

Minutes for April 19, 2021

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

RES 21-0401 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 Cameron reported that Maria Kalis called and said Ed Pidcock, Courthouse Security Deputy, would be moving to Domestic Court tomorrow.

- In regards to the current Domestic security guard, he will be going upstairs as bailiff

Commissioner Cameron said she thinks we have everything we need now from John Graham regarding 4-H premiums.

Commissioner Porter said John called him and said there was one more question Commissioner Cameron had, but he couldn't remember what it was.

Commissioner Cameron said she tried to make the motion last Monday, and now we have answers.

- The number of participants
- Paying out cash to the participants
 - Paying out at the west end office
 - Doesn't matter which day
 - Will return what's not used

Commissioner Cameron moved on the following for consideration:

RESOLUTION 21-0402 approve the payment of the 4-H Junior Fair and Future Farmers of America (FFA) premiums for the year 2021 to the Muskingum County Agricultural Society. As a condition of payment, the Muskingum County Agricultural Society will be required to submit names and totals of payment to the County Commissioners' Office.

Also, if there is a percentage given back, the County is to get the reimbursement not the Fair Board.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Sheriff called the Commissioners to ask their opinion about visitors being required to wear masks in to the Courthouse.

- Deputy Pidcock says that there are discrepancies on what they're doing
 - They have one citizen that comes to the Courthouse on a regular basis, that refuses to wear a mask
- Questioning because of Maria taking over Domestic and Deputy Pidcock going over there

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- Sheriff has no problem differentiating between Courthouse and Courtroom, just making sure he is portraying what the Commissioners want with our citizens
- Commissioner Crooks asked if there is a still mask mandate with the State
 - Sheriff is not sure, Governor did pull back the reigns a bit, in enforcement
 - But, if they are asked by the County and refuse, it could be considered disorderly conduct, not that we want to go there
- We have not had any conversation to lift that requirement
- Commissioner Cameron referred to Franklin County just going to purple, what does it hurt to ask people to wear a mask
- Commissioner Porter said we are just asking, there is no mandate, the legislative took that away
- Commissioner Crooks said that any business can still deny people to enter their business without a mask
 - It was agreed there is nothing wrong with asking people to wear a mask
 - Courthouse
 - Hixson Building
 - Law Administration Building

Commissioner Crooks referred to an email from Mark Zanghi, Assistant Prosecutor regarding the Open Meetings Act.

- The letter attached to that email is in reference to Commissioner Porter's comment at the end of last Thursday's meeting
 - "Mark Altier, from the Attorney General's office's, opinion is that the Open Meeting Act has been violated, twice"
- Commissioner Crooks asked Commissioner Porter if the Washington JEDD meeting and the CCAO breakfast were the two meetings that he was referencing
 - Commissioner Porter said just two of many
- Commissioner Cameron asked if Mark Altier would be sending his opinion in writing, along with an explanation of why he came to this opinion
 - Commissioner Porter said according to the Prosecutor's letter, his is not allowed to talk to him anymore, which is bullshit
- Commissioner Crooks said we were all in the meeting with our legal counsel when we talked about the Washington Township meeting and he gave his opinion
 - Commissioner Porter didn't attend the Washington Township meeting, but our legal counsel, Mark Zanghi did
 - How can you address what was done in the meeting, when you didn't attend
- Commissioner Porter said he was told not to attend
- Commissioner Porter said Mark Zanghi can stick this letter up you know where and turn it sideways
- Commissioner Porter said he would forward the letter to Mark Altier at the Attorney General's office; that's his job, to instruct on these matters
 - His opinion differs with Mark Zanghi's when it comes to discussion
 - You didn't vote, I get that, but you discussed

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- Commissioner Crooks said we don't know what information Mark Altier was given; we know what Mark Zanghi was told
- Commissioner Porter said Mark Zanghi is right, you can go stuff food in your face 24 hours, seven days a week, but you cannot discuss County business
 - He received an email from the Executive Director of CCAO that said you had "informal discussion"
- Commissioner Crooks asked if Commissioner Porter really thought CCAO would put County Commissioners in an awkward position
 - They are starting out meeting with all new county commissioners
 - That's what they do
- Commissioner Cameron asked if Mark Zanghi and Mark Altier could speak.
 - It would be interesting to see...
 - Commissioner Porter said he would invite that, absolutely, because they don't agree

The following was then considered:

RESOLUTION 21-0403 authorize this Board of Commissioners to waive the attorney-client privilege with regard to the opinion letter dated April 16, 2021 from the Muskingum County Prosecutor to the Board of Commissioners regarding the Ohio Open Meetings Act.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

Motion carried.

Commissioner Crooks asked that today's minutes reflect the opinion of our legal counsel/Prosecutor's Office.

- Commissioner Crooks to Commissioner Porter, you didn't like the decision from our legal counsel gave so you went to someone else and got the decision you wanted, that's how it appears to me
 - Commissioner Porter said he went to the person who trained him several times
 - Bud Chess, (former Assistant Prosecutor) wouldn't have allowed this, he wouldn't even come down here
- Bud allowed for informational meetings
 - Commissioner Porter said that informational means you sit there and don't say a word
- Commissioner Cameron asked how the meeting was held in 2014 with the Township Trustees where it says Jim Porter and Jerry Lavy attended
 - How can that happen in 2014 and can't in 2021 when we had an attorney present
 - She's never heard that you couldn't open your mouth; never picked that up from any training

The summary of the communication from Mark Zanghi, the Commissioners' legal counsel, is that the allegations made by Commissioner Porter regarding Open Meeting violations, are unfounded.

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- Commissioner Porter's response is that according to Mark Altier, Opinion Specialist with the Attorney General's office, that is unfounded...it was a violation of the Opening Meeting Act
 - Mark Altier recommended that Commissioner Porter talk to the Prosecutor
 - Forget that....Commissioner Porter already sees what's going on here
 - Or go the State Auditor and report it
 - Or file it with the Common Pleas Court
 - Commissioner Porter thinks his odds are zero to none
- Commissioner Cameron asked if Mark Altier could provide that in writing or call us and tell us that is what he told Commissioner Porter
 - Commissioner Porter would hope so, obviously no one is believing him
 - Commissioner Cameron didn't say she didn't believe him, but she did know that she could go talk to the CCAO about COVID, zoom meetings and all that
 - She said three times on Thursday, that she was leaving early to go to Dr. Parker
 - Commissioner Porter said he would discuss it when Commissioner Cameron came back
- Commissioner Crooks asked Commissioner Porter about the remark that he and Jerry Lavy had met with Shremshock several times...yep
 - How is that different
 - And Jerry and Commissioner Porter always went to the Township meetings together...yep
 - Commissioner Porter said he has a letter from Mr. Todd Sands from an attorney in Columbus, telling them to stop
 - He (Commissioner Porter) was summoned to the Prosecutor's Office and from there somehow summoned to Judge Cottrill's Office and all agreed for him (Commissioner Porter) to go to Columbus again for training, to put Mr. Sands at rest
 - Mr. Altier is the same guy that taught us in Columbus
 - Commissioner Porter said his odds of doing anything and winning here are next to nothing
 - Commissioner Crooks asked him what he wants to win
 - Commissioner Porter said it obviously upsets Commissioner Crooks what Jerry and I were doing it
 - She's just trying to understand why that was okay and this isn't
 - Commissioner Porter can't imagine why any of you wouldn't say to the CCAO, shouldn't we just ask all of them to come
 - Commissioner Cameron said the last two times they've been here and they've asked us to lunch, both times you (Commissioner Porter) told them no...would you have gone
 - No...and why?

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- Commissioner Porter said you're (Commissioner Cameron) making it sound like I have no use for the CCAO in your wording of the minutes is false, but at this point I don't really care
 - Commissioner Cameron said that she just said that you haven't gone to the lunches, maybe that's why they didn't ask you
 - Commissioner Porter said from the response they both (Zanghi and Altier) sent, I think they realize they made a mistake at that time
 - Commissioner Crooks asked how we can resolve this to stop the pissing match and move on to the bigger items...
 - Commissioner Porter said if Mark Zanghi and Mark Alter want to talk, we'll see
 - Commissioner Crooks said you can ask five different attorneys and get five different opinions
 - Commissioner Porter recalled Mr. Zanghi sitting in here and said it was a gray area and then all of a sudden did a 180
 - Commissioner Crooks said he was perfectly fine with how the meeting was handled
 - Commissioner Porter said let's move on...not worth the bullshit
 - Commissioner Crooks said she could agree with that

The Commissioners met virtually with Dan Weinberg of Zencity.

- Zencity enables governments to hear from each of their residents beyond the engaged, vocal Same Ten People (STP).
- Working with local leaders in the decision making process, budget and building trust
- Sole company to offer to local government sector
- How is this accomplished
 - Pull unheard voices
 - Real time analysis
 - Data insight
 - County's 211 line
 - Unofficial sources of information
 - Media outlets
- How do residents respond
 - There are guarantees that they will respond
 - Some will not interact
 - 80% of those over 65 are utilizing at least one form of social media
 - Most homeless even have phones
- What are the fees
 - \$36,000 for twelve months
 - But, early partners are given a \$12,000 discount which would result in \$24,000 for a full 12 months
- Can new projects for community feedback be added during the 12 months...yes

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- Dan will be following up with an email and overview of today's conversation and specific points of the program
 - He will also include information regarding the stimulus Rescue Plan
 - A listing of current clients
 - A link to their website
- A follow up meeting was scheduled for Monday, May 3; 10:30 a.m.

Stan Lucas, Sewer Department Manager, came in to talk with the Commissioners about Avondale.

- They OOPS'd the Main Street and Moxahala area in question
 - It is a waterline and water leak
 - He called Beth Shook at Maysville Water and she said yes, they (Maysville Water) were the ones that dug that
 - But, when they (County) went through to install the sewer line, during construction, they nicked the water line
 - They went through, put the sewer line in, backfilled and paved over it. Then after they paved, the water line started leaking
 - At that point, Maysville Water had to dig it up and fix it
 - Stan feels like we are responsible for that and should fix that one
 - The County actually did the patch that is there now, because the County knew then they were the reason it leaked
 - Stan will call the Township Trustees and tell them
 - They will get to it soon
 - He will have the guys go down, cut it all back up, dig it out, compact and pour concrete and hire someone to pave it
- Madison Street is a gas line cut
- Charles Street manhole is already ½" below grade

Stan also reported that he has received the new camera for the Sewer Department

- Commissioner Porter asked about an extended warranty, might be worth it
 - Stan will check on that

The following legislation was now considered:

RESOLUTION 21-0404 approve the Supplemental Appropriation of Funds within Fund 090, for the Muskingum County Probate, as requested by Judge Eric D. Martin.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Computer Equipment	090-238-506001	\$10,000.00

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

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RESOLUTION 21-0405 accept and approve Maintenance Laborer Position Description for the Muskingum County Maintenance Department 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.

RESOLUTION 21-0407 approve and sign the CORSA 2021 Participation Agreement as submitted by Pam Davis, Muskingum County Human Resources.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Pam Davis, Human Resources, brought in Nate Burns to introduce to the Commissioners.

- Nate will be working part time with the Maintenance Department through the Starlight Adult Employment Program
- Jason Hannahs was also introduced as Nate's coach

Commissioner Cameron asked the Board about Administrative Staff recognition this week.

- All agreed on pizza and salad Thursday

A call was placed to Mark Eicher, Engineer, regarding the OPWC Integrating Committee appointments.

- Mark will be the appointment with Matt as his alternate

Mark reported on the Gaysport Bridge

- Inspectors were sick last week and didn't complete the work
- Mark doesn't anticipate being able to re-open the bridge
- Commissioner Crooks said she has heard that boaters are worried about going under the bridge
- Mark said that shouldn't be a problem

Commissioner Crooks moved to approve the minutes of the April 12, 2021 session with changes. Commissioner Cameron seconded.

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

Commissioner Cameron moved to approve the minutes of the April 15, 2021 session with changes.

Commissioner Crooks seconded.

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

The Commissioners adjourned for lunch to resume session at the EMA office at 1:30 p.m. to review the Fire Department Grant applications.

WHIZ was present for the afternoon session.

The Commissioners and EMA Director, Jeff Jadwin, reviewed the 15 Grant Applications from County Fire Departments. Additional information was needed for three applications. Jeff Jadwin will follow-up with the Fire Chiefs to obtain the additional information.


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RESOLUTION 21- 0406 approve all grant applications for the amounts requested by the Fire Departments, not to exceed \$20,000 per Department.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

With no further business being before the Board, the meeting was adjourned at approximately 2:10 p.m.



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.