

# Minutes for March 08, 2021

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

**RES 21-0254** Meeting was called to order at 10:00 a.m. on the motion of Commissioner Porter and the second of Commissioner Cameron.  
Vote was Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

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

Commissioner Porter reported that he will be going to the Newton Township Trustee meeting tomorrow night. He was invited about the Fletcher Road Bridge.

- He's heard that construction has stopped
- The County Engineer told his engineers to stop
  - Decision still pending regarding the location
- Commissioner Cameron asked if the Engineer, Mark Eicher, will be attending the meeting also
  - Commissioner Porter said it's up to the Trustees whether it's built and in what location

Commissioner Crooks reported that she talked with Bonnie in the Governor's office.

- Bonnie said that they would be offering pop-up clinics for vaccines

The following legislation was now considered:

**RESOLUTION 21-0255** authorize Mollie Crooks to sign on behalf of the Board of Muskingum County Commissioners the contract/proposal for RTD Concepts, Phase III and IV shelving for the Muskingum County Records Center.  
Motion made by Commissioner Porter, seconded by Commissioner Cameron.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 21-0256** approve and authorize the ADVANCE of Funds from County General Fund 001 to Fund for the Muskingum County Sheriff's Office as requested by Matthew Lutz, as follows:

**ADVANCE OF MONIES**

<b><u>From Fund</u></b>	<b><u>To Fund</u></b>	<b><u>Amount</u></b>
General Fund	136-000-414001 Terrorism Prevention	\$20,000.00

**SUPPLEMENTAL APPROPRIATION OF FUNDS**

<b><u>Description</u></b>	<b><u>Account Code</u></b>	<b><u>Amount</u></b>
Salaries	136-458-501002	\$ 4,200.00
Medicare	136-458-502001	\$ 75.00
PERS	136-458-502003	\$ 650.00
Workers Comp	136-458-502009	\$ 75.00
Travel	136-458-502013	\$ 3,000.00

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Equipment	136-458-503032	\$20,000.00
Contract Services	136-458-504001	\$32,000.00
Equipment & Maint.	136-458-506001	\$10,000.00

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

**RESOLUTION 21-0257** 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 Matthew J Lutz, Sheriff.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Genesis Healthcare Systems	Medical for inmates	\$420.23

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

## **RIGHT OF WAY PERMITS SIGNED:**

**AEP/TRC Companies; Athens, OH  
Newton Twp; Rose Hill and Lambert Roads  
AEP replacing existing poles  
Begin April 5; Completion December 5, 2021**

Commissioner Porter moved to accept and approve the minutes of 03.04.2021 session, with changes.

Commissioner Cameron seconded.

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

Commissioner Cameron wanted the minutes to reflect that she had no problem with a letter being sent to the townships with the check, but didn't think all would agree what would be in the letter and what we were asking them to respond with. That is why she objected to a letter.

Commissioner Crooks said that she had been talking to the Auditor about the township grant checks.

- The checks must go in to the township's road fund

Commissioner Crooks asked if there was anything they could agree on for a cover letter to the townships. She thinks it's a nice, professional touch to have a cover letter.

- Restating that it is for roads and bridges and it to be deposited into their Road and Bridge Fund.
  - Commissioner Cameron said she didn't care
  - Commissioner Porter said that's okay

Commissioner Crooks said she forwarded an email to the Board from Mark Zanghi about Records Commission.

- If the Records employees are to come under the authority of the Commissioners the recommendation must come from the Records Commission
  - Then the Board of Commissioners could a pass a resolution to adopt their (Records Commission) recommendation

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Commissioner Crooks said she has scheduled a discussion on March 17.

- She has been contacted several times by Washington Township Trustee Doug Culbertson regarding the Washington JEDD and them wanting to revisit it
- She checked with Mark Zanghi and we could have a meeting with all parties, just for discussion to get everybody on the same page
- Commissioner Porter asked why we couldn't do it during session, March 17 is a Wednesday
  - Port Authority Meeting is that morning, so Commissioner Crooks figured it was already an open date
- She has asked for it to be calm, professional, everybody tell their perspective
  - Good for everybody to just be on the same page
  - Mark did caution that, even if you're not making decisions, you can have discussion, but you don't make decisions
    - Be cautious in how you handle it, but it can be done
- Commissioner Crooks apologized....she had the Washington JEDD notes last Thursday, but didn't have it on her list and forgot to bring it up
- Commissioner Porter will have to check his calendar
  - But, still doesn't know why we can't meet during session
  - As far as the JEDD, there's nothing out there that's getting tax abatement anymore

The Commissioners met virtually with Jeannette Wierzbicki and Kennedy Webb-Blakley of OMEGA to give updates.

- Broadband Feasibility
  - 100% CARES Act funding
- Economic Development
  - Working with Matt Abbott, Port Authority
- The Wilds Power Application to help bring water to RV Park
  - Denied last year
  - Re-submitting this April
- Investments from the ARC and Governor's Office of Appalachia
  - A variety of projects have been funded
    - Waterline extensions - AMG Vanadium
    - Downtown revitalization for the Village of Roseville
    - County waterline Extensions
    - Zane State College Training Center-AEP
      - Bridge the Gap
    - New Concord and City of Zanesville
      - Pending in New Concord – Friendship Drive Waterline

For the last five years, the County and Communities within Muskingum County have received nearly \$2 million.

- Additional Grants of \$200,000
  - Dresden
    - Street resurfacing
    - Swim Center
  - New Concord

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- Pool improvements
- ADA Application for the turn lane at the National Road Business Park, as well as, increasing the size of the sanitary sewer force main
  - Not approved last year
  - Good de-briefing
  - Extremely competitive

Commissioner Porter asked if they were involved in discussions for the ODOT I70 project.

- They were involved during the public comment period and expressed concerns with permanently closing the ramps
- They also talked to ODOT about adding a third lane through the downtown area; why not make the bridges wide enough for a third lane
  - ODOT said not enough money

Sheriff Lutz came to talk with the Commissioners.

- He shared the K-9 Adoption Center logos from Mid-East Career Center students. Sheriff Lutz said he spoke with Deputy Hanning and they are now on the same page about getting mail delivered ASAP to Courthouse offices.

Judge Kalis, Domestic Relations Court and Wendy Roush came to talk with the Commissioners and the following was considered:

**RESOLUTION 21-0259** declare an Executive Session at 11:05 a.m. for the purpose of discussing Personnel Matters pertaining to public employees of Muskingum County Domestic Relations Court. This session ended about 12:00 Noon.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Sheriff Lutz was also present for the Executive Session.

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

Commissioner Porter shared the new CDC guidelines on those that have been fully vaccinated

- No mask and no social distancing
- If you've been around someone positive, you don't have to be tested unless you're showing symptoms
- Commissioner Crooks said what she heard is you still have to wear a mask, but could do visits

Commissioner Cameron reported that Sheriff Lutz had told her that the equipment that the Commissioners purchased for them to be able to get in to cells phones for evidence, has proven to be very beneficial and has helped on several cases.

Commissioner Porter asked that the JEDD meeting be held in session.

Commissioner Crooks said everyone else is fine doing it as discussion.

Commissioner Cameron said she doesn't care where it is, but doesn't think it should be just one Trustee and one Commissioner. She thinks all three Trustees and all three Commissioners should be there.

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- Commissioner Porter said the Trustees had better watch what they're doing also
- Commissioner Cameron said she has not talked to Clint (Washington Township Trustee and her husband) about it... we have not even talked about it in session
  - Commissioner Crooks said she figured she would have, so she did not call him
- Commissioner Crooks is really just looking for historical, because not all of us were there when this JEDD was established; how'd we get where we are; get everyone on the same page
- Again, Commissioner Porter asks that it be done in session
  - Commissioner Crooks said Commissioner Porter's comment is noted, but everyone else is comfortable with the first meeting
- Commissioner Porter would still like for Mark Zanghi to come down to explain deliberation and discussion and tell us what we can and can not do
  - He has questions and an example and wants to know if it's gray area
- Commissioner Cameron said Clint will be out of town March 17
- Commissioner Cameron asked if any of the discussion would qualify for Executive Session if held during session
  - She doesn't care if the media is here and they do get in a screaming match, it is what it is. The media might as well hear them
  - Commissioner Porter said he didn't think there was a screaming match
- Commissioner Crooks thinks it's just more comfortable to talk and not have to have media sitting here, when their stories are not always real accurate
  - Not sure why the apprehension
    - Mayor Mason's an attorney and is okay with it
    - Mark Zanghi cautioned but, can have discussions

Commissioner Cameron gave the Board a copy of her notes from the Park District meeting she attended a couple of weeks ago.

A call was placed to Mark Zanghi to see if he is available to come to session.

Jeff Jadwin has reported that he has received four Fire Grant applications to date.

Mark Zanghi, Assistant Prosecutor, came at the Commissioners' request.

Commissioner Porter asked Mark to explain the difference between discussion and deliberation. Commissioner Crooks said that the other part of it is the meeting with the Washington Township Trustees.

Mark's opinion would be

- Okay if all you're going to do is talk
  - Cannot make any decisions
  - The problem is if during the discussion, all agree to something, then that's a decision. That's the fine line.
- Commissioner Porter asked what's wrong with holding it in session
  - Mark says nothing and in his honest opinion he is always leery of "discussions" because inevitably they lead to decisions

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- Commissioner Crooks doesn't think this group is going to come to any decisions in this one meeting
- Commissioner Cameron asked if this meeting is held in session, any reason for it to be Executive Session
  - Commissioner Porter said JEDD is public document
  - Mark doesn't believe anything that would qualify as Executive Session
- Commissioner Crooks said just gathering information and history
  - Not the goal to make any decisions
- Mark says as long as no decision are made
  - Make sure to communicate that to everyone
  - Okay for Township to make proposal
    - But take back to Boards to discuss
- Commissioner Cameron asked Mark, as an attorney, how would you rather see us handle this meeting
  - Mark always likes to err on the side of caution only because people have a tendency, when they are together, to make a decision as to what is going on and it can be difficult sometimes to dial everybody back
    - Important to communicate up front; no decisions, no votes

Commissioner Porter asked Mark about a group email from Robert Smith to Pam Davis, Human Resources and the Commissioners about the Health Department going to Juvenile to do vaccines.

- Mark said his preference probably would have been to have chatted about it in session, on the other hand it's not a decision for the Commissioners anyway.
  - No decision was really made, and not a decision for this Board anyway
- Commissioner Cameron had replied on the email "Why would the Health Department go out there and do a vaccine?"

Mark was asked about his thoughts on security for Law Administration Building and Domestic Court.

- Commissioner Cameron asked if the Commissioners have to provide security
  - Mark said, probably, since Court building
  - Judge Fleagle has said that Deputy Paxson doesn't have to do security, breaks, things like that

Supreme Court pays for Judges salaries; Local funds pay for Magistrates

There was continued discussion regarding a date for a Washington JEDD discussion.

There was brief discussion regarding the CARES Act money.

- Coming from Federal directly to counties

There was continued discussion, from last Thursday, about Beth Iden not getting the 3% annual increase because she was in her probationary period.

- Her start date was August 13, 2018
  - \$14.00 per hour
  - \$.50 increase February 8, 2019
  - 3% increase January 2020
  - \$1.00 per hour market adjustment November 2020

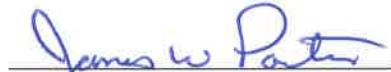
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- Commissioner Crooks talked with Pam Davis, Human Resources, to get her opinion
  - Pam's feeling would be that Beth has already been compensated because of the \$1.00 market adjustment
  - Receiving the 3% increase while in your probationary period because you were formerly a County employee, is not a policy
  - Commissioner Cameron is fine with where Beth's wage is currently
  - Commissioner Crooks is not inclined to give another 3%
  - Commissioner Porter would not vote in favor of another 3%

With no further business being before the Board, the meeting was adjourned at approximately 2:52 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.*