

# Minutes for April 13, 2023

Commissioners Present: Cameron, Bell, Crooks

Staff Present: Susan Reese

**RES 23-0402** Meeting was called to order at 10:00 a.m. on the motion of Commissioner Crooks and the second of Commissioner Bell.

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

Commissioner Crooks moved to approve the payment of bills, pending review.

Seconded by Commissioner Bell.

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

The following legislation was now considered:

**RESOLUTION 23-0403** approve and authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Notice of Commencement for the Norfield and Arch Hill waterline extension. (see attached)

Motion made by Commissioner Bell, seconded by Commissioner Crooks.

Roll call: Crooks, aye; Bell, aye; Cameron, aye. Motion carried.

John Dever, Assistant Prosecutor, came to meet with the Commissioners along with Assistant Prosecutor, Mark Zanghi. The following was then considered:

**RESOLUTION 23-0404** WHEREAS, this Board of County Commissioners and Muskingum County Prosecutor's Office jointly motioned the Muskingum County Court of Common Pleas under R.C. 305.14(A) to authorize this Board of County Commissioners to employ legal counsel to represent the Honorable Janet R. Burnside in the case *State Of Ohio, Ex. Rel. The Honorable Ronald L. Welch V. The Honorable Janet R. Burnside* that has been filed in the Ohio Supreme Court with the case number 2023-0401.

WHEREAS, the Muskingum County Court of Common Pleas authorized this Board of County Commissioners' joint request under R.C. 305.14(A) as reflected in its journal entry in the case number MS2023-0003.

WHEREAS, the Muskingum County Court of Common Pleas thus authorized this Board of County Commissioners to employ legal counsel for the Honorable Janet R. Burnside.

WHEREAS, this Board of County Commissioners learned from the Honorable Janet R. Burnside through a document signed by her that she requests and approves the employment of Attorney James R. Wooley with the law firm Hilow & Spellacy.

BE IT RESOLVED, that this Board of County Commissioners employs James R. Wooley with the law firm Hilow and Spellacy to represent the Honorable Janet R. Burnside in the case *State Of Ohio, Ex. Rel. The Honorable Ronald L. Welch V. The Honorable Janet R. Burnside* that has been filed in the Ohio Supreme Court with the case number 2023-0401.

BE IT FURTHER RESOLVED, that the terms and scope of the representation are what was authorized in the Muskingum County Court of Common Pleas' journal entry in the case number MS2023-000.

Motion made by Commissioner Crooks, seconded by Commissioner Cameron.

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

The Commissioners then continued the resolutions on their agenda.

# Minutes for April 13, 2023

**RESOLUTION 23-0405** authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the summary of final Loan Amount for Ohio Water Development Authority for the North Moose Eye and Maple Brook Road Water Project. (see attached)

Motion made by Commissioner Crooks, seconded by Commissioner Bell.

Roll call: Cameron, aye; Bell aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0406** approve the fund to fund transfer of monies for the Muskingum County Auditor as requested by Stephanie Spencer, Chief Administrator, as follows:

**FUND TRANSFER OF MONIES**

| <b><u>From Fund</u></b> | <b><u>To Fund</u></b> | <b><u>Amount</u></b> |
|-------------------------|-----------------------|----------------------|
| 001-999-510003          | 058-000-414002        | \$ 70,200.00         |
| 013-372-510003          | 061-000-414002        | \$555,800.00         |
| 013-372-510003          | 126-000-414002        | \$ 35,267.00         |
| 013-372-510003          | 126-000-414002        | \$ 6,511.00          |
| 013-372-510003          | 126-000-414002        | \$ 52,691.00         |
| 014-373-510003          | 178-000-414002        | \$547,936.00         |
| 039-801-510002          | 148-000-414002        | \$ 53,254.00         |
| 001-999-510003          | 188-000-414002        | \$ 23,408.00         |
| 013-372-510003          | 067-000-414002        | \$ 82,166.00         |
| 013-372-510003          | 061-000-414002        | \$125,176.00         |
| 013-372-51003           | 179-000-414002        | \$301,216.33         |

Motion made by Commissioner Bell, seconded by Commissioner Crooks.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0407** authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Water Pollution Control Loan Fund Assistance Agreement, requested by Kyle Dunn, Director of Community Development .

Motion made by Commissioner Crooks, seconded by Commissioner Bell.

Roll call: Cameron, aye; Bell, aye; Crooks, aye. Motion carried.

**RESOLUTION 23-0408** acknowledge the resignation of Alice Ross, Seasonal employee, Rambo Memorial Health.

Motion made by Commissioner Bell, seconded by Commissioner Crooks.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0409** It was moved by Commissioner Crooks, seconded by Commissioner Bell, that this Board of County Commissioners, Muskingum County, Ohio adopts the following resolution:

Whereas: Ohio Administrative Code 5101:9-6-82 provides for the inter-county adjustment of any state or federal county family services agency allocations; and,

Whereas: Counties have requested such adjustments to best meet the needs of their constituents, due to the limited uses of each fund and the nuances of the random moment sampling process on a county's funding stream; and,

# Minutes for April 13, 2023

Whereas: Any unspent allocations with any county at the end of a fiscal year reverts back to the state for use by the State Department of Job and Family Services; and,

Whereas: A county family services agency must make such inter-county adjustment requests to the Ohio Department of Job and Family Services, and include with such request a resolution authorizing such from that County's Board of Commissioners; and,

Whereas: In accordance with OAC 5101:9-6-82(f)(2)(a), a Board of County Commissioners may pass a resolution assigning authority to the director of the county family services agency to serve as their designee and therefore grant that party authority to sign the inter-county adjustment agreement on behalf of the county for a April 11, 2023 through December 31, 2023. NOW, THEREFORE,

BE IT RESOLVED, that this Board of County Commissioners of Muskingum County, Ohio does hereby approve and authorize to assign Danny Brenneman, the Director of Muskingum County Job and Family Services to act as the Muskingum County Board of Commissioners Designee for approving Inter-County adjustments of allocated funds.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0410** approve the payment of the County's contribution to EMA Fund 130 for 2023 in the amount of \$110,076.49 to be paid from 001-902-507024; Intergovernmental, Outside Agencies.

Motion made by Commissioner Bell, seconded by Commissioner Crooks.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0411** accept the specification, plans and authorize the advertisement for the replacement of three (3) bridges in Muskingum County; Piper Road, Schoolhouse Road and Wortman Road. These projects are federally funded. Advertisement in The Zanesville Times Recorder will be Tuesday, April 18 and on the County and Engineer's websites, with the bid opening being Thursday, May 11, 2023; 9:30 a.m.

Motion made by Commissioner Crooks, seconded by Commissioner Bell.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0412** accept and sign the contract for Luburgh, Inc. for Wills Creek Road Culvert Replacement in the amount of \$223,812.00. Requested by Mark Eicher, County Engineer.

Motion made by Commissioner Bell, seconded by Commissioner Crooks.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

Mark Zanghi, Assistant Prosecutor, sent a draft MOU for the Lorena, for the Commissioners to review. A call was placed to Kelly Ashby to clarify wording on the involved parties.

Commissioner Bell reported that she saw a post on FaceBook from Y-City News regarding the demolition of the Mosaic Tile buildings. She called the administrator of the Y-City News page asking that the post be corrected by identifying all the parties involved with the improvements at the Mosaic Tile site. The post was corrected to include the Muskingum County Landbank, Andy Roberts and the County Commissioners.

## Minutes for April 13, 2023

Commissioner Cameron moved to approve the minutes of the April 03, 2023 session.

Commissioner Crooks seconded.

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

Motion carried.

Commissioner Crooks moved to approve the minutes of the April 06, 2023 session.

Commissioner Bell seconded.

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

Motion carried.

There was discussion regarding the adoption fees at the K-9 Adoption Center. A call was placed to Debra Nye for further discussion. Debra thought it important to quote ORC regarding fees in the resolution. She also suggested it not be effective until December 1, 2023 when the new dog tags are on sale. She will do further research and get back with the Commissioners regarding the Dog and Kennel fund.

There was discussion regarding today's scheduled Opioid Settlement Meeting.

It was decided to reschedule today's meeting and to set up a meeting with Corey Hamilton from the Health Department.

Pam Davis, Human Resources and Mackenzie Hill, Benefits Specialist, came to discuss the finalizing of the new Document Plan for the County Health Care coverage. They asked for the Commissioners to clarify the new autism coverage by determining the number of annual occupational therapy visits permitted. All agreed to match the speech therapy allotment, which also matches the State plan of 40 annual visits.

The Commissioner received a call from Sheriff Lutz asking about the possibility of increasing the adoption fees at the K-9 Adoption Center. The Commissioners are waiting to hear back from Debra Nye regarding past funding.

**RESOLUTION 23-0413** open bids for Virginia Ridge Water Extension – Contract 1 for the Muskingum County Projects Department.

Motion made by Commissioner Bell, seconded by Commissioner Crooks.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

**RESOLUTION 23-0414** take bids under advisement for Virginia Ridge Water Extension – Contract 1 for the Muskingum County Projects Department.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll call: Cameron, aye; Bell, aye; Crooks, aye.

Motion carried.

A call was placed to Kelly Ashby, Chamber of Commerce, regarding the Lorena.

- Kelly confirmed that the employees of the Lorena will be “seasonal employees of the Chamber of Commerce, paid from the Convention Visitors Bureau”
- Commissioner Bell placed a call to Mark Zanghi, Assistant Prosecutor, to explain this process

Commissioner Crooks moved to approve the minutes of the April 10, 2023 session.

Commissioner Bell seconded.

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

Motion carried.

## Minutes for April 13, 2023

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Commissioner Crooks moved to approve the minutes of the March 30, 2023 session.

Commissioner Bell seconded.

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

Motion carried.

Commissioner Bell reported on an email she received from a resident requesting access to his property from North Pointe Road in Jefferson Township. In contacting Mark Eicher, Mark Zanghi and Andy Roberts, it was learned that the matter must be brought before the Board of Commissioners for consideration. She will communicate that to the landowner.

Don Madden, Projects Manager, came to update the Commissioners on a couple of projects.

- Don received a call from Congressman Balderson's office needing more information on the Virginia Ridge/Irish Ridge Road water project
  - He is hopeful there will be funding for this project
- Don talked with EPA regarding the WSRLA application for the Maysville Water Project
  - They have reconsidered and will accept both phases as one project

The Commissioners left to attend a Social Work 101 class at OUZ with Dr. Leah Vensil.

They then attended Rambo's annual luncheon at the Zanesville Country Club

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

- Eric reported on the ACG Steering Committee Meeting he attended Monday
- Eric also reported that he had signed a Letter of Support for the Mid-East CDL Program
- MARCS Radios
  - Eric inquired as to why only two departments have requested reimbursement
    - Supply issue is partially to blame
    - Procrastination is also part of the issue
    - Jeff Jadwin reported that he will discuss with the Fire Chiefs at their meeting tonight
- EMA
  - Jeff reported to Eric that they have received a new de-con trailer but they have no way to transport the trailer
    - They need a truck that is capable of pulling the trailer
      - Is there another department truck that could be used when needed?
- Cleanface
  - Still on schedule
  - Eric relayed message to John Graham of the Fair Board that the cost/responsibility of the mobile shower units, if needed, will be that of the Fair Board

**RESOLUTION 23-0415** open bids for Virginia Ridge Water Extension – Contract 2 for the Muskingum County Projects Department.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

## Minutes for April 13, 2023

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**RESOLUTION 23-0416** take bids under advisement for Virginia Ridge Water Extension – Contract 2 for the Muskingum County Projects Department.  
Motion made by Commissioner Cameron, seconded by Commissioner Crooks.  
Roll Call: Cameron, aye; Bell, aye; Crooks, aye. Motion carried.

**RESOLUTION 23-0417** open bids for Virginia Ridge Water Extension Water Tank for the Muskingum County Projects Department.  
Motion made by Commissioner Crooks, seconded by Commissioner Cameron.  
Roll Call: Cameron, aye; Bell, aye; Crooks, aye. Motion carried.

**RESOLUTION 23-0418** take bids under advisement for Virginia Ridge Water Extension Water Tank for the Muskingum County Projects Department.  
Motion made by Commissioner Crooks, seconded by Commissioner Bell.  
Roll Call: Cameron, aye; Bell, aye; Crooks, aye. Motion carried.

There was discussion regarding putting a “Reminder” notice for employees parking their vehicles on the street. They should not be taking up parking space all day. Street parking is for clients/customers of downtown businesses and Courthouse. The notice was sent to the Sheriff for approval and he said that he had actually revisited this issue with his jail supervisors and Captain at a meeting on Wednesday.

Don Madden, Projects Manager, came in to report that EPA commented on how efficient the County’s applications are. Don gave credit to Eric and Zach for their help and hard work on these applications.

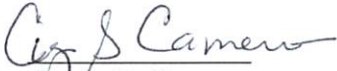
There was continued discussion regarding the MOU for the Lorena, between the County, City and Chamber/CVB. A call was placed to Kelly Ashby and she was told to track the CVB staff’s time spent on Lorena matters.

**RESOLUTION 23-0419** approve the payment of the 4-H Junior Fair and Future Farmers of America (FFA) premiums for the year 2023 to the Muskingum County Agricultural Society up to \$12,640. As a condition of payment, the Muskingum County Agricultural Society will be required to submit names and totals of payment County Commissioners’ Office. Also, if there are funds not used, the County is to get the reimbursement not the Fair Board.  
Motion made by Commissioner Bell, seconded by Commissioner Cameron.  
Roll Call: Cameron, aye; Bell, aye; Crooks, not voting. Motion carried.

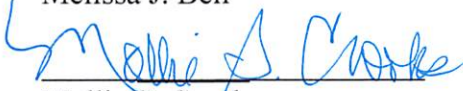
## Minutes for April 13, 2023

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With no further business being before the Board, the meeting was adjourned at approximately 3:00 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.

  
Cindy S. Cameron

  
Melissa J. Bell

  
Mollie S. Crooks

*This is a condensed version of today's session. For a more detailed account, feel free to request a DVD recording.*