

Minutes for Monday, March 02, 2020

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

The Commissioners started the morning with a non-public Pre-Audit meeting at 9:00 a.m. held in the Commissioners' Session Room.

RES 20-0202 Meeting was called to order at 9:35 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.

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

The Clerk asked the Board what fund and line item to use to pay the Lavy Flooring invoice for the flooring for the north-side offices. It was agreed to use 001-102-504022, Professional Services.

The following legislation was now considered:

RESOLUTION 20-0203 authorize Cindy S. Cameron to sign Pay Request Number 1 for the Leffler, Baughman Run Rds, Village of Roseville Water Main Extension Project in the amount of \$261,609.24 payable to Muskingum County Treasurer and credited to the water fund for reimbursement of project expenses.
Motion made by Commissioner Porter, seconded by Commissioner Crooks.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0204 authorize the establishment of the tap fee in the amount of Five Hundred Dollars (\$500.00) for normal residential customers and the normal commercial tap fee for non-residential customers for the water main extension to the Wilds.
Motion made by Commissioner Crooks, seconded by Commissioner Porter.
Roll Call: Cameron aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0205 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the 2021 WSRLA (Water Supply Revolving Loan Account) Nomination Form for the Big B & Mutton Ridge Roads Water Main Extension Project.
Motion made by Commissioner Porter, seconded by Commissioner Crooks.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Minutes for Monday, March 02, 2020

RESOLUTION 20-0206 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the 2021 WSRLA (Water Supply Revolving Loan Account) Nomination Form for the County Line Road Water Main Extension Project.
Motion made by Commissioner Crooks, seconded by Commissioner Porter.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0207 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the 2021 WSRLA (Water Supply Revolving Loan Account) Nomination Form for the Museville & Wilsonwood Road Water Main Extension Project.
Motion made by Commissioner Porter, seconded by Commissioner Crooks.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0208 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the 2021 WSRLA (Water Supply Revolving Loan Account) Nomination Form for the Southern & Sundale Roads Water Main Extension Project.
Motion made by Commissioner Crooks, seconded by Commissioner Porter.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0209 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the 2021 WSRLA (Water Supply Revolving Loan Account) Nomination Form for the Twin Hills Drive Water Main Extension Project.
Motion made by Commissioner Porter, seconded by Commissioner Crooks.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Commissioner Crooks made a motion to waive the total amount of the building fees (\$1,991.81) for the Village of Roseville. Commissioner Porter seconded then withdrew his second. There was discussion regarding the past practice of waiving up to \$1,000. Commissioner Crooks said she believes of the broad economic impact to the Village this is a rational argument for an exception to that practice. After further discussion, Commissioner Crooks withdrew her motion and the following was considered:

RESOLUTION 20-0210 authorize the Muskingum County Building Department/aka Mid-East Ohio Building Department to waive building fees in the amount of \$1,000. for Village of Roseville Grocery – Downtown Revitalization Project.
Motion made by Commissioner Crooks, seconded by Commissioner Porter.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0211 approve the employment of Ashley Chidester as Receptionist in the Human Services division of the Muskingum County Job and Family Services, contingent upon passage of the pre-employment assessments.
Motion made by Commissioner Porter, seconded by Commissioner Crooks.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Minutes for Monday, March 02, 2020

RESOLUTION 20-0212 approve the employment of Michelle Shultzman as Unit Support Worker II in the Human Services division of the Muskingum County Job and Family Services, contingent upon passage of the pre-employment assessments.
Motion made by Commissioner Crooks, seconded by Commissioner Porter.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

RESOLUTION 20-0213 approve the payment of invoices incurred in 2019 with 2020 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Beth Iden, Deputy Clerk for Deborah Irwin, Benefits Administrator.

| <u>Name of Vendor</u> | <u>Description</u> | <u>Amount</u> |
|-----------------------|------------------------------------|---------------|
| Sanorbix, LLC | Annual 12-07-19 through 12-06-2020 | \$7,217.35 |

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

RESOLUTION 20-0214 approve the Supplemental Appropriation of Funds within Fund Number 070 and Fund 070 to Fund 034 Transfer , for the Muskingum County Court, as requested by Alma Tennent, Clerk.

SUPPLEMENTAL APPROPRIATION OF FUNDS

| <u>Description</u> | <u>Account Code</u> | <u>Amount</u> |
|--------------------|---------------------|---------------|
| Transfer Out | 070-642-510002 | \$13,500.00 |

FUND TRANSFER OF MONIES

| <u>From Fund</u> | <u>To Fund</u> | <u>Amount</u> |
|--------------------------------------|-----------------------------|---------------|
| 070-642-510002 Indigent Alcohol Trmt | 034-000-414002 House Arrest | \$13,432.50 |

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

RESOLUTION 20-0215 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the 2021 WSRLA (Water Supply Revolving Loan Account) Nomination Form for the Wilds Water Main Extension Project.
Motion made by Commissioner Porter, seconded by Commissioner Crooks.
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Don Madden, Projects Manager, came to talk with the Commissioners about the Transfer of Assets with the Village of South Zanesville. South Zanesville has asked to have a copy of it tonight for their Council meeting. Commissioner Cameron suggested sending a cover letter presenting the Transfer for their review and the Commissioners willingness to discuss further. Commissioner Porter asked that Chris Kerby be included in the email.

The Commissioners discussed the Board of Elections HVAC renovation. The Clerk had called Jeremy at APG Architects about the bidding and bid opening process. Jeremy thought the project would be under \$50,000 but did not have an engineer's estimate. He would get that and forward for the Board's review.

Mark Zanghi, Assistant Prosecutor, sent the Commissioners an email about the MOU for the Opioid Litigation. The following was then considered:

Minutes for Monday, March 02, 2020

RESOLUTION 20-0216

WHEREAS, the Muskingum County Board of Commissioners caused a lawsuit to be filed on its behalf in the United States District Court for the Southern District of Ohio in 2018, seeking to hold opioid manufacturers and distributors accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, since that time, the Muskingum County Board of Commissioners lawsuit has been joined with other lawsuits of local governments throughout the country as part of multi-district civil litigation captioned In Re: National Prescription Opiate Litigation, Case No. 1:17-MD-2804, against any and all necessary opioid manufacturers and distributors, and

WHEREAS, it continues to be the desire of the Muskingum County Board of Commissioners to pursue any and all claims for relief as a litigating plaintiff in civil litigation captioned In Re: National Prescription Opiate Litigation, Case No. 1:17-MD-2804, against any and all defendants necessary; and

WHEREAS, the State of Ohio, through its Attorney General, is separately engaged in litigation seeking to hold opioid manufacturers and distributors accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance with trials scheduled to begin during the summer and fall months of 2020; and

WHEREAS, on or about the 2nd day of March, 2020 and as a result of the common desire of the State of Ohio and its local governments, including the Muskingum County Board of Commissioners, to abate and alleviate the impacts of the misfeasance, nonfeasance and malfeasance of certain opioid manufacturers and distributors, the Board of Commissioners received a draft of the One Ohio Memorandum of Understanding; and

WHEREAS, since that time, the local governments, including the Muskingum County Board of Commissioners, has been given multiple opportunities, by and through its counsel, to voice its concern regarding the terms and conditions of the draft of the One Ohio Memorandum of Understanding; and

WHEREAS, as a result of local governments, including the Muskingum County Board of Commissioners, voicing those concerns, the One Ohio Memorandum of Understanding has been redrafted in a manner intended to alleviate said concerns; and

WHEREAS, it is the opinion of the Board that Muskingum County, Ohio, is likely to receive a more favorable resolution of the civil litigation in a more timely manner by joining forces with other local governments and the State of Ohio to address the opioid epidemic and the grave affects it has had on the citizens of the State of Ohio and Muskingum County, Ohio; and

WHEREAS, it is the understanding and desire of the Muskingum County Board of Commissioners that the One Ohio Memorandum of Understanding will permit collaboration between the State of Ohio and local governments to explore and potentially effectuate earlier resolution of the civil litigation against the opioid manufacturers and distributors; and

WHEREAS, it is the understanding and desire of the Muskingum County Board of Commissioners that the One Ohio Memorandum of Understanding may permit an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and local governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout the State of Ohio and specifically in Muskingum County, Ohio; and

WHEREAS, the Muskingum County Board of Commissioners retains the right to accept or decline any and all settlement offers as they may be presented to the Board in the future; and

WHEREAS, the Muskingum County Board of Commissioners hereby retains any and all legal rights it possesses in pursuing any and all claims against the opioid manufacturers and distributors in the event settlements cannot be reached.

Minutes for Monday, March 02, 2020

NOW, THEREFORE, BE IT RESOLVED:

Section 1: The Muskingum County Board of Commissioners accepts the One Ohio Memorandum of Understanding as currently drafted, together with all attachments.

Section 2: The Muskingum County Board of Commissioners hereby authorizes the Muskingum County Prosecutor and/or his designee to take any and all actions necessary to effectuate this resolution.

Section 3: All formal action of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This resolution shall be in full force and effect from and after the earliest period allowed by law, as a statement of policy for Muskingum County, Ohio.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Dennis Dove, Assistant Prosecutor, sent a distribution of monies for the 125 State Street property. The Commissioners agreed. The Clerk will find out how the distribution is to take place with Bookkeeping.

Commissioner Porter said he stopped at Recycling Friday. They are having a trucking issue; specifically, getting the trailers pulled to Columbus at the proper time. He asked Commissioner Cameron if there was any way she could check on that with Dow Cameron. Commissioner Porter also reported that the price went from \$450 to \$600+. Commissioner Porter plans to call Rob Reiter this evening. Commissioner Cameron said if they know of someone else, just call them. Commissioner Cameron said to call Muskingum Iron and Metal today...she would prefer that.

Commissioner Crooks moved to approve the minutes of the February 20, 2020 session.

Commissioner Cameron seconded.

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

While reviewing past minutes, Commissioner Porter said he wouldn't rule out cameras for the new Dog Warden facility.

Bob Snavelly, Palmer Energy, called the Commissioners with an update on Township meetings. He also gave an update on solar energy.

Pam Davis, Human Resources and Don Madden, Projects Manager, came to talk with the Commissioners and the following was considered:

RESOLUTION 20-0217 declare an Executive Session at 11:13 a.m. for the purpose of discussing a Personnel Matter pertaining to the employment of a public employee of Muskingum County. This session ended about 11:29 a.m.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Minutes for Monday, March 02, 2020

Don sent a draft letter for The Village of South Zanesville regarding Transfer of Assets agreement. The Clerk is to revise and put on letterhead for Don to forward to The Village. There was discussion regarding Mr. Cheveras' request for water. Don also prepared a draft letter telling him of the cost of the project. Don is waiting on that cost estimate from Morgan Coast.

Commissioner Cameron approved the minutes of the February 24, 2020 session. Commissioner Porter seconded.

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

Motion carried.

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

Commissioner Porter talked with Rob Reiter about Recycling trucking. The Marietta trucking firm will charge \$500 per haul and Muskingum Iron \$525. Rob wants to allow The Dow Cameron Company to recoup the losses before switching.

The Commissioners received correspondence regarding the Operation Feed Wrap-Up and the following was considered:

RES 20-0218 approve the use of the Courthouse esplanade for the Operation Feed Wrap-Up on May 28, 2020 from 10:00 a.m. to 2:00 p.m.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

Motion carried.

Commissioner Cameron moved to approve the minutes of the February 27, 2020 session. Commissioner Porter seconded.

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

Motion carried.

There was clarification of the February 24 minutes, that Commissioner Porter had asked about giving the Extension Office 50% of their appropriation and Mike Babcock said that it would appear that they were amending a budget that hadn't been approved yet.

There was also discussion with the minutes regarding Springfield Township accepting the dedicated road at SR719. Commissioner Crooks questioned Springfield Township saying they would not accept the road. Commissioner Porter said the road is not yet up to specs. Also, the JEDD will determine who maintains the road.

Commissioner Cameron said that she's not sure why the Township was not at that meeting, but she didn't think Durb Dunzweiler was trying to do something dirty. He did contact all entities.

The Sheriff will talk with Guernsey County Sheriff and have them come in to discuss how they handle managing their Dog Warden.

The Commissioners continued their work on the 2020 General Budget.

Don Madden, Projects/Water Department Manager, came to see the Commissioners. Commissioner Porter suggested that Don offer the other employees the opportunity for the advancement to train with Don at the treatment plant and on the projects level. Don feels that no one else will be interested, but will ask. He said that Zach is well respected by the other

Minutes for Monday, March 02, 2020

employees and works hard. He feels there will be no employee issues with Zach stepping in to this advancement. There was the question of one position being union and the other non-union. Commissioner Cameron thought it wise for Pam to contact Ben Albrecht about this.


The Commissioners continued their work on the Budget.

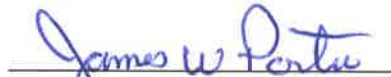
Missy Hartley and several employees and clients of the Starlight Programs came to see the Commissioners. March is Developmental Disabilities Awareness Month. This year's theme is "Work, Live and Go Where We Want". The Commissioners presented the team with a proclamation. Missy informed the Board that Starlight has been ranked 11th in the State for employers of Developmentally Disabled. Kelly Jackson at Starlight is the contact if employers are interested in employees from Starlight.

The Commissioners continued to work on the 2020 Budget and completed it for the Clerk to insert the changes and have it ready for the Commissioners' review on Thursday.

With no further business being before the Board, the meeting was adjourned at approximately 4:54 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.


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.

