

# Minutes for March 24, 2022

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

**RES 22-0307** Meeting was called to order at 1:30 p.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.

**RESOLUTION 22-0318** declare an Executive Session at 1:31 p.m. for the purpose of discussing a Personnel Matter of the Muskingum County Job and Family Services. This session ended about 1:59 p.m.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0319** approve the employment of Heidi Burns as Executive Director for the Muskingum County Job and Family Services, contingent upon passage of the pre-employment assessments. Starting wage will be \$40.00 per hour. Heidi is to be evaluated at the end of a 180 Probationary Period.  
Motion made by Commissioner Cameron, seconded by Commissioner Crooks.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

At 2:00 p.m. the Commissioners met virtually with ODOT for IR70 updates.

Stan Lucas, Sewer Department Manager, came to meet with the Commissioners regarding the Avondale Lift Station generator.

- Found a new/used one with 1.7 hours through Nichols Electric for \$41,500
- Commissioner Porter asked about the warranty
  - Six month warranty left, possibility of extending to one year
- All agreed to purchase
- Commissioner Porter asked if EMA could use the old one
  - Stan said he wouldn't hook it up to anything "public utilities" because no guarantee of how long it will last; but they can have it if they want it
- Stan said he has an old pump, welder and trailer that he would like to send to the County auction
  - Commissioners agreed

The following legislation was now considered:

**RESOLUTION 22-0308** authorize the signing of a letter of support for "the Wilds" and the Columbus Zoo for the Economic Development Administration's Travel, Tourism, and Outdoor Recreation grant. The grant would help improve infrastructure for "the Wilds" and surrounding community.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

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**RESOLUTION 22-0309** accept the specifications and authorize the advertisement of the Muskingum County Courthouse Fire Alarm System Improvements Project. Advertisements will be published in the Zanesville Times Recorder April 1 and 8 with the bid opening on Monday, April 18, 2022; 10:00 a.m. in Commissioners' regular session. Motion made by Commissioner Porter, seconded by Commissioner Cameron. Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0310** approve and authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Pay Request Number Eight (8) in the amount of \$36,667.34 to Flecto Construction for the Muskingum County Dog Warden project. Motion made by Cameron, seconded by Commissioner Crooks. Roll Call: Crooks, aye; Porter, present; Cameron, aye. Motion carried.

**RESOLUTION 22-0311** approve the Supplemental Appropriation of Funds within Fund Number 009, for the Muskingum County Engineer's Office, as requested by Mark Eicher, Muskingum County Engineer.

## SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Contract Services	009-368-504001	\$ 75,000.00
Contract Projects	009-368-504004	\$575,000.00

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

**RESOLUTION 22-0312** accepts Official Amended Certificate Number six (6) as submitted by Muskingum County Auditor, Debra J. Nye, on behalf of the Muskingum County Budget Commission dated March 17, 2022.

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

**RESOLUTION 22-0313** approve the waiving of all Floodplain permit fees for the Governmental Jurisdictions and Departments for the year 2022. Requested by Ray Mennega, Floodplain Administrator.

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

**RESOLUTION 22-0314** authorize payment to the Muskingum Valley Garden Society for the filling of the flower containers at the Courthouse for 2022. The cost for early ordering is \$100.00 per container equaling \$700.00. To be paid from 001-902-50284.

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

**RESOLUTION 22-0315** accept and sign Agreement between the Muskingum County Center for Seniors and the Teamsters Local Union No. 637; effective March 1, 2022 through February 28, 2025, as presented by Pam Davis, Human Resources.

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

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**RESOLUTION 22-0316** approve and authorize the payment of invoice(s) incurred prior to funds being encumbered in the amount of \$4,850.00, for Annual software maintenance as requested by Vicki Vallee, Finance Manager of the Muskingum County Juvenile Division Motion made by Commissioner Cameron, seconded by Commissioner Porter.

**RIGHT OF WAYS SIGNED:**

**AEP-New Albany**

**Jackson Township; CR 8 (Canal Rd)**

**Run overhead guy wire**

**Start date: As soon as possible; Completion date: 09-30-2022**

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

- **Broadband**
  - Two year build-out
- **Avondale Windows**
  - Spoke with April at Sands Decker
    - They don't do window work
  - Jeremy from APG Architects to help with engineering
    - Suggests an Investigation to assess
      - Less than \$10,000
  - Commissioner Porter suggested RFP's for the project
  - Eric will research to find other Engineers and get estimates of charges for design

The Commissioners reviewed a letter from Sean Smith regarding the State betting license.

- Commissioner Crooks said she talked with Dana Matz and he is not coordinating efforts in this matter
- Commissioner Porter talked with Mr. Smith who said that Attorney Graham told him that the decision is already pretty cut and dried

The Clerk reported that she did call Kate Paul at the Center for Seniors regarding their use of the County Envoy. Kate said they are still using it, but they are applying for a grant to fund a new vehicle.

At 3:00 p.m. the following Fair Board members came in at the Commissioners' request.

- Dave Kreis, President
- John Graham
- Rodney Crooks
- Jerry Miller, treasurer
- Jim Bunting, Grounds Committee Chair

Eric Reed, ARPA Compliance Officer and Cheryl Kreis, Mr. Kreis' wife, were also present for the meeting.

Commissioner Crooks reviewed a timeline of some of the past meetings and discussions regarding the Clean Face renovation project.

Commissioner Porter said a few Commissioners started getting calls about the grandstand and he did not, that is why is asked them to come in so we all could hear the same thing.

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Commissioner Cameron clarified that she received one call from Dave Kreis addressing the bathroom renovations and the cost. She told him that she doesn't believe we need a \$320,000 bathroom. Dave mentioned that there was not enough money to complete the grandstand project. She proposed the same amount of money, but completing both projects; grandstand and bathroom. Commissioner Cameron then presented that to the Commissioners during session. All agree that Jeremy just did what he was asked on the "wishlist".

Commissioner Porter stated that he doesn't think \$300,000 is a wise choice to put in a restroom. The ultimate goal was to get it functioning again so we don't have to shut the doors during fair week.

Commissioner Crooks would ask if we just want to "band-aid" it?

- ARPA money has now come up...one time money that we have at our disposal to make, what we hope to be, longer impact investments into things that would increase economic impact
  - Help create opportunities to offer the entire fairgrounds to other events
- How can we chip away at the cost
  - The Fair Board would rather have more toilets than storage

John Graham offered that the Commissioners should be proud of the Sewer Department in how they worked to fix the sewer issue on the grounds

Dave Kreis said that costs have also changed

- Adam Holmes is helping the Fair Board with application for a \$225,000 State Capital grant
- He reported that all electric upgrades are complete, also painting and the purchase of new seating for the grandstand
  - They do not have enough funds to pay for the installation of the seating
    - \$38,629.64
    - They will be removing the old bleachers themselves
    - G&M Construction will install
  - New chainlink fencing will be included in Phase II
  - Commissioner Porter suggested that 4-H and FFA groups are always looking for Community Service
  - Dave said that Adult Probation has been helping on the weekends

Commissioner Porter said he will not support a \$300,000 Clean Face upgrade but will support the completion of the grandstand project

- He feels as though they are going backwards on the Clean Face project because there will be fewer toilets

Dave asked if heating and cooling is necessary at this time.

John Graham noted that there is no insulation in that building

Commissioner Porter pointed out that the doors are open all during fair week with non-stop traffic

Commissioner Porter would rather trade air conditioning and heating for hot water for the showers

The Fair Board did think an alternative heating system might be nice for events held in the colder months.

Mr. Bunting said the air conditioner would have to be isolated so that it wouldn't be torn up or the temperature re-adjusted

Jerry doesn't care about the air conditioning but would like to see a heat source

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Eric would add that Jeremy designed at maximum luxury. What needs conveyed to him is what the appointing authority here wants.

Commissioner Crooks asked Eric to explain the Construction Manager at Risk process

- Commissioner Porter explained that is the process that was used for the Center for Seniors renovations
- We would put out Requests for Proposals (RFP)
  - Then the contractors are interviewed and a contractor is chosen to proceed
  - The Fair Board would prefer the Commissioners hire the contractor and meet back with Jim Bunting
- With a CMAR we would hire a contractor to work with us and we would have a guaranteed max rate that would be set by the appointing authorities
  - That contractor would facilitate staying within the budget and getting all of the supplies...negotiates everything, needs no bid and they would meet with the Board on a regular basis

Commissioner Cameron is concerned with the time frame...it's almost April and if we don't do something soon, it will not be completed by the fair

Eric noted that the County's contribution to the waterline alone will be \$50,000

Power flush toilets and making the facility handicap accessible is a priority with the Fair Board

Eric asked if the Fair Board could use the extra dirt that will be removed when installing the water line

- Jim Bunting said they could find somewhere to put it, but wants no concrete

Dave wanted the Commissioners to know how very much they appreciate all involved in the proposed improvements and what has already been done with the sewer at the Fairgrounds.

Jerry Miller gave a brief Treasurer's report

- They have been hit hard with unexpected repairs this past fall and winter

Jerry said they are working toward making the Fairgrounds a year-round event center, rather than a once a year facility

Commissioner Porter would assume that the Fair Board contacted their bank about these capital improvements

- Commissioner Crooks said she's talked with Eric Holsky at Community and as long as someone else is paying the bill...
- John Graham said they are not supposed to have any of their employees doing the work
- Commissioner Cameron said she understood from a previous meeting about the rabbit barn, that it doesn't matter if it is someone else's funds
- Commissioner Porter said he personally went to Holsky's office and he got a different story
- The Fair Board should reach out to Community Bank

Dave commended his Board for their dedication and commitment.

Pam Davis, Human Resources, came in and the following was considered:

**RESOLUTION 22-0320** declare an Executive Session at 4:21 p.m. for the purpose of discussing Personnel Matters pertaining to public employees of Muskingum County Center for Seniors. This session ended about 4:51 p.m.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

Commissioner Porter reiterated his opinion about the Lorena.

- He thinks we should go back 20-25 years and get a detailed expense list of what we have put in the Lorena and if the Mayor wants to pay half of that, give him the boat
- Commissioner Crooks said the agreement was not for them to pay half
  - Commissioner Porter said, we don't know that
  - Commissioner Crooks said there is an agreement for them to pay half of the insurance
- Commissioner Cameron thinks if that is what we agree, we need to tell him that up front
- Commissioner Porter said he read in the Times Recorder that the Mayor said the Lorena would be running in 2022
- The Mayor told Commissioner Cameron that when the WHIZ came to talk to him, he asked them what Commissioner Crooks said in her interview...and they told him
- Commissioner Crooks cited a document from 2005 that was requesting the City to pay their agreed amount of \$20,000
- Commissioner Cameron asked Commissioner Porter if the City ever paid half of the cost of pulling the boat out of the water for inspection and repairs
  - Never
- Scott said every year it came out they repainted the whole vessel and replaced paddleboards
  - Commissioner Porter said no City official ever said, let us pay half of that since we own half of it
  - Commissioner Crooks said for the last few years they weren't billed, with change in leadership and staffing; she thinks it just got overlooked
  - Commissioner Porter said it didn't get overlooked, they weren't willing to put any money into it, that's obvious
  - Commissioner Cameron asked why we quit billing them

Scott Lee, Facilities Superintendent, came to meet with the Commissioners and the following was considered:

**RESOLUTION 22-0321** declare an Executive Session at 4:59 p.m. for the purpose of discussing a Real Estate Matter of the Muskingum County Commissioners. This session ended about 5:09 p.m.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

The Clerk is to notify Mark Zanghi, Assistant Prosecutor, to prepare documents to make an offer on the real estate.

Scott reported that the dogs are eating the plastic walls at the Adoption Center.

- Commissioner Crooks noted that if we had installed the Mason kennels in the first place...it had everything to do with cutting costs

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- Commissioner Cameron said, Pat Kelly, who was the architect, agreed to it; we paid two people, an architect and a contractor, because we don't build dog pounds
- The Sheriff called Scott and asked him what he could do
  - Scott called Goodman Steel – 4x10 sheet of stainless=\$534/sheet
  - Aluminum \$125 sheet
- Commissioner Porter said it appears the Mason kennels would have really been a better buy
- Commissioner Cameron would suggest calling Pat Kelly and say this is what we are dealing with today, what would you suggest we do?; What would be the cost, Mr. Architect, of pulling out the current and replacing with Mason kennels
- Commissioner Porter asked if they are still under warranty...they should not be eating holes in it already
- Commissioner Crooks asked, why don't we just pull it out and put the Mason kennels in

Prosecutor Welch joined the conversation.

- Scott will make contact with Pat Kelly

Prosecutor Welch requested and the following was considered:

**RESOLUTION 22-0322** declare an Executive Session at 5:23 p.m. for the purpose of discussing a Personnel Matter of the Muskingum County Prosecutor. This session ended about 5:28 p.m.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

The Prosecutor's office is looking in to the Lorena ownership situation.

- Commissioner Cameron would say again, that if we are asking the City to pay half of past expenses, we should tell the Mayor that up front
- Commissioner Porter would prefer something to the Mayor from the Prosecutor's office
  - Ron said he could make that call tomorrow

Commissioner Porter left session at 5:36 p.m. for another meeting

Commissioner Cameron noted that the Mayor is saying that he raised funds for the Lorena when he was Mayor previously.

- In all fairness, we did not bill them for the expenses
- Ron said that doesn't matter
- Commissioner Crooks said the City budget reflected \$70,000 in their Lorena budget for 2008; \$10,000 in 2009 and \$0 in 2010

Ron said the City owes the money even if they don't purchase the Lorena, if you are 50 percent owner...if you are the owner that has paid 100 percent of the bills, you have a right to go back to collect the 50 percent. Ron thinks that something advantageous can be worked out to benefit both parties, to resolve it

- Commissioner Cameron said she doesn't think we can totally bash them when we haven't given them a bill

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Ron said he would call the Mayor tonight, if he has the permission from the authority of the Commissioners.

- Commissioner Cameron said 1. She thinks we should've been billing them
  - 2. She's not convinced the City still owns half of it
  - 3. She doesn't know if the City owned it all those past years
- Ron said if there is no document separating the interest, then it goes back to the document that says there is an interest. There is nothing legally filed, that he is aware of, that changes that the City owns part of that boat
  - Unless, someone shows another document that shows the City has severed their interest, then they are part owners of the boat
- Commissioner Crooks said that she was told there is a way to determine who owns it
- We have tried the number on the Certificates of Inspection and they don't prove any ownership. Maintenance has gone to the boat to search for a number and has found nothing
  - Commissioner Crooks said that Geoffrey from the Coast Guard said that it has to be there and you should be able to see it even if it's been painted over
- Ron will call the Mayor on his way home

With no further business being before the Board, the meeting was adjourned at approximately 5:55 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.

  
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.*