

Minutes for March 28, 2022

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

RES 22-0323 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 Cameron moved to approve the payroll, pending review.
Seconded by Commissioner Porter.
Vote was Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

A call was placed to Eric Reed regarding the estimate of pipe and fittings for the Fairgrounds Waterline Extension.

- \$18,000 for pipe and \$18,000 for fitting and hydrants

Ron Welch, Prosecutor and Mark Zanghi, Assistant Prosecutor, came to see the Commissioners. Discussion was about the Lorena.

- Ron thinks the best way to communicate to the Mayor, is for the Board to explain to him the documentation that we have found
- Commissioner Porter says he has not changed his mind; if we can go back and total what the County has invested and if the Mayor wants to write a check for half, he would gladly give him the boat
 - Captain Page called Commissioner Porter Saturday morning saying that the Mayor called him and asked that he talk Commissioner Porter in to giving the City the Lorena
- Ron presented a possible resolution that if the City would take over Lorena, operate and maintain it, the County could forgive the debt that is owed; but if the City sold the Lorena, then the County would recoup 50 percent of the sale price
- Commissioner Cameron noted that it's almost April, if someone wants to buy it, what are we waiting for
 - Commissioner Porter said we pulled the advertisement and sealed bids, because we can't prove who owns it
- Ron said that it appears from the documentation found at the time, that the Lorena is 50-50 ownership
 - 50-50 owners goes 50-50 on the cost and there appears to be a lapse in time of payment from the City, at least, since 2009, except for one payment in 2013; which would make the City's share approximately \$132,000
- Ron says the money is still owed, unless there is/has been an agreement otherwise
- Commissioner Porter said we need to gather all the keys to the Lorena, because there is rumor that someone is going to move it

Eric Reed came in at 10:30 and the following was considered:

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RESOLUTION 22-0324 open bids for the Muskingum County Fairgrounds Waterline Project.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

RESOLUTION 22-0325 hereby take bids under advisement for the Muskingum County Waterline Project.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Bids:

Hazen Services	\$49,880.
ASK Services	\$50,600

Mark Eicher, Engineer, will review the bids and advise.

Pam Davis, Human Resources, joined session and the following was considered:

RESOLUTION 22-0326 declare an Executive Session at 10:45 a.m. for the purpose of discussing Personnel Matters pertaining to Muskingum County Job and Family Services. This session ended about 11:03 a.m.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

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

Don Madden also came with Eric.

The following was then considered:

RESOLUTION 22-0327 elect the "Standard Allowance" of up to \$10,000,000 as the revenue loss amount for Muskingum County's American Rescue Plan Act funds, per the American Rescue Plan Act Final rule released by the US Treasury on January 6, 2022. This Standard Allowance election replaces an entity's revenue loss calculation. These unrestricted funds may be used for the "provision of governmental services" as outlined in the final rule on pages 233-260.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

There was discussion regarding conversation with Ed Fell, Muskingum Township Trustee.

- Ed asked if the County Engineer would be willing to help with the engineering of the Vista View storm water project
- Eric will follow up with Mr. Fell

Don reported that he received a phone call from Auditor, Debra Nye.

- She has three new employees (adjusters for the 2024 re-val) that she would like to have work from the "back room" of Don and Eric's office for two years
- Commissioner Cameron would not agree with this

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- It is Commissioner Porter's opinion that it will happen whether we agree to it or not
- It was decided to ask Debra to explore all options; there are other options

Commissioner Crooks reported that Melissa Best from Habitat for Humanity told her that Habitat would be requesting ARPA dollars. Eric has talked with her and told her he would review her request and if a meeting was needed he would contact her.

Stan Lucas, Sewer Department Manager, brought copies of a Letter of Support for the Boggs Road sewer from the Health Department.

Don reported that he thinks maybe the meeting with Falls Township Trustees regarding Licking View, is premature. He would like to have more time to work on the figures for the project. It was agreed to postpone the meeting until Don has time to revisit the numbers and figure the Township's share. The Clerk will notify everyone.

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

Pam Davis, Human Resources; Kate Paul, Center for Seniors Director; Andrea Dupler and Dianne Gill from SEAT came to meet with the Commissioners.

- The Center for Seniors 501.c3 would like to partner with SEAT for transportation
- Current CFS drivers would remain County employees; would be also be using CFS fuel and vehicle
- CFS currently does the scheduling, but will still be able to schedule through SEAT software
- Pam will check with CORSA regarding insurance
- Commissioners will discuss further and get back with Kate

Mayor Mason, City of Zanesville, came to talk with the Commissioners about the Lorena.

- Mayor said that in 1988, when he was Mayor first time, the Community raised approximately \$67,000 for the Lorena and the City added the boat dock to Zanes Landing
- Commissioner Porter noted that since he took office in 2011, it seems that the County has been paying most of the Lorena bills
- The Mayor said that their Lorena budget zeroed out in 2010 with no City Council record after that
 - Commissioner Crooks said that there is a copy of an invoice to the City from the County in 2013, that the City paid
 - Commissioner Porter said that was a result of this office going down and asking for the money
- Mayor Mason said originally the Lorena was docked at the Putnam Landing and used City mechanic crews
 - Commissioner Porter said our Maintenance Department also worked on it several times
 - Justin Jasper has always done the welding for us

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- The Mayor said many people have contacted them, hoping to see the Lorena operating in Zanesville
 - Is it possible to make it State of Ohio licensing since it is not an open water vessel
- Commissioner Crooks asked what the Mayor wants since we own half. We've been paying the bills for the last twelve years and realizing we should have been billing, but things happen, change in leadership happened, change in staffing and it just got overlooked.
 - The Mayor said we are married
 - Commissioner Crooks responded... "and you want my half, so..."
 - The Mayor said his point is, we're married
 - Commissioner Crooks said no, no we can't go there
 - Commissioner Porter said we have made the decision to sell our half and you have indicated you want it to stay here
- The Mayor said that the City and the CVB intend to operate
 - Has talked with the Coast Guard and they are willing to come up and do a walk-through of the Lorena
- Commissioner Porter has made up his mind to sell it and has said numerous times to go back over a period of several years and come up with a legitimate cost of what the County has put in versus the City and if the City writes the County a check for half of the amount...in his opinion they can have the boat
 - The Mayor is not sure that's the law
 - The County's primary source of income is sales tax
 - Is that where people want their taxpayer dollars doing?
 - Zanesvillians have already paid that sales tax
 - The City's main source of revenue is income tax
- Commissioner Porter pointed out that CVB has paid the crew; Commissioners have paid the Captain
- Commissioner Porter not changing his mind...only fair in any partnership; if you own 50% you should be paying 50% of the bills
- Mayor said the City has maintained the dock at Zane Landing for 30 years and has not come back and asked...
- Commissioner Crooks said she also, is not interested in keeping the Lorena
 - Her personal feeling would be that a private entity would be better suited to take it to its maximum potential
- The Mayor would ask if the boat is still worthy
 - He has called the Coast Guard and talked to Kelly Ashby for names of potential captains, with the understanding that the decision will still have to go to Council
- Commissioner Porter believes there are ways for the County to go after the money owed, but he hopes it doesn't get to that
 - Commissioner Crooks would not be interested in that, we've worked too hard on this relationship
- The CVB is helping with expenses due to the bed tax and negotiations that Commissioner Porter was involved in

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- Commissioner Cameron asked the Mayor if he is going to present buying the County's half of the Lorena to City Council, doesn't he need to know if we are asking for past expenses
- The Mayor is doing his "due diligence" to see what it would cost to get the Lorena in operation for this year

Commissioner Porter would request Prosecutor Welch come down to discuss the sale of the Lorena.

Mark Eicher, Matt Russell and Shawn Johnson from the Engineer's office came to meet with the Commissioners. Matt Abbott, Port Authority Director and Eric Reed, ARPA Compliance Officer, were also present.

- Mark said he has looked over the bids for the Fairgrounds Water Project and they look appropriate

Mark reported that there are more federal grants coming out

- 80% grant - 20% match
- Minimum \$25 million projects
- Would take a SIB loan for the match
- These projects also have to be on the County's plan
- Consideration of SR146 to US40 to SR22

Mark said no decision is needed today, but Application is due May 23 if the County wants to pursue.

- The deck for the Thompson Run Bridge was poured today and Pinkerton will be closed for two weeks beginning next week
- They have been subbing out surveying work to get ahead of funding
- If the gas tax is cut, as some legislators have proposed, the only thing they will be able to maintain is mowing, plowing snow and trimming trees
- They will be replacing the bridge on the 284 side of International Road before motor paving
- They are purchasing steel beams from ODOT – IR70 project through Polks

Mark Zanghi, Assistant Prosecutor, came down to talk about the Lorena.

- Commissioner Cameron said that the Mayor asked the Commissioners what our Prosecutor had advised about selling our 50%
 - Ron didn't address that
 - The Mayor indicated that we couldn't go back to recoup costs
 - Mark advised the Board to respond by saying our conversations with our attorney are "Privileged Attorney Client Communications"
 - Mark says there is a letter somewhere, that no one seems to have a copy, which indicates that sometime in 1995 that said the City would agree to pay half of the insurance cost
 - Is it a binding agreement forever between the City and the County?
- Commissioner Crooks wanted to clarify her position on the Lorena
 - When Commissioner Porter first brought it up and said they should pay half she agreed

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- Now, she would propose that we wash our hands of it and let the City do what we've done for the last several years and let them run it and pay all expenses
 - Mark thinks that the County can liquidate their one-half ownership
 - Mark would suggest perhaps doing nothing, just let it sit there; keep the insurance but dock it for the 2022 season
 - The Clerk is to see that Mark gets a video copy of today's session
 - Commissioner Cameron pointed out that there was a motion and a second to sell the Lorena and now for more than two weeks all we've talked about is the boat and the ownership and charging the City the money for it and the Mayor says we can't do that. Now the Mayor is asking if we can sell our half of the boat. If they are not even going to address that, then just let it sit there, I guess
 - It was mentioned again that the Mayor said, "we're married", twice
 - Commissioner Crooks said she told him, no, we're business partners and typically when there's a partnership, one partner buys out the other.
 - Commissioner Porter would like to explore the Mayor's thinking about telling us we have no legal ground to stand on as far as recouping our funds
 - Mark suggested that Pam look at the Lorena insurance policy if it is just docked
- Pam came over with the figures for the Lorena insurance when in operation and when docked. She reminded that a log must be kept when the vessel is considered "laid up".

The following was now considered:

RESOLUTION 22-0332 declare an Executive Session at 4:13 p.m. for the purpose of discussing a Real Estate Matter of the Muskingum County Commissioners. This session ended about 4:24 p.m.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0333 declare an Executive Session at 4:24 p.m. for the purpose of discussing Personnel Matters pertaining to public employees of Muskingum County Center for Seniors. This session ended about 4:56 p.m.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

The following legislation was now considered:

RESOLUTION 22-0328 approve the Supplemental Appropriation of Funds within Fund Number 014, 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>
Transfer Out	014-373-510002	\$37,000.00

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

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RESOLUTION 22-0329 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 Matthew J. Lutz, Sheriff.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Vance Outdoors	(41) Gun Holsters	\$4,740.80

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

RESOLUTION 22-0330 authorizes the advertisement of bids for the Water Main Extension to Twin Hills Drive, Helen Drive, and Edward Circle in the *Zanesville Times Recorder* on April 1, 2022 with a bid opening on April 25, 2022 at 10:30 am in the Muskingum County Commissioners office.

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

RESOLUTION 22-0331 acknowledge the resignation of Troy McCollister, Director of MCJFS effective on April 30th, 2022.

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

Right of Way Permits Signed :

**American Electric Power
Dillon Falls Road; Falls Township
Install new utility pole
Start date: 05.02.2022 ; Same day completion**

**Columbia Gas- Columbus
Township Road 472; Falls Township
Repair leak on underground line
Start date of project 03.28.2022 ; Same day completion**

Commissioner Cameron asked if we could call Adrian Adornetto Thursday, about his request for parking.

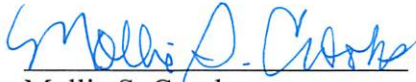
- Commissioner Porter reported that he believes Soldiers and Sailors are interested in selling the parking lot to the County; they are researching what it is worth

RESOLUTION 22-0334 approve the award of bid to Hazen Services in the amount of \$49,880 for the Muskingum County Fairgrounds Waterline Extension Project.

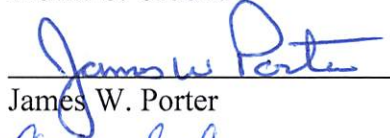
Motion made by Commissioner Cameron, seconded by Commissioner Crooks.
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

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With no further business being before the Board, the meeting was adjourned at approximately 5:23 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.