

Minutes for March 19, 2020

Commissioners Present: Porter, Cameron, Crooks

Staff Present: Susan Reese

RES 20-0268 Meeting was called to order at 9:00 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.

The following legislation was now considered:

RESOLUTION 20-0269 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners Change Order Number One for the Weber Lift Station Renovation Project for a deduct in the amount of \$11,855.57.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

RESOLUTION 20-0270 approve the Supplemental Appropriation of Funds within Fund Number 055, for the Muskingum County Sewer Department, as requested by Peggy Taylor, Office Manager.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Contract Services	055-372-504001	\$155,795.00

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

RESOLUTION 20-0271 approve the Supplemental Appropriation of Funds within Fund Number 183, for the Muskingum County Water Department, as requested by Peggy Taylor, Office Manager.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
N Moose Eye Contract Service	183-373-504001	\$53,427.61

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

RESOLUTION 20-0272 authorize the signing of a letter of support for the Power Grant Initiative for "The Wilds". The grant would help improve infrastructure for "The Wilds". Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

RESOLUTION 20-0273 **WHEREAS**, the (Muskingum County, Ohio) (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

Minutes for March 19, 2020

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 24 **by 12:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

RESOLUTION 20-0274 approve and authorize the payment of invoice(s) incurred prior to funds being encumbered in the amount of \$160.48 as requested by Tammy Blake, Miracle Court Coordinator of the Muskingum County Court.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

RESOLUTION 20-0275 authorize contribution in the amount of \$4,000 to the TID fund to be paid from 001-902-507029.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RIGHT-OF-WAY PERMITS SIGNED:

**(2) Columbia Gas of Ohio; Columbus, OH
Springfield and Washington Twps.; Potts Lane and Adamsville Road
Install underground gas line
Begin March 18, March 19; one day completion**

Commissioner Cameron pointed out an article in The Times Recorder regarding AMG's proposed major utility facility.

Minutes for March 19, 2020

The Commissioners reviewed the language proposed by the Water Department for the billing invoice and also a statement for their website. All agreed.

Commissioner Crooks moved to approve the minutes of the March 12, 2020 session, with corrections. Seconded by Commissioner Porter.

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

Motion carried.

Commissioner Porter reported that Stan Lucas, Sewer Department Manager, called to inform him that he would be meeting with the Newton Township Trustees next Tuesday, March 24 at 1:30 in Avondale.

Commissioner Cameron moved to approve the minutes of the March 16, 2020 session, with corrections. Seconded by Commissioner Crooks.

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

Motion carried.

Commissioner Porter said that he attended the Harrison, Newton and Hopewell Township meetings last Wednesday. He asked for a proclamation for Steve Bell, Harrison Township's Fiscal Officer who will be retiring after 32 years of service.

Commissioner Porter reported that he received a call regarding steel plates on Pinkerton Road. He called the Engineer who said he will check it out and get the problem resolved.

Commissioner Porter presented and the following was considered:

RESOLUTION 20-0276 re-appoint Mark Burrier to the Community Action Board
Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

Commissioner Porter said he received a call from Clifton Martin saying that the Extension office would be closed indefinitely. Commissioner Porter told Scott to clean after they were out and then there would be no need to continue cleaning that office until they returned.

Commissioner Cameron said she talked with Dave Wilson, Commissioner of Guernsey County last night because she had heard that they are doing a Town Talk Friday on the radio and FaceBook live, with their Health Department Director and their Mayor. She asked him what they had decided to do. They had an Elected Official and Department Head meeting Monday and talked about the continuing operation plans and limited access. They are having another meeting today with the same people to discuss essential and non-essential employees. Commissioner Wilson asked for a copy of Muskingum County's Declaration of Emergency. The Clerk was asked to send him a copy.

There was discussion regarding today's Elected Official meeting.

PORTER to Crooks: Do you know how many's going to be at that meeting?

CAMERON:...and the day Judge Hooper called...

PORTER: Sorry to interrupt, but I've gotten a couple of calls from department heads, "am I suppose to be there or not?" I don't know.

Minutes for March 19, 2020

CROOKS: I told the department heads, multiple times, and it would be nice if they called me, since I'm the one that sent the communication out. But, no, I did...what I said in the email yesterday. As far as your first question, how many are coming...I've had responses from one, two,seven that said they were coming. Chris Hamill is still out on medical leave, Mike Haddox said no, and the rest I haven't heard from including you (to Porter.)

PORTER: Well, I won't be there either, because I believe we're going against everything we're preaching out there.

CROOKS; Well, I don't see that and the problem is the judge...what I was getting is, the judges are upset, they're not getting information the way they think they should, so I haven't been told that, plus I was hoping we could come to some kind of an agreement on, because we keep getting asked and two departments have said they're already closed to the public, you know, and I think before we, my feeling is before we can say we're closed to the public, the courts have already made it very clear, the judges have already made it very clear they are going to continue to have court. So, what also goes in to that? I don't know, does the Clerk of Court, I can't imagine the Courts operating without the Clerk of Courts office being open. And, how does that affect, Title, Domestic, all those? So the only way I felt that we could get a handle on it was to have the Elected Officials there. Why the Department Heads were not invited; Number one for numbers. Number two, and I'm assuming that even though Judge Fleegle and Cottrill didn't specifically tell me they were coming, both of them okay'd it to use their courtrooms and I think Judge Cottrill did tell me yes.

CAMERON: So at least we are in the big courtroom and spread out.

CROOKS: Right, that's what Judge Fleegle said.

CAMERON; I just think the Department Heads are as much at a loss at the Elected Officials. And, I did call that Wendy Sowers, because she is over there by herself.

CROOKS: Did she say she's coming, Cindy?

CAMERON: I just said, you'll be getting an email from Mollie. I called to say, "are you doing okay, is there something, I don't know what it would be, but, how is your traffic, do you have a lot of people?" Because we offered that to her before this whole mess. I mean, she... (to Porter) You're shaking your head like that makes you mad. I feel badly for her.

PORTER: (to Cameron) Just, just stop and think. We're checking fevers, right?

CAMERON: We are?

PORTER: We're suppose to be, we don't have anything to do it with.

CAMERON: Yeah, I was gonna say....that's one of their questions, too.

PORTER: So, if you come in here with a fever, sorry about your luck, it's a week too late. So, we're going to go up there and we're going to expose every Elected Official in this Courthouse and one person gets infected, guess what? You're going to notify those you were in that room with folks stay home. So you're gonna shut her down.

CROOKS: You know what Jim, if you hadn't been so damn stubborn and you sat in here...

PORTER: And you stop it right now because I'm not putting up with your shit anymore, Crooks.

CROOKS: I'm not putting up with yours....if you...

PORTER: You can throw your darts and mouth all you want, but I'm not listening to it anymore.

CROOKS: You are. If you had been having your butt in the chair and making these decisions, then we wouldn't have to have a meeting up there because we could have made a decision.

PORTER: And you should have called an emergency meeting to make all these decisions, not sit in here and do it not in open meetings.

Minutes for March 19, 2020

CROOKS: What? You don't even know what you're talking about.

CAMERON: First of all, I sit in here everyday. I didn't call an emergency meeting. And I didn't decide on that email.

PORTER: Have you ever discussed anything when you sit in here together?

CROOKS: Did you and Jerry? How much did you and Jerry sit in here and discuss?

PORTER: I asked Cindy a question.

CROOKS: How much did you and Cindy sit in here and discuss?

PORTER: I've still got the video..."Oh, it's going to be open meetings, that stuff's gonna stop"...bullshit!

CROOKS: You know what?... you didn't want to put the meeting's agenda and minutes on the website.

PORTER: Don't have to....you don't have to.

CAMERON: Jim, first of all, you know, that I've sat in this seat everyday for two years.

PORTER; I'll just...

CAMERON: You're not going to tell me that I can't come in here and sit...that I can't sit here and do...

PORTER: I am going to tell you that you cannot discuss any County business.

CROOKS: (laughs) like you didn't...

CAMERON: So if Don Madden....

PORTER: If you want to push it...if you want to keep pushing it, I'll prove it, because I've got tons, I've got tons.

CROOKS: He's been building his case, he's been building his case, because..(unaudible)

CAMERON: If Don Madden or someone stops in here...

PORTER: (to Crooks) So that tells you, you oughta stop it, right?

CROOKS: I don't have to stop anything.

PORTER: Good, good deal.

CROOKS: I'm not doing anything wrong. And, I don't know who made you judge, jury and God.

PORTER: I'm not.

CROOKS: Well, you certainly act like it. We don't report to you...

PORTER: I'm not asking you to report to me.

CAMERON: Certainly a fine example for this Courthouse and these people that work here, what a fine example.

PORTER: You don't know what you're doing, jeopardizing them.

CROOKS: Well, they are adults. They had a choice whether to come.

CAMERON: Well, we go to those meetings and you thought it okay for your church to have church...

CROOKS: Wait a minute, so...

CAMERON: It's different....my point is, there are people in this Courthouse that are our employees, people that we are responsible for, Jim. And Elected Officials....so you just want one...how are we suppose to make that decision about closing? I asked everyone to at least respond to an email, you won't even answer an email or a text that I sent you. And, all I said was, could you email, text or answer; What are your thoughts about closing the Courthouse?...about the non-essential workers. You wouldn't even answer that, just to say Jim, what are your thoughts so we could know on Thursday.

PORTER: You know why?

CAMERON: Yeah, I know why, but...

Minutes for March 19, 2020

PORTER: I attended a training several months ago...

CROOKS: ...like we haven't been there.

CAMERON: You could have answered that email.

PORTER: But, that same guy...no you can not.

CROOKS: Yes, you can.

CAMERON: Jim, you can say your opinion.

PORTER: The same guy that taught your class told us that right over there in Cambridge.

CAMERON: Okay, then how...we can talk about ten texts or ten messages that you do with other people. I didn't ask you to make a decision, I just said could you let me know your thoughts. It was no decision. I just said "what are your thoughts on closing the Courthouse?" to this day I don't know what you think on closing the Courthouse. I mean, are we going to close it are we going to stay open? Are we going to let Teddy and Beth still have people come in here? If Teddy or Beth say they are not comfortable working here and answering the door, do we tell them to go home? Do they go home with pay? When and how do we make those decisions?

PORTER: Right now, in an open meeting.

CAMERON: Okay, that's what I...I think that's what I asked.

You are never...I don't know what I ever did. You cannot say that I have not tried to talk to you and get along. I don't know what your hate...whatever that hate is between you two, I have bent over backwards to say, Jim...

PORTER: I don't hate anyone. Dislike, yeah.

CAMERON: My point is we are here for this County and if we cannot get over the egos and , if you don't want to call it hate, the not getting along, how are the people here suppose to function? Honestly. And if the Judges are saying, "what are we going to do" I wasn't going to answer that question.

PORTER: But, Monday, or whenever, it was, no, by God, we're going to have Court and we're gonna do what we're suppose to do.

CAMERON: No, they didn't say, "by God".

PORTER: And now they're not being included.

CAMERON: So, is the lobby open, what are we telling these guys if they don't feel comfortable coming to work? We need to get a message out, I thought it would be easier, better if we all did the same thing at the same time. We now have the Treasurer's Office closed, they closed today or yesterday. The day before we had Debbie Nye that said we couldn't even go up there and get our mail. Now, come on...there has to be a way to still function. Or if we're not, then no one's going to function.

PORTER: Was Debbie Nye not down here last week asking and we kind of told her what was going on, but what'd she do?

CAMERON: Yeah, I was gonna say, she'd already called the Sheriff. I didn't know that she was going to close her office...and close our mailbox. I didn't even get the email. I mean, she called when we were down there Monday and I asked her...

PORTER: The Sheriff said she talked to the Commissioners.

CAMERON: She told me she'd talked to the Sheriff, too. Which, he said, I don't have any pull over this. That's all done and over. I just thought if we were all together, I would think the Courthouse would operate as one. But, now, Sheila's sent a message and now Sheila's closed down. I just thought, wouldn't it better if we did it all together.

PORTER: Yeah, I agree, but are they going to listen to you?

CAMERON: I don't know. Maybe not, maybe they won't. Maybe they'll tell us...I thought maybe the Prosecutor would at least come to the meeting, which I think he said no, like Dave

Minutes for March 19, 2020

Wilson said, the three Commissioners and the Prosecutor sat on one side and they stood around and asked their questions and said this is why you can't close it, this is why you can. At least...and the Prosecutor said that's not right or that is right. And like you said, then how's people across the County closing then.

PORTER: We got an email from the Prosecutor when...what they were doing?

CAMERON: Yeah, well, I never did get an email from them, I never got one message.

PORTER: It came from Mark, I think.

CAMERON: I never got one message from them saying they were closed. Because I asked him. Well, maybe that's when we got it because I said we're down here at this meeting and they tell us they're closed.

PORTER: Same time, yeah.

CAMERON: And I said, were you going to send us an email or a message? Well...and I think the Sheriff's the one that told us. So, my hope was just for the people here, and if we're suppose to leading this County we could suck it up, figure out what we're doing and everyone do it at the same time and not be in a fist fight about it and everyone's on a different committee which I think or thought would work perfect, you know, but... But, they can't tell us what to do up here. Teddy and Beth...the security out there, "do we have to wear these masks?". I don't know, who said you had to wear the masks?

PORTER: Dr. Butterfield is making those recommendations. And we're getting that information in those meetings, but here again, "we need to do this and....but don't have a daggone thing to do it with.

CAMERON: And that's what I told them, could they not have told us? Everyday we've been to a meeting, Dr. Butterfield nor Corey has said, "you have to close". So we right now are taking our directives from them. More than once in the meeting, I think I've said, "just so you know, we're still open, we haven't closed to the public". And he talked about that on Sunday, about the Court, just tell the non-essential people not to come. So I said, "we're still open". He knows and Corey knows, and maybe that's how it's going to stay.

PORTER: And, that's great but, I still think we are the worst people in spreading it right now.

CROOKS: So, what are we doing? I mean, can we come to a concensus on what we think as far as closing?

CAMERON: Maybe we'll know something today, maybe we'll know more today after we go down there. And say, we are being bombarded. How do we take their temperature, we don't even have a thermometer. And, say if we got one today, Troy McCollister is suppose to get two or three today or tomorrow, are we going to have those security guys, does that come from us or from Sheriff Lutz?

CROOKS: Two or three what?

CAMERON: Thermometers..

PORTER: It comes from the recommendation of the Health Department and Dr. Butterfield.

CAMERON: Okay

PORTER: ...and he's already made that clear, everybody that comes in here.

CAMERON: ...then we're going to tell the security guys that they have to do that?

PORTER: But, again, if they have a temperature, and they're standing there, it's too late.

CAMERON: yeah.

PORTER: ...it is too late.

CAMERON: Well, so do we continue until we have a thermometer or do we continue to let people come in like they are?

PORTER: So, do we know we have the authority to do what we're doing?

Minutes for March 19, 2020

CAMERON: That would be another great question for the Prosecutor.

CROOKS: I asked Dr. Butterfield, I mean, I asked Dr. Butterfield yesterday because it came from security, okay we're asking these screening questions and if somebody says "I have one of these symptoms", can we turn them away and that's when Dr. Butterfield wrote in to the Court thing, you have the right to...or however he worded it, and to allow them to come in opens up the opportunity for everybody to be exposed and quarantined. I just have one comment for you (to Porter) you want to place this blame on me if I have this meeting at 12:30 you came in here on Monday saying your wife was home with a temperature. What did you expose us to?

PORTER: Does she have it?

CROOKS: I don't know, does anybody in that room have it? None of us is going to know that until it's probably too late. So don't be throwing your darts at me over something you just don't like how it's spelled out.

PORTER: I'm just telling you from now on I'm not taking anymore of your insults in here...

CROOKS: I don't have to take any of yours either, Jim.

PORTER: I can read you messages and emails saying how disrespectful you all are to me and they all see it. That's all I need to know, all I need to know. People sitting right there.

CROOKS: Wait a minute, wait a minute like you're the victim here, you haven't done anything, give me a frickin' break. You've been done with me. You've made that clear from the beginning. Point is, I'm still sitting in this chair and I'm going to be sitting in this chair for four more years. So you'd better frickin' get over it.

PORTER: I'm over it.

CROOKS: Grow up, put your big boy pants on (inaudible)...

PORTER: Shut up, Shut your mouth

CROOKS: I don't have to, you don't have that power. You don't have that authority.

PORTER: And I don't have to sit here and listen to your bullshit either.

CROOKS: Well, you know what....

PORTER: And I'm not. I made it perfectly clear, I'm done.

CAMERON: (to Porter) I would like an instance or a time that I was disrespectful to you, every morning...

CROOKS: You don't have to be...

CAMERON: I know, but I asked Jim.

PORTER: She speaks for you a lot doesn't she? (to Cameron) I think you need to grow a set a speak up for yourself, as well. You go to that meeting and all you hear is five thousand I's and another hundred Cindy and I's.... (leaving)

CAMERON: Well, that's not me.

CAMERON: (to the Clerk) feel free to share the letter from Igel with Pam, I think I sent it to you. I mean to work for a ... I mean, I bet if I was anyone here I would leave and go to work there. (reads parts of the letter)

CROOKS: Wow....that would be nice.

The Commissioners left to attend the 10:00 COVID-19 update meeting.

The Commissioners returned at 1:30 p.m.

Stan Lucas, Sewer Department Manager, came to see the Commissioners to discuss concerns with their operations in regards to COVID-19. He has the idea of sending his employees directly from their houses to the work sites, to prevent interaction. Stan would still be in the shop. All agreed that it would be Stan's call when to implement, but should have guidelines in place.

Minutes for March 19, 2020

The letter from Rob Guentter was acknowledged. It has been forwarded to Mark Zanghi, Assistant Prosecutor. He suggested letting Mr. Guentter know the letter was received and forwarded. Commissioner Porter suggested that letter just be from President Cameron because that's how the letter was addressed.

Commissioner Cameron asked that each Commissioner receive a video copy of today's session.

Commissioner Cameron reported Travis at EMA will be making a spreadsheet of the expenses to date for COVID-19. She understood that it was approximately \$15,000 so far.

There were messages for the Commissioners from Peter Cherevas regarding water and Debra Shinn regarding pot holes on French Road.

At 2:30 the Commissioners watched the Governor's press conference.

Debra Nye, Auditor, called and asked the Commissioners if they would consider passing a blanket resolution to establish line items for each department for COVID-19 expenses. The following was then considered:

RESOLUTION 20-0277 approve creating Expenditure Line Items for any and all funds for COVID-19 expenses. Line item number to be ___ - ___ -503017.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

Each department is encouraged to transfer the money from another line item rather than supplementing.

Pam Davis, Human Resources, came in and there was discussion regarding the Families First Coronavirus Response Act – HR6201.

At 3:30 the Commissioners and Pam participated in a CCAO Briefing call.

RESOLUTION 20-0278 declare an Executive Session at 4:16 p.m. for the purpose of discussing Personnel Matters pertaining to that of a public employees of Muskingum County Treasurer's Office and Water Department. This session ended about 4:26 p.m.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

There was continued discussion regarding the Families First Coronavirus Response Act. It was decided to develop a plan Monday regarding essential and non-essential employees.

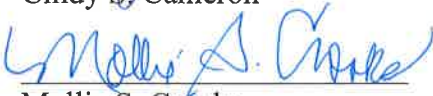
There was discussion regarding access for Pam and Beth if we would have to shut the Courthouse and work from home. The Clerk emailed Dan to tell him to hold two laptops for our office. It was decided it would be wise to start the laptop process for Pam and Beth now.

Minutes for March 19, 2020

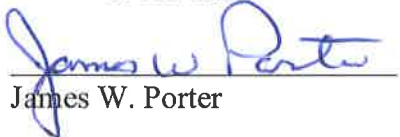
With no further business being before the Board, the meeting was adjourned at approximately 5:13 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.



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.