioners for the months of May 2021, June 2021, July 2021, August 2021, September 2021, October 2021, November 2021, and December 2021; and

WHEREAS, pursuant to the Regulations, the Commissioners may make an assessment against any hotel operator who fails to file a Monthly Lodging Excise Tax Return or fails to remit the proper amount of the Lodging Excise Tax to the Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Muskingum County, Ohio, pursuant to the Regulations, does hereby approve the assessment of the Lodging Excise Tax for the months of May 2021, June 2021, July 2021, August 2021, September 2021, October 2021, November 2021, and December 2021 against Garland Hotel LLC located at 150 Garland Way, New Concord, Muskingum County, Ohio (see attached Notice of Assessment of Lodging Excise Tax).

The clerk is hereby instructed to serve a copy of this Resolution and Notice of Assessment of Lodging Excise Tax, via registered and regular U.S. Mail on:
Garland Hotel LLC, 150 Garland Way, New Concord, Ohio 43762

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

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RESOLUTION 22-0161 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 Beth Iden, Deputy Clerk.

| <u>Name of Vendor</u> | <u>Description</u> | <u>Amount</u> |
|-----------------------|---------------------------|---------------|
| Columbia Gas | Dec 2021 Invoice | \$539.63 |
| MNCO | Notice of Sale Ad Invoice | \$273.80 |

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0162 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 Officer of MCJFS.

| <u>Name of Vendor</u> | <u>Description</u> | <u>Amount</u> |
|----------------------------|--------------------|---------------|
| CBTS | Phones | \$ 1,321.96 |
| Musk Co Adult& Child Serv. | 2017 Cruze | \$17,935.00 |
| Musk Co Adult& Child Serv. | APS Contract | \$38,782.87 |
| Musk Co Adult& Child Serv. | Kinship CC Prg | \$ 949.54 |

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0163 approve the establishment of new fund, number 150, which does *not* require approval of the State Auditor’s Office, and line items as requested by Kyle Dunn, Director for the Muskingum County Community Development

ESTABLISH NEW FUND

| | |
|-----------------------------------|--|
| <u>Purpose of New Fund</u> | To reflect the financial activity for the purpose of repairing or replacing failing home sewage systems. |
| <u>Fund Number</u> | #150 |
| <u>Fund Name</u> | 2022 HSTS |
| <u>Department</u> | 375 |
| <u>Award Amount</u> | \$150,000.00 |
| <u>Grant #</u> | HS390060-0042 |
| <u>Grant Period</u> | April 1, 2022 through November 30, 2023 |
| <u>Grant Administrator</u> | Kyle Dunn |
| <u>Matching</u> | None |
| <u>Classification</u> | Special Revenue |

LINE ITEMS TO BE CREATED

| Revenue:Description | Fund | Dept. | Account |
|---------------------------------|-------------|--------------|----------------|
| WPCLF | 150 | 000 | 409061 |
| Private Funds | 150 | 000 | 409188 |
| Expenditures:Description | Fund | Dept. | Account |
| Contractual Services | 150 | 375 | 504001 |

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

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RESOLUTION 22-0164 accept the Retirement of Lynn Tatro, Building Department, effective March 31, 2022.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0165 Authorize Mollie S. Crooks to sign Annual Federal Equitable Sharing Report, Muskingum County Sheriff's Office. Requested by John Deal, Financial Administrator.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0166 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 Mark C. Fleegle, Judge.

| <u>Name of Vendor</u> | <u>Description</u> | <u>Amount</u> |
|-----------------------|--------------------|---------------|
| Averhealth (Avertest) | GPS | \$432.00 |

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0167 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> |
|-------------------------|--------------------|---------------|
| Intrinsic Interventions | Lab Services | \$100.00 |

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Commissioner Cameron reported that the Prosecutor's office said they gave \$80,000 to the Licking County lab for drug testing. Muskingum County will now be a priority with them and they will not have to send to BCI.

Lucretia Frame, Records Center Director, came to update the Commissioners on her new role as Director.

- Cataloging and Bar Coding
 - 9,746 boxes cataloged/inventoried
 - 109,842 files cataloged
 - Needs help from all departments to help keep organized
- Working on policies and procedures so departments know the best way to pack boxes; more efficient for everyone
- Updating retention schedules
- Lucretia asked if the Genealogy volunteers could come back to help remove old documents from accordion files and put in new manila folders
 - Agreed
- Scanning older Commissioner journals would be nice to have, but not a priority at this time

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Kelly Ashby, Zanesville-Muskingum County Convention and Visitors Bureau and Captain Bill Page of the Lorena came to meet with the Commissioners, at the Captain's request. Pam Davis, Human Resources, was also present.

- Captain presented requirements for a captain of the Lorena, in his view
- Captain also gave a brief history of his maritime experience
- Captain expressed that it has been difficult to contact Kelly; no direct contact with Kelly and she told him to start going through Jane at the Convention Center with anything regarding the Lorena
 - Kelly responded by saying it's not difficult to reach her and she has returned every phone call
- Kelly explained the issue with the W-2's. They had to be re-done because of the Masonic fire that affected Image Computer that was preparing the W-2's
 - Kelly said that if the employees were concerned they should have called the Convention Center, they are their employees
 - Kelly explained to the Captain's grandson about the W-2's
- Captain had a concern with waiting for a credit card for the Lorena because he needs it to purchase items for the boat for inspection
 - Kelly said she has had the card for two weeks
- Kelly told the Captain that he doesn't understand the other side of the operation and how much time is put into it
- CVB pays for marketing and promotions
 - Makes all reservations
 - Answers phone calls and all questions
 - Sends letters/contracts to charters
- Captain pilots the vessel
 - Leaving and returning to the dock
 - Navigating the river
 - Upkeep and maintenance of vessel according to Coast Guard regulations
 - Supervise and train the crew
 - Crew is employed by CVB
 - Captain is employed by Commissioners
 - U.S. Coast Guard Captain's license
 - First Aid Certification
 - CPR Certification
- Commissioners are third partner in operation
 - Employs Captain
 - Provides liability insurance on vessel
 - Maintenance and repair of vessel
- Commissioner Crooks would suggest that email is the most effective way to communicate; email all three Commissioners
 - Kelly was asked to copy all Commissioners on all emails
- Captain reported that when he went to the CVB to check on the credit card, because Kelly did not return his call, he asked Jane and she said, no credit card yet. He then asked her when they would meet about the 2022 schedule and she told him it was already done. She gave him a copy of it and he said it wouldn't work for him.

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- Kelly says the calendar was sent to Captain and put on Google calendar as he requested
 - Kelly says that Captain responded to Jane in a text “Looks good”
 - Captain says that is not true, he was never made aware of schedule
- There is no backup captain
- Captain has been training a captain for a year; now working on second year; he’s been paid as a crew member through CVB
 - Coast Guard will give them a permit
 - Commissioner Crooks said she wasn’t aware of the “captain in training”
- Kelly said that’s the reason she informed the Board that she has had a conversation with Bear from Pae Ohana who says they know someone getting their captain’s license
- Captain says the annual meeting is important to discuss previous year and year ahead, what he needs on the boat and what changes need made on the boat...there was no meeting this year
- Captain gave up his bus driving job, but was offered another job. When he accepted this new job, he told them he would not give up operating the Lorena
- Kelly said there was no meeting last year because of his health and she never heard from him
- Captain feels he is responsible for the boat and feels as if they are keeping him from doing his job
- Kelly wants it on record that this is the second year in a row that Captain claims we did not have a meeting where he got to review the schedule
- Kelly admits there was not a meeting in 2021, but communicated through text and email
- Captain said he needs a crew for the Lorena; the only people he’s been able to get are friends and/or family
 - Kelly says that whenever she would suggest people to Captain, they were never the right person
 - Captain says he has never had the first person sent to him
 - Can’t train a captain if he’s part of the crew
- Commissioner Porter asked if the CVB could hire the crew
 - Kelly said yes
- Captain reported there have been no emergencies or injuries in seventeen years
- Stability letter
 - Weight and balance has to be changed on upper deck

Captain says the bottom line is he didn’t create this situation, so he can’t fix it

Kate Paul, Director, Center for Seniors; James McDonald, CFS Board President; and Anthony Adornetto, CFS Board came to meet with the Commissioners.

Kate, being the new Director, came to introduce herself to the Commissioners.

- Kate said she is learning the staff, programing, and how to grow the Center

Kate presented wage increases that their Board has approved.

- Commissioner Crooks had a concern that their Board moved on a wage increase action when they knew a new director was coming on board

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- James said it is seen as a cost of living raise, not an evaluation or performance raise
- Commissioner Cameron said she attends the CFS monthly meetings, and she doesn't believe it was Dave Boyer's intent to do anything behind the new Director's back
- Kate said she was informed by Dave Boyer at her interview of the wage increase proposal
- James said their Board supports the increase
 - James sees the increase as credibility for Kate as a new Director
 - A small way of building trust
- Commissioner Porter would like to explore forgiving the rent for the Center
- Commissioner Porter wants to be sure the wage increases won't affect any of the senior programs or require additional tax levies

The following was now considered:

RESOLUTION 22-0168 approve wage increases for Center for Seniors employees as requested by the Muskingum County Center for Seniors for of Directors. Increases are to be effective, retroactive to January 01, 2022.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

The Commissioners discussed a text from Stan Lucas asking if he is supposed to go ahead and ditch at the Newark Road property.

- All agreed for him not to ditch
- Commissioner Cameron thinks a letter to the Animal Shelter stating that we are not responsible would help
 - The Clerk will contact Mark Zanghi again about the letter

The Clerk reminded the Board of Eric's evaluation.

The Clerk asked the Board about the proposed increases from Rambo for their employees. After reading Shannon's email and the minutes of their Board approving the increase, Commissioners Crooks and Cameron are okay with the increases and Commissioner Porter doesn't care.

There was discussion regarding the 2022 TIRC appointments. The following was considered:

RESOLUTION 22-0169 appoint Blair Tom, Eric Reed and Jody Spencer to the TIRC Board as Voting Representatives for 2022.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Commissioner Porter asked about the First Amendment to the Perry Township JEDD on August 4, 2020. He would like to change his vote. He admits he should have thought about this before.

- He's not in favor of adding airport property to this JEDD
- What has the City put in

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- County built the roads
- Mayor said he didn't care what the employees thought about the additional tax
- Commissioner Crooks said that the County would benefit from any business that comes on
 - The percentages for the first amendment are still City-30%; County-30%; Port Authority-30% and 10% to the Township
 - The only difference is what he (Mayor) is carving out on the second amendment where the City would get 75% with the rationalization that it is the City's ground
- Commissioner Porter said there's been an Enterprise Zone Agreement since 1994 giving these folks a tax abatement for coming here
 - The County has put most of the money in all the roads in the Industrial Park and now the City wants 30%, but he was thinking it was going to be 75%
 - Still thinks it wrong that the City gets anything without investing anything
 - He will reconsider

The following was now considered:

RESOLUTION 22-0170 declare an Executive Session 4:48 p.m. for the purpose of discussing a Real Estate Matter of the Muskingum County Commissioners. This session ended about 5:04 p.m.

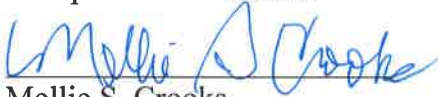
Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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


Commissioner Cameron presented a company that transcribes meetings.

- Temi Transcription
- Charges per minute
- Two month trial available
- Will follow up next week

With no further business being before the Board, the meeting was adjourned at approximately 5:11 p.m. on the motion of Commissioner Cameron and the second of Commissioner Porter.



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.